## HOUSE OF ASSEMBLY

Thursday 2 April 1992

**The SPEAKER (Hon. N.T. Peterson)** took the Chair at 10.30 a.m. and read prayers.

### STATUTES REPEAL (EGG INDUSTRY) BILL

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

That the sitting of the House be continued during the conference with the Legislative Council on the Statutes Repeal (Egg Industry) Bill.

Motion carried.

### TRAFFIC INFRINGEMENT NOTICES

Adjourned debate on motion of Mr Gunn:

That the regulations under the Summary Offences Act 1953 relating to traffic infringement notices, obscuring number plates, made on 13 February and laid on the table of this House on 18 February 1992 be disallowed.

(Continued from 19 March. Page 3409.)

**Mr HAMILTON (Albert Park):** I have a vivid recollection of the introduction of these regulations under the Tonkin Government. Now I find to my amazement that those very people who supported this Bill during, I think, 1981 or 1982 are the very same people who are opposing these traffic infringement notices. I remember at the end of 1981 that these regulations were introduced without any fanfare and without a great deal of publicity. It was through, I suggest, my diligence that I exposed the sorts of problems that were associated with these traffic infringement notices. I dug out from the Parliamentary Library an article in the *Sunday Mail* of 7 February 1982.

**The Hon. T.H. Hemmings:** Is that the one about you?

**Mr HAMILTON:** Indeed. This is an article written by Tony Baker headed 'Spot fines hit all our pockets' and, as my colleague says, it says some very nice and complimentary things about me.

**An honourable member:** Let's hear them.

**Mr HAMILTON:** Modesty forbids me from saying that. The article says that, in reference to taxpayers' money, I calculated that '... on the spot fines for traffic offences introduced with the new year are likely to yield an annual $4 million.' That is a staggering figure. The article goes on to talk about the cost to each man, woman and child in the State, and it states:

> Have we created a monster? Without fanfare a system has been introduced providing for on-the-spot fines for 180 infringements of road regulations.
>
> Do you have louvres on your car windows? If so, I trust you also have two rear vision mirrors, otherwise you are in breach of the law and a fine may result.
>
> You may be helping the Government towards its next $4 million.

The article goes on to give a number of illustrations. I remember this vividly. No publicity was given by the then Liberal Tonkin Government to this particular issue. The member for Eyre, who was a member of that Government and, if my memory serves me correctly, the Deputy Speaker at that time, is now squealing about these issues. The Government that introduced the legislation is now in Opposition, and it is a case of when things are not the same, they are different. I am appalled—

**The Hon. J.P. Trainer:** Outraged!

**Mr HAMILTON:** Not outraged—at the double standards, as I see it, of the member for Eyre, a person in this House for whom, I must concede, I have a lot of respect. However, I do not agree with him on this issue at all. The reality is: if you don't want to pay on-the-spot fines or traffic infringement notices, don't break the law. It is as simple as that. When people deliberately put equipment on their numberplates, they do it for only one purpose, that is, to get around the law. I have yet to be convinced (but I will not say that I cannot be convinced) that this is not a deliberate attempt by these people to flout the laws of this State; that is, they want to exceed the prescribed speed limits.

I say to any member—and this includes myself—that, if you break the law, you pay the penalty. I have broken the law; I have been pinged by the police. Okay, I have copped it sweet; it is no good squealing. If you get caught, you cop it, and I have copped it. We have so many cases of people saying, 'Oh, look, I've got a modern car and the vehicle got away from me' or 'I'm driving down the road and the speedometer suddenly creeps up.' It has nothing to do with the driver—not much! The reality is that people become complacent, but complacency, as we all know, can lead not only to deaths on the road but to people being severely injured. Unfortunately, we have many quadriplegic and paraplegic people in this State because people who have driven cars for many years think, 'It won't happen to me.' They think that they can break the law, flout the law, and not pay the penalty.

I have no sympathy for those people who deliberately break the law by putting this type of equipment on their numberplates, which is clearly designed to avoid detection. In this Parliament other legislation has been passed in relation to equipment that was used deliberately to flout the law; that is, radar detecting equipment. Those very people who break the law by adding this type of equipment to their numberplates to try to escape detection would be the very same people who, if a member of their family or a loved one was killed, injured or severely maimed because of a person breaking a law—and that is the bottom line in all these sorts of issues—would squeal for very strong penalties to be imposed on those who broke the law.

It is no good us in this Parliament blaming the police; they have a job to do. I do not believe—and I have read the member for Eyre's speech—that the police are instructed deliberately to try to raise more money from the motorist. Again, the easiest way to overcome that problem, if that were the case, is for South Australian motorists to say, 'We won't break the law; we won't exceed the speed limit', because, I would suggest, that is why many traffic infringement notices have been issued, that is, for speeding offences. I come from Seaton and it is very easy, for example, to exceed the speed limit on Port Road. It is easy to do that, but all motorists have an obligation to abide by the speed limit; we all know it is 60 km/h in the metropolitan area, in the main.

If people want to take a chance and creep up to 65 or 70 km/h they know that on the roads there are speed cameras, police and many forms of detection. If people want to break the law, they pay the price. That is what is happening. Going back some time, Minister Klunder in the *Border Watch* clearly demonstrated that that is the easiest way for the Government not to get money. I hope that we shall see the day when the Government does not get any money from traffic infringement notices. If that were the case, I suggest that there would be fewer accidents on our roads and our insurance premiums would drop dramatically. We

would have less trauma and fewer tragedies on our roads, particularly over holiday and festive seasons.

We can all quote the tragedies that occur because of road accidents. It is no use our standing here and squealing, particularly members opposite who introduced this form of regulation as a way to get money from the community. The member for Eyre said that the issuing of on-the-spot fines has been abused, over used and inflicted upon the community. Again, it was the then Liberal Government, between 1979 and 1982, that brought it in. I do not believe that it has been abused and over used. If the member for Eyre and others do not want the Government or the police to get any money, I suggest that if they do not speed or break the law they will not have to pay any money.

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

## PUBLIC SECTOR ASSET MANAGEMENT DEVELOPMENTS

**Mr GROOM (Hartley):** I move:

That the First Report of the Economic and Finance Committee relating to Public Sector Asset Management Developments 1988-91 be noted.

The asset management report was an exhaustive task performed by the former Public Accounts Committee and it has been carried on by way of reference by the Economic and Finance Committee. The report covered all Government departments and its ultimate findings were critical in nature.

The previous Public Accounts Committee did a great amount of work with respect to factual matters. I want to pay tribute to the members of the Public Accounts Committee and, in particular, the previous Chairman for the way in which that task was carried out. In relation to the ultimate findings of the committee and the shaping of the Chairman's foreword, there is no question that that was the work of the Economic and Finance Committee.

I might add that a number of departments most certainly need to lift their game in relation to asset management. The departments of most concern to the committee were the Education Department and the Health Commission. The Education Department was observed to have a backlog in so far as its maintenance and replacement work was concerned of about $230 million and the committee found that that was an unacceptable level.

In 1991 values the Education Department had an asset base of about $2.4 billion. Reasonable provision to replace these assets is about $59 million a year, but in 1991 the department set aside only $6.9 million. If departments do not establish proper asset bases—a proper asset register—and if departments do not reconcile their assets at the end of each financial year, they will get out of kilter and, if departments do not maintain their assets by putting money into ensuring that they have a longer life, the cost to the taxpayer is enormous. I suspect—in fact, it is more than a suspicion, as it is quite clear that the backlog of $230 million that the committee said was unacceptably high—that is one of the reasons why schools in South Australia are finding it extremely difficult to get maintenance done and have replacement work undertaken. It was important that a department like the Education Department was highlighted, and it was equally important for the committee to highlight the Health Commission.

In relation to the Education Department, the committee found that, despite the significant size of the asset base, the department has not established a clear policy for the management and replacement of school buildings and facilities. By not doing these things it is clear that a significant amount of taxpayers' money is not being well spent. The Health Commission was another area critically analysed by the committee, which found that the commission has failed to establish a formal plan to manage the replacement and upgrading of hospitals and associated health facilities throughout the State. It found that that was unacceptable. It found that the commission had failed to demonstrate an adequate administration for assets and did not have any formal plan or policy to deal with asset replacement at the proper level of understanding of its legal responsibility for the management of something like 7 per cent of the State's major assets.

Concern was also expressed by the committee about the way vital information is collated in relation to the management autonomy of the various health units. We also indicated that other agencies—the Department of Housing and Construction and the Department of Lands—need to improve their commitment. The Department of Lands did report that it had a surplus of assets at one stage of about $20 million. However, when we investigated, the surplus assets were about $70 million. It is clear that, if there is not adequate reconciliation in relation to the assets on a periodic annual basis, the opportunity cost in holding on to these surplus properties is lost to the taxpayer. If the surplus properties to the value of $70 million had been disposed of expeditiously, it would have put a huge amount of funding back into the budget and we could have built a number of schools or done a number of other things by ensuring that the surplus properties were identified and dealt with in an efficient manner.

So, the Department of Lands also came in for criticism. The Department of Road Transport was another agency that was required to lift its game. I have already mentioned the Education Department, the Department of Employment and Technical and Further Education and, of course, the Health Commission. We noted that the Departments of the Premier and Cabinet and the Treasury have been making progress in their role as central agencies monitoring asset management, but we did seek to highlight specifically two of those departments. It is because of the Education Department's and the Health Commission's huge asset bases that they were singled out, I guess, for particular scrutiny.

I should say in relation to the Housing Trust that the committee noted that the number of households waiting for housing is approximately 44 000; that 37.1 per cent of applicants are aged 25 to 39 years; that there is an equal number of male and female applicants; that 46 per cent of households are single person households; and that 18 per cent of households are single parent households. We found that the trust is simply unable to meet housing demand. With regard to its—

*Mr Atkinson interjecting:*

**Mr GROOM:** I do not think that the honourable member ought to be cynical about it. It is a very serious problem. Better management of assets through the whole of the public sector will release funds to enable these sorts of things to be alleviated, and it was a matter of concern. It was quite an obvious finding, but what we as a committee have offered is solutions by way of better managing the assets to release funds to alleviate some of these problems, so it is a proper matter to highlight. In respect of the trust program for the replacement and refurbishment of assets, the committee was of the view that the trust should place greater emphasis on appropriate accommodation for one person households in accordance with the changing demand profile

as evidenced by the committee, in other words, more medium density Housing Trust homes.

The committee noted that the departments that we called the pipes and wire agencies—ETSA and the E&WS Department—have identified clear management plans and strategies and, quite clearly, received a plus from the committee. We also found that there is an immediate need to establish clearly and explicitly the responsibilities, structure and reporting arrangements for the central management of public sector assets; to set up asset management programs and monitoring arrangements incorporating performance indicators so that the Parliament and the community can be assured that appropriate policies for asset management are in place; and to make reporting to Parliament and public sector stewardship of vital community assets as mandatory as the management of recurrent budgets.

This is the first report of the newly constituted Economic and Finance Committee, newly constituted in terms both of personnel and the width and breadth of its powers. The Parliament has set up a very powerful committee, and I am sure that it will act in that role. It will also ensure that the Executive arm of Government does not become overpowerful and is brought back under more parliamentary control. I suspect that this is the purpose behind the Parliamentary Committees Act: to bring back more parliamentary control and to scrutinise the role of the Executive in decision making.

*Mr Atkinson interjecting:*

**Mr GROOM:** I believe in giving credit where credit is due. As I said, much of the work was done by the previous Public Accounts Committee, and the determination of the then Chairman to bring about a better measure of accountability was evident to all members of the committee. He made quite plain that he was not going to show any fear in this inquiry into the Executive arm of Government. I give him credit, and I give all members of the Public Accounts Committee due credit for the way in which that committee wanted to scrutinise the failings of many Government departments.

Be that as it may, it was a reference to the Economic and Finance Committee, and I must say that, in balancing that, anyone can find facts; the shaping of the findings is particularly important. The way in which those findings are presented, that is, the critical way in which they are presented, is important, and the Chairman's foreword in the findings was shaped by the Economic and Finance Committee.

Overall, I believe that the asset management report is a credit to the Public Accounts Committee and to the Economic and Finance Committee. The critical way in which the executive arm of Government has been scrutinised by this Parliament sets the ground for future inquiries by the Economic and Finance Committee, which will bring about far better parliamentary control of the Executive arm of Government.

**The Hon. H. ALLISON** secured the adjournment of the debate.

## WATERWAYS FARM

**The Hon. D.C. WOTTON (Heysen):** I move:

That this House congratulates and expresses its support to the operators of Waterways Farm at Keyneton for the excellent work being carried out in this area of land rehabilitation by providing land and soil rehabilitation services and in developing systems of whole farm planning which takes into account the need for environmental and economic returns.

I am very pleased to move this motion congratulating and expressing support to the operators of Waterways Farm at Keyneton for the excellent work being carried out in this area of land rehabilitation.

**An honourable member:** How do you pronounce that?

**The Hon. D.C. WOTTON:** I hope we have sorted out the correct pronunciation.

**The SPEAKER:** Order! More importantly, I am sure that *Hansard* will show the correct spelling.

**The Hon. D.C. WOTTON:** I must admit that I was not aware of the excellent work that is being carried out by this organisation until fairly recently, when I saw an advertisement in one of the newspapers promoting an event that was to take place during the Festival of Arts. When I contacted the people responsible for organising that activity, I was made aware of some of the other excellent work that is being carried out at that venue. As a result, I was invited to visit Waterways, and I am very pleased that I did. I suggest that all members of the House visit Waterways if they have the opportunity to do so. I am sure that the owners of the property, Bill and Maureen Evans, would welcome them.

Waterways Farm is a rare combination of farm, forest and gardens; it is set in the woodlands of the north Barossa ranges and is part of the Evandale property founded by the prominent pastoralist Henry Evans in 1850. Evandale was famous for its wine, its beautiful gardens and the nursery. As is spelt out in the motion, Waterways represents a combination of ecological technology, the arts, farming, tourism, recreation and education. It is acknowledged as Australia's most comprehensive example of land rehabilitation, incorporating water catchment design and a massive tree planting program, which were both established in 1983. Environmental technology has been researched, developed and applied on the 450 hectare property.

This venture puts the theory of sustainable development into practice, and that is why I am so delighted to be able to bring this project to the notice of members of this House. Waterways is in the process of setting up a foundation for involving the community through practical demonstration, ongoing education and employment. The CSIRO Division of Soils and the University of South Australia are also involved with educational research at Waterways. The world market for environmental technology as of 1990 was estimated to be worth about $A500 billion in turnover. At the recent GLOBE 90—Global Opportunities for Business and Environment 1993 Conference in Vancouver, Canada, that figure was stated. At the current rate of growth, it is anticipated that environmental technology will have a turnover in excess of $A1 trillion by the year 2000.

Many of these markets are guaranteed by requirements imposed through Government legislation. Australia has a window of opportunity, for perhaps one to two years, to commercialise on environmental technology, and Waterways is providing an opportunity for people to be associated and to help further develop the advantages that have been gained so far in this leading market. The international market clean green technology is enormous. All around the world nations are seeking technology to clean up and repair their degraded environments. It is a massive industry, and Australia is in a very good position to supply it. As was stated by Dr John Stocker, the Executive Officer of the CSIRO:

Being clean, green and clever is a hell of a good opportunity for Australia.

The goal of Farm Forestry Developments Pty Ltd, which is also associated with Waterways, is to be the leading company working in the area of land rehabilitation by providing

land and soil rehabilitation services, developing systems of whole farm planning which take into account the need for environmental and economic returns, and providing forestry products and services. Farm planning systems utilising rain harvesting techniques are used in conjunction with forestry plantings to stimulate overall production as well as to address land degradation and soil rehabilitation in a new and innovative way.

The whole farm planning approach ensures ongoing productivity and the re-creation of native flora and fauna corridors. To undertake this work, Farm Forestry Developments Pty Ltd has developed a number of products and services, some of which are unique, and when I visited the site I was able to see at first hand some of these developments which are being considered. They include Farm Forestry Futures through which people can advance purchase mixed hardwoods for firewood and other purposes, the sale and replanting of advanced trees, land rehabilitation services, agricultural products and training. It is also creating an environment which is conducive to tourism and leisure activities.

As I indicated previously, if any members are able to visit Waterways, they will see just what is being done for tourism. Apart from the land management techniques which they have developed on the farm there are also some hardware items which they believe are marketable worldwide. One is a plant propagation system which offers savings all the way through the planting process. It is a re-useable pallet stackable system which has demonstrated greatly improved growth rates and water use efficiency.

They have also taken into account the development of a recycled paper mulching and seeding system. There is unfortunately a great scepticism in relation to recycling paper, while on-use is rare or occasional. Herbicide usage is becoming less effective and consumer punitive. The organisation can apply slurried hammer milled paper through a nozzle to blanket weeds, preserve water, protect soil and, with the addition of carbon, absorb heat, possibly eliminating ground frost. With the addition of compost, fertilising can be achieved at the same time. With the addition of seed, planting can be achieved at the same time. They have also developed a contour steering device where they can direct run-off water from gullies to ridges without the need for surveying equipment and staff. An electronic level sensing device is coupled to an indicator or electrohydraulic proportional control valve to steer the tractor and implement according to programmed slope parameters.

The advances that have been made by this company are very considerable indeed, and to be supported. So, I am delighted to be able to move this motion if for no other reason than to make members of this House aware of just what is being done and what can be done by people who are dedicated and committed in this area.

I reiterate my hope that members of this House and of another place will take the opportunity to visit Waterways. It is very easy to find, and I am sure that most people—and all members—would be impressed with what is being achieved in this development. The proprietors, Bill and Maureen Evans, and the people who are working with them (many of whom are unemployed but who have been given the opportunity to learn new skills and to show the same commitment as have Mr and Mrs Evans, and are doing just that) deserve the support of the people of South Australia and of this House. It is with very much pleasure that I move this motion, which I hope will be supported by all members.

**Mr HOLLOWAY** secured the adjournment of the debate.

## HOUSING TRUST

**Mr HOLLOWAY (Mitchell):** I move:

That this House rejects Opposition proposals to abandon the construction program of the South Australian Housing Trust in favour of a private rental subsidy scheme and calls on the Federal Government to provide additional support for public housing in South Australia.

I wish to take this opportunity to draw attention to the policies of both the State and Federal Oppositions in relation to public housing. I believe that they are policies that will be quite disastrous for the people of Australia and particularly for the people of this State. All people, particularly trust tenants and prospective trust tenants, should be aware of the implications of those policies. What is the Opposition offering? I would like to quote from the 9 January issue of the *News* which carried an article providing some details of the State Liberal Party's housing policy as follows:

SA Opposition leader, Mr Dale Baker yesterday said a Liberal Government would offer means tested rent subsidies to people on Housing Trust waiting lists . . . Under the plan, funds would no longer be used to build more public housing but would be targeted to means tested rental subsidies for the homeless and disadvantaged.

That policy mirrors exactly the policies of the Federal Opposition in its Fightback statement, and I quote from that so-called Fightback document, as follows:

The Coalition believes taxpayer support for public housing should be in the form of means-tested rental subsidies, with the ownership and management of housing stock resting with the private sector. The Coalition will therefore move towards the elimination of housing payments for capital purposes. This decision will be phased in, starting in our first year in office. The Coalition will renegotiate the Commonwealth-State Housing Agreement to direct remaining Commonwealth housing funds towards income support, emergency accommodation and management costs . . . the Commonwealth will progressively within its own budget responsibilities shift the burden of capital provision from the taxpayer to private sector investment institutions. Under the scheme the Commonwealth's contribution to construction costs will be reduced through agreements with major institutions to take up ownership and management of public housing stock on long-term contracts with a fair rate of return.

I think that what follows is the real sting in the Federal Liberal policy:

The States will also be given the flexibility to supplement their funds by selling off public housing stock. To replace Commonwealth funds, they would need to sell approximately 1.5 per cent of their current stock each year.

There we have the policies of the Federal Opposition and State Opposition on housing—and it is basically to dismantle public housing, to end it as an entity. After 56 years of service to this State, the Housing Trust would become a shell—just like the Department of Social Security or the Department for Family and Community Services—and would have no role whatsoever in the provision of housing for the people of this State. I think that existing and prospective trust tenants should look upon that with alarm and carefully consider the implications of those policies.

**Mr Lewis:** That's absolute drivel.

**Mr HOLLOWAY:** It is interesting that an honourable member opposite says it is drivel when I have just quoted from the very policies. If the Liberal Party has changed its policy since the document came out last year, then let the Opposition get up and say so. Members opposite will have their opportunity later. There can be no doubt whatsoever that if these policies are implemented, public housing will no longer exist in this country.

If the construction activities of the Housing Trust are to be replaced with rent subsidies, as is offered by both the State Opposition and Federal Opposition, we will have a situation where, with the sales programs and ageing of the

housing stock, very soon the number of publicly owned houses will decrease. If the Federal Liberal Party expects the State to sell off at least 1.5 per cent of its stock each year to replace the Commonwealth funds, it is obvious that very soon, perhaps by the turn of this century, there will be no public housing left in this State.

The inevitable conclusion of such a policy would be that the ownership of Housing Trust houses would be in private hands, and indeed that Federal Liberal policy (which I mentioned previously) suggests that that should be the case—that institutions should be encouraged to take up the ownership and management of public housing stock. What will that mean for Housing Trust tenants? For a start, security of tenure would be gone. At the moment, people who live in Housing Trust houses have the reasonable expectation, provided they pay their rent, that they can live in their homes and improve them for the rest of their lives. If ownership were removed to the private sector and they only had rent subsidies that would not be the case: they would have no security of tenure. If the owner of that house wished to sell it they would have to move, and they would have no option but to do so.

What would happen if the hot water system went on a Friday night? At the moment, while the trust provides construction and maintenance, an emergency service is available. If the houses were owned privately; they would lose such guarantees; they would simply be at the mercy of private landlords in relation to maintenance services. That is something that every existing and prospective Housing Trust tenant should think about.

What about the rent? It is all very well to provide rent subsidies to people who live in private housing, but what about control over the rent? While the Housing Trust owns the major public housing stock of this State there is control over the rent. However, if the ownership of housing were to shift to the private sector, there would be no such control. Again, every Housing Trust tenant and prospective tenant ought to think about that. If this policy is implemented those tenants could easily find that their rent would be in the hands of private developers and individuals who might ultimately purchase their house.

There is nothing wrong with rent subsidies in themselves. Indeed, this State Government has provided rent subsidies for some time to assist those in the private market. In 1990-91, a total of 7 780 households were provided with rent subsidies to the extent of $4.6 million. However, to be effective, rent subsidies should be used in conjunction with the public housing sector. They should be a supplement to the public housing stock, not a substitution for it. The State Historian, Sue Marsden, wrote a book on the history of the South Australian Housing Trust, titled 'Business, Charity and Sentiment'. Part of its text reads:

> As in other Australian States, the South Australian Government began to assist working-class housing early in the twentieth century, but only indirectly, by lending to home-buyers. Just as the Depression exposed the frailties of the State's economy in general so did it reveal the vulnerability of a system which had provided home loans to many thousands of householders who could no longer afford the repayments. The Government became concerned not only with its own financial loss but with the scale of human suffering this represented. This, in turn, drew attention to the substandard private housing many families were forced to rent and also to their difficulties as rents began to rise again after the Depression.

Thus we had the development of the South Australian Housing Trust in 1936. Yet, what we have with current State and Federal Opposition policies is an attempt to turn back the clock to before the Housing Trust started in 1936, to get back to the stage where people would be living in privately owned substandard housing, and where their only means of assistance would be through rent subsidies.

What the Opposition is offering here is just a return to the past, the most unattractive past. The concerns that people should have go beyond just the impact on Housing Trust tenants and prospective tenants. Not only they will pay the price for these policies. If the State Liberal Party were to form a Government, its policies would have a very dire impact on the economy in this State. For each $1 million that is spent on public housing in this State, 41 jobs and a further $2.5 million in economic activity are provided. The policies of the South Australian Housing Trust are a very effective counter-cyclical economic measure to balance out the peaks and troughs of the housing industry which, in turn, create job security and price stability.

It is no coincidence that we have not seen in this State the excesses of the boom and bust in the housing market that have occurred in other States. If we compare South Australia with the Eastern States, where there was a national collapse in the real estate industry from 1989 to 1992 (where some markets registered falls of up to 40 per cent), South Australia's prices and the number of new starts in housing have remained relatively constant in that time. That is in no small measure due to the fact that the South Australian public housing sector is more than twice the national average. It provides that economic stability to this State.

It is also worth pointing out that, in this State, public housing provides 63 000 homes. They are the households that would be jeopardised if the Opposition's policies were to come into effect. The danger of converting all housing assistance to rent assistance is that it does not ensure an ongoing supply of affordable housing. It is all very well to say that if we used the moneys provided for capital works as rent subsidies for this year, we may be able to help a few more people in that year, but we must look at it over the longer term. A balanced approach needs to ensure both an adequate supply of housing and an adequate income arrangement so that low income households can meet their housing costs.

For example, suppose we had a system in the private sector of a $35 a week rent subsidy on a $100 a week rental. What would happen? It could mean that either $100 or $135 would go to the private sector landlord depending on the stance the landlord took. If we provide private sector rental subsidies, they could very easily be capitalised into the rental cost of housing so that, after time, the benefit to the tenant would be removed completely. In the end, the only benefit could well be to the private landlords who own the housing, and there would be very little control in terms of quality and other factors.

So, it is all very well to talk about having a rental subsidy scheme in the context of a large public housing sector, but it is another thing entirely to totally replace the public housing system with private rental housing. It would inevitably lead to lower quality and higher rent within that sector, and we would have the situation that we have seen in England under Thatcherite policies, on which these policies are modelled, where families are living in underground railway stations or car parks, under bridges or wherever they can find shelter. Anyone who has been to England and seen the result of the public housing sell off in the United Kingdom would know of the social and economic disaster that that has been. It is no wonder that the Government in England is struggling at this very moment.

**Mr Hamilton:** It is about to fall.

**Mr HOLLOWAY:** Indeed it is. They are the sorts of policies that are being pushed by Opposition members at both State and Federal level. They want to follow the

Thatcherite model. If we adopt their policies, we will see the same situation here where people are ultimately forced out of public sector housing. Of course, they have been very careful in the way in which they have announced their policies. They talk about implementing them progressively. Every Housing Trust tenant and every prospective tenant for a Housing Trust home should read the fine print of the Liberal policies and see that their long-term objective is to remove publicly owned housing in this country and to replace it totally with the privately owned sector. Of course, there would be no guarantee whatsoever that the private rental subsidies they are promising to provide would continue in the longer term.

All members in this House should look with great alarm at the policies being offered by members opposite. They will be a disaster for the people of this State, particularly Housing Trust tenants. I certainly intend to do everything I can to inform tenants of what those policies really mean, because I am sure that when the voters of this State, particularly trust tenants, become aware of the dangers in the Liberal policies they will thoroughly and deservedly reject them.

**Mr BRINDAL** secured the adjournment of the debate.

## URUGUAY GATT ROUND

**Mrs HUTCHISON (Stuart):** I move:

That this House—

*(a)* strongly supports submissions to have an urgent resolution of the agricultural policies in the Uruguay Round;

*(b)* strongly supports at least the adoption of the Dunkel proposals as soon as possible;

*(c)* commends the Australian Government for supporting a team of Ministers to the negotiations;

and

*(d)* pledges multi-partisan support for this proposal,

and, further, this House requests the Speaker to forward a copy of this resolution to the Federal Ministers of Trade and Overseas Development and Primary Industries and Energy as an urgent measure.

This is an extremely important matter, not only for the nation but also for South Australia as a whole, as it concerns the whole of the agricultural sector in this State. I am sure that it will gain the support of the whole House, because it is very important for South Australia.

In giving some background information on this subject, I would like to state that Mr Kerin, the Federal Minister for Trade and Overseas Development, just before he visited Europe in March this year, commented in a news release that the European Community was failing to agree on an approach to the agricultural negotiations in the Uruguay Round, and that this would obviously have a very bad effect on us. However, he did say that it was clear that a crisis was again building in Geneva in the five year long negotiations. It has been a very long and time-consuming matter.

The Minister said that the key sticking point at that time appeared to be the unwillingness of the European Community and key member States, especially France—and obviously we all know the amount of subsidy that exists in France—to accept reforms to farm support and protection as part of the overall Dunkel package. He further stated:

It is regrettable that a series of bilateral meetings with the United States has not made progress in finding an acceptable basis for completing the negotiations. EC member States are also divided in their views about the acceptability or the Dunkel text . . .

There have been recent encouraging signs that key member States recognise the imperative that the Uruguay Round be concluded and that it could not be allowed to fail because of the sectional interests of one group of EC producers.

Obviously, the group he was talking about was the group that France was supporting. I am pleased to say that things did improve somewhat after the Minister's visit and, as a result of his visit to the European Community, he came back and made a press statement. In that press statement, which was released on 25 March this year, he said that he had been encouraged by the public political commitment that had been given to a successful outcome of the Uruguay Round by President Bush and Chancellor Kohl following their meeting the week before.

Obviously, some progress had been made because, as late as 6 March, still no progress had been made by the USA in that regard. So, it was heartening to hear that a little progress had been made and some agreement reached between the USA and Chancellor Kohl. However, the Minister qualified his comments by saying that there were still some very difficult technical and political problems to be overcome and that those negotiations would need to continue in order to overcome those problems. He went on to say:

Overall, my discussions and the events of last week indicate that the political will is firming up on both sides of the Atlantic for a successful conclusion to the Round.

But the continuing failure of the EC and some other countries to accept the agriculture package put forward by GATT Director-General Arthur Dunkel has stalled progress.

In fact, Australia considered that those proposals were worthwhile supporting. He also said that the real test of the European Community's commitment would come during the coming weeks, when it was crucial that the European Community find a more flexible approach to agriculture in order that the negotiations could be concluded. At that time, Mr Kerin was speaking to the Federal Parliament after a meeting overseas with GATT Director-General Arthur Dunkel, European Community President Jacques Delors, Vice-President Franz Andriessen, European Community Agricultural Commissioner Ray McSharry (who I understand had some difficulties with some of the aspects of the package), German Government representatives, US Trade Representative Carla Hills and US Agriculture secretary Ed Madigan.

Also last week, the Prime Minister wrote to President Bush and Chancellor Kohl, stressing the need for a commitment to the successful conclusion to the Round at the highest level and highlighting the damage that would be done to the world trading system if this was not achieved. In the past two days we had a German delegation here to talk to us. Germany also has an important role, and the substantial gains in areas other than agriculture contained in the Dunkel package are recognised by the German Government, especially in the light of the pressures that it is experiencing during reunification.

Some of the aspects of reunification were touched on when we were talking to members of the German delegation in the past two days. For this reason Germany has a central role in ensuring that the totality of the Dunkel package is not sacrificed on the altar of narrow sectoral interests in the European Community. As Leader of the Cairns Group, Australia will maintain the pressure on all parties concerned and through every channel available so that an acceptable outcome can be achieved. One of the reasons for my motion is so that we can offer support at Federal level in order for them to argue the case for South Australia and Australia as a whole at those talks which are to be held on 17 April.

Some of the background to the problem that we are facing is that on 9 July 1991 the Commission of the European Communities adopted the proposals on the development

and future of the common agricultural policy (commonly referred to as the CAP), which was presented by Mr McSharry, the Commissioner for Agriculture and Rural Development for the European Community. The existing system of support prices was to be retained (with a target price, intervention price, threshold price, buying in price and co-responsibility levy), but with an effective 42 per cent cut in cereal support prices over three years. Obviously you more than most, Mr Acting Speaker, will be aware of the value of that to areas in your constituency.

Unless there is a cut in support prices, cereals production, which in 1991-92 was expected to be 177 million tonnes—17 million tonnes over the maximum guaranteed level—will continue to increase. Cereal stocks are expected to total about 30 million tonnes at the end of 1991-92. Although the aim is that the income loss to producers should be made up by compensatory payments, these would be paid per hectare according to 'regional average yields', and for 'professional growers'—not small producers—would be conditional on an initial 15 per cent set-aside of cereals, oilseeds and protein crops. Compensation would be paid on the area set aside, but only up to a limit of so many hectares. A farmer with 1 000 hectares of cereals setting aside 150 hectares would therefore receive no compensation on 142.5 hectares. That is the 150 hectares minus the 7.5 hectares which were set aside.

It was anticipated that these changes would lead progressively to benefits to the environment through a lessening of intensification and to lower production. This is speaking from the CAP viewpoint. A parallel aim was to cut the cost of feed for the livestock sector. According to Mr McSharry, in November 1991, for cereals the objective of the reform was to arrive at world market prices to ensure that the European Community became competitive not only in relation to third country cereals but also in relation to substitutes. If that did not happen, internal usage of cereals would continue to erode at its current rate of about 2 per cent per year.

According to the model, the total EC grain and oilseed area would fall by 3.1 million hectares. As a result of CAP reform, annual wheat production would fall markedly over that period. The conclusion reached with regard to those CAP negotiations was that the current GATT round had major implications for the CAP program. Obviously that would be true. The outcome of the GATT round is due to be considered in April when members will respond to this package of proposals which has been put forward by the GATT Director-General, Arthur Dunkel.

The Dunkel package, it is worth reiterating, includes specific commitments involving cuts over the six-year implementation period starting in 1993 in the areas of border protection, export subsidies and domestic support, and the result would integrate agriculture more fully into the general system of GATT rules and disciplines. The cuts envisaged are 36 per cent in border protection, 20 per cent in domestic support measures and, for export subsidies, a 36 per cent reduction on a budgetary basis as well as 24 per cent on a quantity basis.

Continuation provisions in the agreement allow for negotiating further cuts after the initial reform period. As a result of that package the United States and EC export subsidies would be reduced, including those covered by the United States Export Enhancement Program and the EC export restitutions for wheat and other grains. There would also be a fundamental change from non-tariff to tariff only protection, which would provide increased access opportunities and make agriculture everywhere more responsive to international market conditions. For example, in the United States the Meat Import Law would be eliminated, as would the United States section 22 quotas on dairy products. The Economic Community's variable import levies would also be replaced by the tariffs.

The text of this motion is that at least the Dunkel proposals should be accepted by the GATT round of talks, but obviously the Australian delegation would be arguing for more than that in order to try to make our markets able to compete on that level playing field with the markets overseas, particularly those in the EC. Therefore, I ask all members to support the motion so that we can send it through to the Federal Government as quickly as possible to enable it to have the motion available when it attends that round of negotiations in Uruguay on 17 April this year.

**Mr GUNN** secured the adjournment of the debate.

## UNITED STATES TRADE POLICIES

**Mr HOLLOWAY (Mitchell):** I move:

That this House deplores the anti-competitive trade policies of the United States and the apparent acquiescence of Japan to those policies, which threaten to lead to the cancellation of contracts for Australian manufactured motor vehicle components in favour of inferior or more expensive US products.

Just as the member for Stuart did, I also wish to address the important question of trade. Like all members, I am sure, I was dismayed to read earlier this year of moves by the United States Government to force Japanese car producers to resource their component industry within the United States. At the time there was speculation that that would have a damaging effect on the car industry in this State.

On 13 March the Managing Director of the Australian Trade Commission, Mr Ralph Evans, made the following statement:

Japanese car companies had split orders from Australia with the US and cancelled others since Mr Bush visited Japan in January to call for increased imports of US car parts. We know of two or three cases where Japanese car companies have switched sourcing from an efficient, modern and competitive factory in Australia to a US supplier, or divided a previously exclusive arrangement into shared sourcing.

That is a matter about which we should all be concerned. We have already seen the US use its muscle to the detriment of Australia on wheat sales, and motions before this House last year addressed that topic.

*Mr Atkinson interjecting:*

**Mr HOLLOWAY:** The behaviour of the United States, as the member for Spence correctly points out, was in retaliation to the actions of the EC. While we could debate at length who was most to blame in the trade battle between those two big trade blocs, the ultimate result so far as Australia is concerned is that it was our producers who were hurt. While one can also debate at some length who was most to blame in the current trade difficulties being experienced between Japan and the United States, the important question for people in Australia is how we can prevent our manufacturers in this country being hurt in the crossfire of that trade battle. It is in the context of that trade battle that I have moved this motion. There is no doubt that the US Government has applied pressure on Japanese car producers, and I quote again from the article in the *News* of 13 March. It points out:

. . . under a US-Japan action plan announced during the Bush visit, Japanese local procurement and imports of US order parts are to rise to $US19 billion in the Japanese fiscal year 1994, from a figure of $US9 billion in 1990.

There is no doubt that, as a result of those discussions between the United States and Japan, Japanese producers will be looking to increase their sourcing of components from the United States. We should also be aware that the Australian car component industry last year earned about $120 million in Japanese exports, so there is a very significant export industry as far as this country and, particularly, this State is concerned. I might say that it is also particularly important so far as my electorate is concerned, given the number of significant car component manufacturers located in those suburbs geared to the export market.

The reaction to the policies of the United States is worth recording. It is interesting to note what former Prime Minister Malcolm Fraser said in an article in the Adelaide *Advertiser* of 19 March. His solution was that Australia should cut its defence links with the United States if it would lead to an improved trade balance. He said:

> I think the time has come when we need to say to the United States that, if you want a strategic relationship with us, you have to treat us as an economic friend and not an economic enemy.

I would not go so far as the former Prime Minister did, because our defence links with the United States are a quite different subject from our trade links. Nevertheless, we do have to stand up for ourselves as far as our car component manufacturers are concerned. I should like to quote some other comments that Malcolm Fraser made. He said:

> Take the US: they complain to high heaven to Japan so all our car part manufacturers, who have painstakingly built up markets in Japan, are fearful they will lose them all to America—and they are probably right. Our trade imbalance with America is worse for our size than America's trade imbalance with Japan.
>
> We have adopted a mythology (level playing field) here and we are pursuing policies in relation to that mythology that no other country in the damn world believes in.

**Mr Atkinson:** What does the Opposition have to say about that?

**Mr HOLLOWAY:** It will be interesting, indeed, to hear what the Opposition says about that. But in relation to those latter comments, I do have some sympathy for Malcolm Fraser's views. We have received some reassurances from Senator Button as to the possible impact of this US pressure on Japanese car manufacturers. Senator Button is on record as saying that he expects Japan to solve the trade problem it has with the United States by reducing the number of cars it exports to the United States. He also conceded that there was an attempt to redirect some of those contracts by the Japanese companies in January. He said:

> But I think now that some of those things are not going to be pushed through. I think you'll find we'll be continuing component exports from Australia to Japan.

So, there have been some reassurances that, perhaps, Japan may resist the pressure it is under from the United States. However, the real fear on this issue is not so much that current contracts will be cancelled: the real fear relates to the renewal of contracts for car component manufacturers. It is one thing to cancel an existing contract: it is quite another matter not to renew that contract.

I am afraid that we will know whether Japanese manufacturers will resist the pressure from the United States only in years to come when these contracts come up for renewal. I wish to quote from the *Advertiser* of 14 March, when a survey was undertaken of car component suppliers in this State. It states:

> South Australian car component suppliers contacted by the *Advertiser* yesterday said existing contracts were not threatened but they were concerned about future contracts.
>
> Seat assembly manufacturer Henderson Automotive Divisional Manager Mr Bernie Doyle said the 'ground had been shifted from under the manufacturers' feet. We used to just compete on quality cost and delivery. Now it appears location is going to be a factor too.'

That really encapsulates very well the problem facing our car manufacturers. Those manufacturers have been encouraged by our Governments to go out and compete on the world market; they have been encouraged to improve quality and manufacturing techniques and technology. Many of them have taken up that offer, making great strides in the past few years in improving their productivity. What a tragedy it will be if those companies, having made those important gains, now find that they are closed out of the markets simply because of some trade deal between two far more powerful trading blocs.

We need to stand up for our component manufacturers and do everything we can to ensure that they get the fair deal to which they are entitled and to ensure that they really are playing on a level field. The economic importance of this issue should not be under estimated. It is interesting to note that during the late 1980s the export of manufactured goods from this country was growing by more than 30 per cent a year. According to OECD figures, Australia's manufactured export volumes rose by 15 per cent a year in its main export markets, well ahead of the average of 8.5 per cent a year growth rate experienced in these markets. By contrast, for the OECD as a whole, manufactured export volumes grew by an average of about 7.5 per cent a year for most of the 1980s, only slightly ahead of the 7 per cent annual growth rate in export markets. So, there is no doubt that there has been a resurgence in the manufacturing industry of this country. That reflects a number of factors, among which is, of course, improved productivity practices within our manufacturing sector.

Manufacturers have taken to heart the urgings of Governments over the past decade or so to go out and compete on world markets and to improve their performance and the quality of their goods so that they can compete with the best in the world. However, they can do that only if the markets are fair and have not been distorted by trade agreements that are based not on the quality of the goods but instead on agreements that are anti-competitive and protectionist—indeed, that have nothing to do with competition.

Of course, there are other motions on the Notice Paper relating to tariffs, and that is an important part of the trade question. There is no doubt that over the past few years this country has also made great strides to reduce tariffs, particularly in the motor vehicle industry.

**Mr Ferguson:** We need to slow down tariffs.

**Mr HOLLOWAY:** Indeed, as the member for Henley Beach correctly says, I think that in the current climate we need to slow them down. That is the basis of a motion which I have on the Notice Paper and which I hope will be discussed later this afternoon. However, the point is that over the past decade Australia has made great strides in improving its competitiveness. It has done its part to achieve a more level playing field in terms of world trade.

We should be concerned about the developments in Japan-United States trade. Hopefully, the Japanese Government and the Japanese car manufacturers will resist the pressure they are under from the United States. However, we can have no guarantee of that. As I said, the true test will come when contracts for car components are due for renewal in a few years. I am afraid I can only feel pessimistic about the likely outcome of that. I hope I will have the support of the House for this motion so that we can at least add our voice in opposition to these anti-competitive trade agreements, which are quite unfairly disadvantaging Australian manufacturers who have made great strides in producing world-quality products. I commend the motion to the House.

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

## ECONOMY

**Mr ATKINSON (Spence):** I move:

That this House welcomes the measures in the Prime Minister's One Nation statement as a balanced fiscal stimulus that will put many Australians back to work and result in a more competitive Australian economy and recognises the potential benefit to the South Australian economy of the Adelaide-Melbourne rail standardisation, upgrading of the Port Augusta rail workshops, additional road funding and tax concessions to small business.

'Big enough to get things going, big enough to get people back to work and big enough to stir the imagination' is how Prime Minister Keating described his One Nation measures on 26 February this year. That is how they have been received by the markets; that is how they have been received by the voters, as measured in the opinion polls since the One Nation statement; and that is how they will be received by the voters of Wills, who will elect Mr Bill Kardamitsis as the new member.

**Mr Brindal:** Who?

**Mr ATKINSON:** Mr Bill Kardamitsis, a member of the Greek Orthodox archdiocese of Victoria, a fine local preselection choice for the ALP in Wills.

*Mr Brindal interjecting:*

**Mr ATKINSON:** They certainly chose the best local candidate, and he will bolt in the Wills by-election. Already we can see the panic setting into the Liberal Party as it reads the Federal opinion polls, of which the latest Newspoll puts the Keating Labor Party ahead. Here we are coming out of a recession, and the Labor Party is already ahead in the Newspoll.

**The Hon. J.P. Trainer:** The Liberals had a lot of trouble with a candidate it dusted off.

**Mr ATKINSON:** Yes.

**The ACTING SPEAKER (Mr Blacker):** Order!

**Mr ATKINSON:** That imported Liberal candidate for Wills tried to pass himself off as a local and so embarrassed the Liberal Leader, Dr Hewson, in trying to do so. The One Nation measures are counter cyclical measures which are necessary to get Australia out of the recession that we are currently in as a result of this phase in the trade cycle. They are the kinds of counter cyclical measures that traditional Labor voters expect of Australian Governments. They are the classic Keynesian measures which have been taken by past Australian Governments, Liberal and Labor, but of which the current Liberal Party is incapable because of its doctrinal position—its return to the 19th century *laissez faire* capitalism. Indeed, look at them, the Gradgrinds of the Liberal Party—the 19th century men.

**Mr Ferguson:** Yesterday's men.

**Mr ATKINSON:** Yes, quite, as the member for Henley Beach says—yesterday's men, who are doctrinally incapable of coming up with counter cyclical policies to get Australia out of its current recession.

**Mr Brindal:** You are not capable of showing flair or light on your side.

**The ACTING SPEAKER:** Order! Interjections are out of order. The honourable member for Spence will address the Chair.

**Mr ATKINSON:** The Liberal Party doctrine now is in a purely ideological bind that will not allow the Liberal Opposition to come up with policies to get Australia out of the recession and back to work, as they are finding out in the polls. We saw one little eddy in the polls which indicated that the Liberal Party might have difficulty winning the next State election. And what did they do to their Leader? What did they do?

**An honourable member:** They chopped him.

**Mr ATKINSON:** They dumped him; they betrayed him: a Leader who, I must say, is most personable, decent and competent; a Leader who, had an election been called in South Australia, would have done very well on the campaign trail because of the way he handles people so well, the way he relates to people, and because of his common decency.

It comes through, and it is unfortunate that Opposition Leaders are not taken seriously by the media, by the opinion polls or by the voting public until an election is called. When an election is called, that is when Leaders of the Opposition can make their mark. I am sure that the current Leader of the Opposition would have made his mark and would have given the Liberal Party every chance of winning the next State election, but he was betrayed—cut down—by his own side and a has-been, who has failed twice in State elections, will be restored. I believe that, when the next State election is called, members opposite will very much regret their betrayal of their current Leader. And, with the Keating Government now ahead in the opinion polls, just wait for the betrayal of the current Federal Opposition Leader: just wait for the panic in the Liberal Party room after the crushing Labor Party victory in the Wills by-election.

I want to run through some of the main items in the One Nation statement. Obviously, the key feature is that there will be $2.3 billion in extra Government spending in the 16 months to 30 June 1993, and $1 billion of this will be in roads, railways, ports, airports, waste management plants and other infrastructure projects, and responsible pump priming. One of the most important aspects of the One Nation package is the faster depreciation of capital equipment, and I want to dwell on this for a moment. The cost of capital equipment will now, because of these accelerated rates of depreciation, be able to be fully claimed for tax purposes long before its economic life is over. I hope that the member for Murray-Mallee, as a bit of an investor, will listen to this closely.

If the actual life of the capital equipment is five years, we used to be able to write it off after 4.2 years; that is now down to 3.75 years. If the actual life of the capital equipment is 10 years, it used to be written off after 8.3 years, but now under the Keating Labor Government it can be written off for tax purposes after six years. And here is the big one: if the capital equipment has an actual life of 20 years, it used to be written off after 16.7 years but can now be written off after 7.5 years. The Opposition cannot beat that. This arrangement will reduce the effective tax rates on domestic investment in plant and equipment and will encourage growth in domestic investment, which we desperately need, as soon as possible.

Another important feature (and the financial markets have welcomed this initiative of the Keating Labor Government) is special bonds for infrastructure projects in transport and electricity. Interest payments by promoters to bond holders are now deductible but, because an enterprise often does not make a profit in the early years, that means there is nothing against which to deduct interest payments to bond holders. The Keating Government has recognised this problem, and now although interest payments will not be deductible, they will not be taxable in the hands of bond holders. That means that investors will be keen to get hold of these non-assessable bonds, and this may lower the interest rates on those bonds, leading to much needed investment in Australia's infrastructure.

**Mr Holloway:** Why didn't Hewson think of that?

**Mr ATKINSON:** Indeed, as the member for Mitchell says, why isn't it in the Fightback package? I would suggest that it is not in the Fightback package because of the doctrinaire and ideological nature of that package—a package that cannot see the practicalities of the Australian economy as Prime Minister Keating's One Nation package can.

*Mr Brindal interjecting:*

**Mr ATKINSON:** You used to accuse us of being doctrinaire socialists, and now you are saying we do not have an ideology. It is very kind of you to say that.

**Mr BRINDAL:** On a point of order, Mr Acting Speaker, I have never accused Government members of being doctrinaire socialists, and I ask the honourable member to withdraw—

**The ACTING SPEAKER (Mr Blacker):** Order! There is no point of order.

**Mr ATKINSON:** The South Australian Government was a leader in promoting these bonds to the Federal Government, so I am sure that the State Labor Government will be delighted to see that its advice has been accepted by Prime Minister Keating. The key point in these initiatives is that the projects must earn a real return—a commercial rate of return—for their bondholders, and it is good to see a Labor Government encouraging sensible investment.

Another feature of the One Nation package is that sales tax on new cars has been cut from 20 per cent to 15 per cent, taking $800 off the cost of a family sedan. That is good news for General Motors at Elizabeth, Tonsley and Lonsdale Mitsubishi and the components manufacturers. It is another thing that the Opposition did not think of in its Fightback package.

*Mr Oswald interjecting:*

**Mr ATKINSON:** Opposition members are very much the servants of car importers rather than car manufacturers.

*Mr Venning interjecting:*

**Mr ATKINSON:** Just look at some of the cars that members opposite drive.

*Members interjecting:*

**Mr ATKINSON:** Yes, it is true that I do not drive. It is true that I travel on public transport, and that is good news for Comeng, which builds railway carriages for people like me. In the Keating package $720 million will be spent over the next three years on technical education, vocational training and programs for the unemployed; there is $30 million for farmers; and $51 million in adjustment assistance for the textile, clothing and footwear industries, and that is especially necessary because of the closure of some of those industries, and I mention in particular Hilite Clothing, which recently closed down.

There is a precedent for these kinds of counter cyclical economic measures, and that was the Fraser Liberal/National Coalition Government budget of 1982-83. There is no comparison between that failed program and the Keating One Nation package. The reason for that is that the projected deficit under Malcolm Fraser was 4.1 per cent of GDP—that is how irresponsible the Liberal Party was prepared to be in its vain attempt to win the 1983 Federal election. There was a massive Government deficit. Fraser threw money at anything he could see. However, the Keating One Nation package has a projected deficit of only 1.9 per cent of GDP. That is much more responsible and restrained and it is targeted at productive infrastructure projects. It is a One Nation package that has been welcomed by the financial markets in a way that Malcolm Fraser's irresponsible package was not welcomed.

What are the experts saying about the One Nation package? The *Financial Review* in its editorial of 25 February stated:

> Most but not all of it is sensibly directed. The outlays cannot simply be derided as new deal make-work schemes. Like most of the English-speaking industrialised nations, Australia's competitiveness is being increasingly constrained by delapidated rolling stock, ports and roads. Mr Keating has responded with the rigour and creativity that has been the hallmark of his political career.
>
> After a decade when the ideologies of the two major Parties were often difficult to separate, Dr Hewson and Mr Keating are offering distinctive options to the voters.

Geoff Kitney, in the *Financial Review*, said:

> Where Dr Hewson is planning to take away public sector provided infrastructure, Mr Keating is promising to spend up big.

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

## PERSONAL EXPLANATION: IMPORTED VEHICLES

**The Hon. J.P. TRAINER (Walsh):** In the course of interjections during the contribution by the member for Spence, I was accused of driving an imported vehicle. I make clear that I have a 1969 MG (a 23-year-old heritage item) and a 1980 Gemini, both of which were Australian assembled by Australian workers.

## COUNTRY RAIL PASSENGER NETWORK

Adjourned debate on motion of Mr Venning:

That this House calls on Australian National, in cooperation with the State Transport Authority, to proceed toward the re-establishment of a country rail passenger network with priority being given to services for the Iron Triangle and the South-East,

which Mrs Hutchison had moved to amend by deleting all words after 'That this House calls on' and inserting the words:

the Federal Government to re-establish the country rail passenger network to Whyalla, Mount Gambier and Broken Hill, with priority being given to services to the Iron Triangle and the South-East.

(Continued from 20 February. Page 2999.)

**The Hon. H. ALLISON (Mount Gambier):** This is one of those motions which has been put by a member of the Opposition and which has been amended by a Government member, and I find I am in the unusual situation of being able to sympathise with both the original motion and the amended motion. The original motion sits quite comfortably with recent recommendations which were made by Rail 2000 and whose ideas include at some time in the future the possibility of the State Transport Authority's being involved in the provision of railcars of the 3000 class, some 50 of which have been ordered by the STA for use in the metropolitan area, and some of which at least may be surplus to requirements in the longer term. There is also the possibility, as stated by Rail 2000, that work orders imposed by the South Australian courts on offenders might involve them in repair, maintenance and reconstruction of the Bordertown-Wolseley to Mount Gambier section of the railway line at least.

The member for Stuart has amended the motion to omit the reference to the State Transport Authority and to place emphasis on asking the Federal Government to re-establish the country rail passenger network to Whyalla, Mount Gambier and Broken Hill, with priority being given to services to the Iron Triangle and the South-East. I agree almost entirely with the latter, except for the fact that it is the

South-East rail service that was in existence before the South Australian Rail Transfer Agreement was enacted in 1975. The other country rail services to Whyalla and Broken Hill were instituted by the Commonwealth Government post-1975 and therefore were not the subject of arbitration. The arbitration was allowed by the 1975 legislation. In the event of any dispute between the State and Federal Government over any diminution of rail services to Mount Gambier or the proposed closure, section 9 clearly stated, after paragraphs *(a)* and *(b)*, that the matter should go to arbitration, with the implication in that legislation that the arbitrator's decision would be final.

I forwarded a major submission once it was decided that we would arbitrate. I made all my documentation available to the Crown Solicitor who used that material for volume 2 of South Australia's evidence before the arbitrator. The end result was that the Australian Commercial Dispute Centre's Arbitrator, David Newton, came down with his determination in July last year quite clearly in favour of South Australia. He said:

> On the basis of the evidence put before me, I determine that the Commonwealth may not terminate the Blue Lake passenger service between Adelaide and Mount Gambier.

That was clear and unequivocal. He set out the terms of reference, the relevant clauses of the Act and the power of State and Federal Ministers to appoint him. He gave his terms of reference whereby he was to determine the dispute between the Commonwealth and the State of South Australia as to whether the Blue Lake passenger service between Adelaide and Mount Gambier should be terminated by the Commonwealth. He mentioned that two submissions were particularly detailed and deserved special acknowledgment: one was AN's submission and the other was mine. He made it absolutely and unequivocally clear at page 11 of his findings that:

> On the evidence put before me I have concluded that the Commonwealth has not established adequate grounds for termination of the service in the context of the factors I am required to take into account—

and they were very numerous factors—

> On the other hand, the State has established a more than adequate case for the service not to be terminated.

He then gave 14 additional recommendations including: new rolling stock, buffet facilities, toilet facilities, timetabling to be adequate and effective and suitable for the needs of the public and a whole range of issues involving services for the needy, the disabled, young and old and so on.

As I said, AN and the Federal Government were well and truly rolled by the State Government's submission which took them to arbitration. A tremendous amount of time and money was expended by the State Government and by my own office. As we do not have research staff, only secretarial staff, my family even became involved. We were engaged in compiling and collating over several weeks multiple copies of the at least 100 page submission to the Commissioner. If the State Government felt that it would only put in a token resistance to the Federal arbitrator and that the issue would eventually be lost, but at least we would have been shown to have put up a good fight, I say that is a great shame.

We did put up a good fight and we won that fight, but if the Government in the early stages only put in what it considered to be a token response and then won, there is something radically wrong with South Australia if we do not exercise our rights and continue to fight, to hammer home the cause to the people who are really responsible, that is, the Federal Government and AN, the people who allowed the country rail services throughout South Australia to run down between 1975 and 1992. They not only allowed them to run down but they deliberately ran them down, as we demonstrated clearly and beyond dispute in our submissions.

I sent a copy of my submission direct to AN before the arbitrator heard the case. The State Crown Law Department felt that I should not have done that because it forewarned ANR about what we were going to argue. The significance of that is that ANR did not answer effectively a single point of criticism that I documented; in fact, it did not answer any of the points raised in my submission. I therefore believe that we have an excellent case that we won hands down according to the decision of the arbitrator.

The obvious next step is not simply to capitulate following the receipt of $115 million for the standardisation of the Melbourne to Adelaide railway line—an amount of money that is allegedly already insufficient to do the job—and forfeit any right to further standardisation and upgrading of country rail services. We should fight this to the ultimate conclusion and take the Federal Minister of Transport, the Federal Government and AN to the High Court for enforcement of a legal and binding document, a document whose clauses were supported and arbitrated on quite properly within the law, a decision that was arbitrated in favour of South Australia and the reinstatement of the Blue Lake passenger rail service. Then and only then, if we force the Federal Government to comply with that recommendation, will we have the grounds to take the Federal Government a step further and ask it to treat all country areas in South Australia fairly and on the same basis and to reinstate the Port Augusta and Broken Hill rail services, which did not fall within the original terms of reference of the 1975 Railways Transfer Agreement.

I ask all members of the House to support the amendment, which I believe carries the correct thrust. It puts the blame fairly and squarely on the Federal Government's shoulders and, if we carry it to its ultimate conclusion, that is, taking it to the High Court for enforcement of the arbitrator's decision, we will be doing South Australia, particularly the South Australian rural residents, a tremendous service. We will be treating all residents of the State of South Australia on an equal basis.

**Mr HOLLOWAY** secured the adjournment of the debate.

## CONSUMER PRICE INDEX

Adjourned debate on motion of Mr Holloway:

> That this House supports the call of the South Australian Council on the Ageing for a review by the Commonwealth Department of Social Security of the basket of goods and services, included in the consumer price index as the basis for indexing pensions.

(Continued from 27 February. Page 3130.)

**Mr S.G. EVANS (Davenport):** I will speak only briefly to this motion. I give credit to the South Australian Council on the Ageing for bringing forward the point taken up by the member for Mitchell. Quite properly, he has introduced a motion to support this call and, more particularly, to attempt to get a message through to our Federal colleagues, in particular his Federal colleagues, the Federal Labor Government. In the main, I think the items used to decide capital price increases are reasonable. However, the point that the Council on the Ageing makes is that there are certain categories of people who, because of their lifestyle, may need to have the list reconsidered. The member is

suggesting that a different basket of goods should be used to determine CPI increases to their pensions.

We all must agree, in this sort of debate, that there are different types of pensioners. The aged pensioners would require consideration of a different basket of goods to be able to sustain a reasonable standard of living in comparison with those pensioners who may be on an invalid or sickness pension, but more particularly an invalid pension. A person who is a total invalid and who has to worry about transport cannot walk to the shop, even if he or she lives close to one. In many cases, they would need transport as a higher priority than other services. I use that as an example, and there would be many other examples, namely, single parents receiving pensions, the widows pension and so on. All these cases need to be considered.

By way of example, if a man, who is over 65 years of age and who qualifies for the age pension, has a 22 year old spouse, the spouse also is entitled to a pension which is equivalent to half the married couple pension at that young age. That matter should be looked at. I know that the Federal Opposition has stated that it will not cover persons if they are under 50 years of age. A female would have to have been looking for work and would have to have proved that she could not get work before being entitled to unemployment benefits. However, they would not be entitled to what they call a spouse or a wife's benefit if they were under the age of 50 years.

Under the present ruling, if the man is getting a pension at 65 and his wife is under 60 years of age, she gets the equivalent of half the married pension because she is the wife of a pensioner. However, if a man of 25 is married to a woman who is 60 or over and she is getting an aged pension, the husband cannot get half of the married pension—and we talk about equality in the system! That is discrimination at its worst. If the spouse, male or female, of a pensioner is under 50 years of age, which I think is reasonable, they ought to seek employment or, if they cannot get employment, apply for unemployment benefit. Another point interests me. In the basket of goods are a couple of items that I would eliminate. No doubt I shall be told by some members on either side that we cannot do that because they are essential.

*Mr Ferguson interjecting:*

**Mr S.G. EVANS:** We will wait and see. Among the list of goods considered to be essential for a reasonable standard of living are alcoholic drinks—beer, wine and spirits— . . . cigarettes and other tobacco items. As a country, what sort of hypocrites are we with regard to the last item? We are now banning the advertising of tobacco products and tobacco sponsorship of sporting events and we have insisted on health signs on packets of cigarettes. In the list of goods we include health products and health care and also cigarettes, which have been proved beyond doubt to be harmful to health. Yet the CPI has cigarettes in the list. It is a contradiction. They should not be there. If people want to smoke, let them smoke, but cigarettes should not be considered as part of the requirement to lead a reasonable standard of life. In fact, it is the direct opposite, according to the evidence that we have received.

As politicians, we know that over the next few years there will be immense pressure to bring in similar provisions with regard to alcohol. We shall find that there will be greater restrictions on the advertising of alcohol in all its forms. We in this State will have difficulty living with that, because we rely on the production of wine, spirits and beer for employment. It is part of our economy. It forms a huge amount of our exports. I do not suppose it is so bad if we sell it to people overseas. At least it will not be a burden to health conditions in this country.

Alcohol is not quite the same as cigarettes and tobacoo, because medical evidence shows that a small amount of alcohol per day does no harm and in all probability in some cases is a health benefit. I do not propose to argue that one way or the other. Many of our young people are starting to consume alcohol at a much earlier stage than in years gone by. Indeed, from what I have seen in my own electorate, many will be alcoholics before they reach 30 years of age and they will then become dependent upon society.

Why do we put those things on the CPI as being necessary for the cost of living? They are not necessary. They increase the cost of living quite considerably because of their high prices. I do not think that they should be there. If they are to be there, they should be considered only in the smallest of quantities. However, their prices overall are taken as part of the process.

The basket of items takes account of rental for housing and interest on mortgages—indeed, the whole spectrum of what one might expect for a reasonable standard of living and to maintain that standard of living, except for a couple of the items that I have mentioned. Looking at that the Council on the Ageing has said that we have different requirements as we get older and more emphasis should be placed on certain items. I agree with that and I give the member for Mitchell credit for bringing the matter before the House. However, we need to be more critical about what needs to be included as the basis of a reasonable standard of living.

I refer to what is being done with respect to housing and other areas in Australia, where we are seeking to apply middle-class standards and higher as the basis for all people to live by. The new housing standards that are to apply nationally will be included in the CPI, but the impact of interest paid on mortgages is ridiculous. If I wanted to build a house like my great grandfather built in Upper Sturt in 1854 I would not be allowed to do so today, yet if I wanted to knock it down the heritage people would not let me and would say that I had to live in it as it is. The building standards that are to be imposed or forced on people will dramatically push up building costs.

I agree with the old requirement whereby people had to be told who built the house and what materials were used so that a prospective buyer knew what they were buying and could get an architect to look at it. If we reverted to that system we could end up building cheaper houses, but just as good for people to live in and they would be just as happy. The standard of house does not make people any happier. We are trying to apply middle-class and higher standards of housing on many people coming into the system, but they will never be able to afford to buy.

**Mr HOLLOWAY (Mitchell):** I would like to thank the members for Playford, Murray-Mallee, Henley Beach and Davenport who have contributed to the debate and indicated their support for the motion. I do not want to say much in conclusion, but I make the point that the CPI is a measure of inflation which is based on what people actually purchase and it is not based on what they should purchase. We are trying to determine the statistical measure we should use to determine the basis on which pensions should be indexed. We could have an argument for the rest of today and next week over what goods should be in the basket and whether or not, as the member for Murray-Mallee says, we should exclude imported goods. We want a measure that reflects the actual needs of pensioners rather than the purely

statistical measure that the CPI is. I commend the motion to the House.

Motion carried.

## PUBLIC TRANSPORT CURFEW

Adjourned debate on motion of Mr Matthew:

That this House calls on the Government to abandon its short sighted decision to cease operating public transport at 10 p.m. on Sunday to Thursday of each week without providing for an alternative means by which South Australians can gain access to affordable transport.

(Continued from 20 February. Page 2992.)

**The Hon. T.H. HEMMINGS (Napier):** I am sure that every member in this Chamber who represents a metropolitan seat would have some degree of sympathy for this motion. I received more than a dozen telephone calls and letters when this matter was first announced in January. It would be fair to say that after the initial reaction by constituents interest has fallen off because it is actually getting through to most people that the new timetables will not come in until August and that the Minister has made it perfectly clear not only in this Chamber but in other forums that nothing has been completely finalised and that he is still seeking representations, negotiations and discussions with all interested parties. Everyone understands that. Therefore, it would be fair to say that this motion is somewhat premature.

I am not criticising the member for Bright for moving this motion, but I say that it is premature. The member for Bright talks about South Australians gaining access to affordable transport. It would be all right if he had said, in relation to this motion, 'those citizens who live in metropolitan Adelaide'. There would be some degree of validity and logic in that, but when one looks at the subsidy and at those people who are fortunate enough to gain access to State Transport Authority buses and trains, one wonders what has happened in the rest of the State. There are 475 987 households State-wide and 350 381 currently who can gain access to State Transport Authority buses or trains.

So, let us talk about metropolitan Adelaide. The member for Custance has made the point many times that his constituents have no access to the State Transport Authority facilities. The Minister himself, representing the seat of Whyalla, cannot gain access to the benefits and the subsidies that the taxpayer pays to finance the State Transport Authority. In relation to that subsidy, when one looks at Adelaide compared with other capital cities, one finds that the subsidy paid out by the State Government—that is, the taxpayer—represents $2.09 per boarding. Compared with that in the other States, it is way in front. I seek leave to have inserted in *Hansard* a table showing the subsidy paid per boarding in all major capital cities.

**The DEPUTY SPEAKER:** The table is purely statistical?

**The Hon. T.H. HEMMINGS:** It is.

Leave granted.

Government Subsidy per Passenger Comparisons 1990-91 Financial Year

| City | (1) Total Revenue $ m | (2) Total Costs $ m | (3)=(2)-(1) Govt Subsidy $ m | (4) Passenger Boardings m | (5)=(3)-(4) Govt Subsidy/ Boarding $ |
|---|---|---|---|---|---|
| Adelaide (STA) | 51.503 | 214.058 | 162.555 | 77.601 | 2.09 |
| Brisbane (BCC) | 41.626 | 91.977 | 50.351 | 42.257 | 1.19 |
| Melbourne (PTC) | 227.593 | 740.397 | 512.804 | 305.700 | 1.68 |
| Perth (Transperth) | 56.056 | 178.411 | 122.355 | 62.200 | 1.97 |
| Sydney (STA) | 172.534 | 356.908 | 184.374 | 218.128 | 0.85 |
| Simple Average | 109.8624 | 316.3502 | 206.4878 | 141.177 | 1.56 |

Note: Melbourne data relates to 1988-89 financial year. Metropolitan cost data unavailable after formation of the Public Transport Corporation.

**The Hon. T.H. HEMMINGS:** When one looks at the comparison between the subsidy and fare revenues in all the capital cities, one finds that the fare revenue per boarding compared with the Government subsidy per boarding means that people in metropolitan Adelaide get a far better deal than any citizen of Brisbane, Melbourne, Perth or Sydney. I should like to have inserted into *Hansard* another table, which gives the Government subsidy and fare revenue comparisons for all capital cities.

**The DEPUTY SPEAKER:** This is purely statistical?

**The Hon. T.H. HEMMINGS:** Yes.

Leave granted.

Government Subsidy and Fare Revenue Comparisons 1990-91 Financial Year

| City | Fare Revenue Per Boarding $ | Government Subsidy Per Boarding $ |
|---|---|---|
| Adelaide (STA) | 0.51 | 2.09 |
| Brisbane (BCC) | 0.92 | 1.19 |
| Melbourne (PTC) | 0.66 | 1.68 |
| Perth (Transperth) | 0.80 | 1.97 |
| Sydney (STA) | 0.63 | 0.85 |
| Simple Average | 0.71 | 1.56 |

**The Hon. T.H. HEMMINGS:** Then we look at the number of people who actually use buses and trains after 10 p.m. I am not denying that, if buses cease to leave the point of departure after 10 o'clock, people will be affected. I accept that, but when one considers some of the hype that has appeared in the media and some of the comments we have heard in this House and then looks at the full figures I have obtained from the State Transport Authority, one could argue, based on that subsidy I was talking about earlier, that there is not an efficient use of the taxpayer's dollar in regard to the subsidy. Let us consider buses, trains and trams after 10 p.m., Monday to Thursday. During that time there are 346 scheduled bus trips, eight tram trips and 28 train trips, giving a total of 382.

Those trips involve 105 buses, three trams and 11 trains—and members should listen very carefully to this. Basing the analysis on each one-way trip—for example, from the city to a suburban terminus or return—on average only three people get on any of the 346 bus trips after 10 p.m.; on average only eight people get on any of the eight tram trips after 10 p.m.; and on average only nine people get on any of the 28 train trips after 10 p.m. Anyone who stands up in this Chamber or out in the community and says that we need to pay that massive subsidy to maintain those trips after 10 p.m. is not talking about a correct and proper use of taxpayers' money.

However, the Minister has accepted, through his ongoing negotiations with all interested parties, that some alternative needs to be put in place. It is in this regard that I say that

this motion is premature, because, Mr Deputy Speaker, you and I know that there are ongoing negotiations with all interested parties. I think it is only right and proper that there should be such negotiations. There was an attempt by the Minister to get some agreement with the union movement but, unfortunately, that is faltering. However, we should give it a chance. Therefore, I move:

Leave out all words after 'Government' and insert in lieu thereof:

to continue discussions with all parties potentially affected by the Government's recently announced changes to public transport finishing times with a view to ensuring that public transport or a satisfactory alternative continues after 10 p.m. on Sunday to Thursday of each week.

I think that is a fair and realistic approach to the problem. It in no way takes away from the member for Bright his concern and that expressed to him by his constituents. In no way do I accuse the member for Bright of staging a political stunt; he is too much a man of integrity, as I am, even to attempt such a thing.

The facts I have placed before the House are such that we need to encourage the Minister to proceed along the lines of negotiation with all interested parties, because you, Mr Deputy Speaker, and I know that two buses travel down my road (the road where you, Sir, used to live)—the 440 and the 441. Often the only contact the bus drivers have on those routes after 8 p.m. is the wave I give them from my garden, because there is no-one else on the bus.

Perhaps there is another way to solve the problem—to encourage people to use public transport. How many cars travelling down Main North Road from Elizabeth to Adelaide have any more than one passenger? Practically every car travelling that route has just one passenger. We should be looking at all those avenues. Taxis have been mentioned as well.

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

**Mr S.G. EVANS** secured the adjournment of the debate.

## ECONOMY

Adjourned debate on motion of Mr Venning:

That, because of the parlous state of the nation's economy, this House demands that the following urgent measures be implemented by the Federal Government immediately—

*(a)* abolition of payroll tax;
*(b)* abolition of the 17.5 per cent annual leave loading;
*(c)* abolition of penalty rates; and
*(d)* return to a 40 hour, five day week,

which Hon. T.H. Hemmings had moved to amend by leaving out all words after 'That' and inserting in lieu thereof the words 'this House calls on the Federal Government to negotiate with the States on options to replace payroll tax with a more appropriate source of revenue'.

(Continued from 27 February. Page 3131.)

**Mr OSWALD (Morphett):** This motion was moved by the member for Custance and an amendment was moved by a Government member. I would like to refer the House back to the original motion moved by the member for Custance, which stated:

That, because of the parlous state of the nation's economy, this House demands that the following urgent measures be implemented by the Federal Government immediately . . .

He went on to list the abolition of payroll tax, of the 17.5 per cent leave loading, of penalty rates and a return to the 40-hour, five day week. The response from the member for Napier was to accuse the member for Custance of a return to the fascism of the days of the 1930s whereas, in fact, it was a valiant attempt by a member of the Opposition to get on the public agenda what is happening in the State with one million workers now on the dole queues because of the actions of the Federal Government. The honourable member pointed out to the Parliament some of the reasons why we have one million people on the dole queues, why we have massive unemployment in this State and why, sadly, we have massive youth unemployment.

It is a fact of life that payroll tax has been a major contributor to the cost of unit labour and the reason why we have unemployment; that the 17.5 per cent leave loading costs jobs in this country; that the penalty rates which are paid in this country are a cause of the loss of jobs in this State; and that, in many occupations, the 40-hour week has also brought about a decline in employment. In fact, the member for Custance should be applauded and congratulated by members in this Chamber for bringing this subject before the Parliament, not having these reasons put up by moribund members who try to go back to the days of fascism and try to hide the debate and the country's problems behind such facile remarks. The Federal and State Governments have been casting around for years, trying to come to grips with payroll tax. They have put it off, because they like the revenue it produces, and they have not yet come up with any suggestion as to what they can do to replace it.

Going back to 1977, Bob Hawke, in his days in the ACTU, screamed for the replacement of payroll tax, and said that it was a direct cost against labour and was costing jobs in this country. He then became the Prime Minister of this country and, from 1977 until now, the Labor Party has not been able to come up with any substitute to get rid of payroll tax. It has made a lot of statements, and in the debate this morning I will refer to a few of them. But it has never come up with a constructive alternative. The member for Napier then has the audacity to attack the member for Custance and try to amend his motion, which states:

This House calls on the Federal Government to negotiate with the States on options to replace payroll tax with a more appropriate source of revenue.

Well, for the first time in several decades, this country has been presented with an alternative by the Liberal Party, through the Federal Party, to bring in the Fightback package which, through GST, is a very effective way of getting rid of payroll tax and many other forms of taxation and returning that money to the States. The only problem with it, as far as the Labor Party is concerned, is that the Liberal Party came up with it first. Some years ago Paul Keating advocated such a scheme and, indeed, it gathered momentum. Now, because Mr Keating has been pipped at the post, we have the alternative of the Liberal Party running with it, and the Labor Party trying to castigate it. I will quote Bob Hawke, and we will then get on with the discussion about the GST. Mr Hawke said:

Don't have any doubt in your mind that what the number one objective of the trade union movement is to get an increase in employment, to cut down on the levels of unemployment, and we believe that the abolition of payroll tax can provide the opportunity of doing that.

That statement was made 14 years ago on 25 November 1977, and the Labor Party is no further advanced now than it was in 1977 in coming up with a solution.

Payroll tax was introduced by the Commonwealth Government in 1941 to finance child endowment. It was transferred to the States in 1971 to broaden their tax base and provide them a growth tax. As so often happens when Government revenue measures are brought in, payroll tax has long since got away from its original purpose.

Instead, rather than serving a useful social purpose, payroll tax is a highly regressive tax and in fact is hitting the poorest the most. It is principally doing that by denying them jobs, yet we have a Labor Government here supporting it. The tax base of the States is currently restricted to a range of indirect taxes, and we know all about our payroll tax, stamp duties, franchise taxes, FID, and so the list goes on. We can also include gambling in that, as well as taxes on properties and other charges through motor vehicles, and the like. Payroll tax is the third largest source of State tax revenue, accounting for about one-third of the total State revenues, exclusive of the Commonwealth's payments to the States.

A recurring theme in debate on reform of State/Commonwealth financial relations has been the need to replace this hotchpotch of State taxes with a broad-based tax on either income or consumption. The Liberals are offering this to the Commonwealth of Australia. Constitutional restrictions on the ability of States to levy excises would preclude, as every member would know, the Commonwealth from levying a goods and services tax on behalf of the States at rates that vary from one State to another. Nonetheless, the introduction of GST by the Commonwealth does provide an opportunity, in effect, to replace one or more existing State taxes with a goods and services tax. This will be achieved under the next Coalition as a commitment that we have made and, in doing so, it will abolish many other taxes and enable the States still to have that money returned to them.

The Labor Party no doubt will argue that it is a superficial solution to this fiscal imbalance that we have between the Commonwealth and the States. It has been costed and accepted, and in fact it will work. The abolition of payroll tax, as part of the comprehensive taxation reforms in the package that the Coalition Parties intend to use, will see part of the proceeds of this goods and services tax used and specifically earmarked to help the States to abolish State and Territory payroll tax. In order to secure the States' support for this approach, the arrangements will have to be based on the principle of revenue neutrality at both Commonwealth and State levels. Each State would require an increase in grants from the Commonwealth to offset the payroll tax it has forgone, to ensure growth in the goods and services tax base and also to provide as much security as possible support for the grants from the interference of the Commonwealth Government in the future.

Money will be set aside and specifically earmarked as payroll tax abolition grants. So, the grants money, or moneys collected from the GST, would transfer back to the States with a CPI component, and would be locked in by legislation so that other Governments coming in could not interfere with it. This will give all States of all political persuasions an opportunity to gather the revenue lost because they have given up the ability to gather payroll tax by collecting it from the Commonwealth by another means. So, all the problems that were raised by the member for Custance so correctly in the past will be circumvented because one of the greatest imposts on employment in this State, namely, payroll tax, would cease to exist, and employers would have another opportunity to employ.

In the minute I have left I also support the member for Custance in his call for the abolition of the 17.5 per cent leave loading. It is an iniquitous loading on any employer, and anyone who has employed labour would know that, if they must pay those types of penalty rates and give people the luxury of going on leave, at the end of the day there will not be jobs to come back to, and that is one of the main reasons why we have high unemployment. It is because a greedy Labor Government and greedy labor movement went right over the hill in imposing these costs on business which, in the end, businesses could never hope to pick up. So, over the course of the past several years, we have seen businesses crumble and fall.

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

**Mr FERGUSON (Henley Beach):** I indicate that I am the lead speaker on this side of the House for this motion. Sir, as you would know, one makes very few friends in political life: it is one of those difficult professions in which it is not possible to make friends. However, I count the member for Custance as a friend. Indeed, together with the member for Napier, I have given him an undertaking that we will travel to the annual general meeting in his electorate and speak to his constituents on his behalf.

This motion, I am afraid, comes straight out of the H.R. Nicholls Society. Only people of such a desperately right wing persuasion could come up with a motion like this. People of that persuasion, and I am afraid the member for Custance on this occasion, treat the Australian workers and South Australian workers in particular us Lazarus in the Bible was treated. St Luke, chapter 16, verses 19 to 21 states:

> There was a certain rich man, which was clothed in purple and fine linen, and fared sumptuously every day:
> And there was a certain beggar named Lazarus, who was laid at his gate, full of sores.
> And desiring to be fed with the crumbs which fell from the rich man's table: moreover the dogs came and licked his sores.

The member for Custance is treating South Australian workers as Lazarus was described as being treated in chapter 16 of St Luke. The member for Custance expects South Australian workers to get under the table and get the crumbs as they drop from the rich men. He does not care very much about their sores, because what he is doing to them under this proposition will make them sore indeed.

I agree with the amendment the member for Napier has moved to this motion in relation to the abolition of payroll tax. We all agree that payroll tax should go; the only thing we disagree on is the method by which it should go. Members on this side of the House find abhorrent the argument that was put by the member for Morphett about the abolition of payroll tax. The introduction of the GST, as proposed by Dr Hewson, would mean that unemployed youth would be forced to work for 80 per cent of the real wage under a Coalition plan to abolish Australia's universal system of unemployment benefits; and those people who are still unemployed after nine months would receive no unemployment benefits whatsoever.

This is the way the Liberal Party will finance the abolition of payroll tax. How can members on this side of the Chamber, who represent the working class and those people who are dispossessed in Australia, agree to a proposition that would abandon unemployment benefits after nine months and allow those people who are consequently unemployed to work for 80 per cent of an award wage and then displace those people who are working on full award rates?

What a scurrilous proposition. How could members on this side of the House swallow that? That proposition was put under the guise of the universal benefit of getting rid of payroll tax. All members on this side believe that payroll tax is not the best thing that this country is saddled with, but how could we possibly agree to its abolition when the people who will suffer in order to finance it will be the unemployed and those who can least afford it?

If I were a wealthy grazier and had a huge amount of land in a high rainfall area of this State, I suppose I could move a motion such as the one before us. It has always been the way of the wealthy graziers, the squattocracy, the people belonging to the right wing in this country, that they have been prepared to exploit the workers in order to continue to increase their wealth. The honourable member referred to the tourism industry at Clare, which is part and parcel of his electorate. I cannot think of anyone so short-sighted as not to realise that the abolition of the 17.5 per cent annual leave loading will damage the tourism industry with respect to the Clare Valley.

**Mrs Hutchison:** It will decimate it.

**Mr FERGUSON:** It will absolutely finish it. Those people who can now afford to go and stay in Clare as a result of the 17.5 per cent leave loading no longer will be able to travel to Clare. Instead of improving the tourism industry in Clare, it will close it down.

With respect to the abolition of penalty rates, do you know, Sir, that those teenage girls who work in the cafes and service stations at Clare receive penalty rates of less than 50 cents an hour? Yet the member for Custance wants to take 50 cents an hour off those youngsters' pay in order to increase the wealth of a very small group of people whom he represents and meets from time to time, I am sure, through the H.R. Nicholls Society. You, Sir, and I know that whatever has been gained for the workers through the labour movement has been gained by sacrifice. Nothing has been passed on to the labour movement by way of decreased working hours, increased penalty rates, increased pay, increased sick leave or workers compensation, other than by somebody making a sacrifice. I have not had the time to deeply research this, but I would suggest that, somewhere along the line, people in the labour movement have actually died to make sure that workers have received these increases.

The honourable member cannot expect this House to accept his simple motion after all the sacrifices that have been made right across this country by many people in the labour movement in order to make sure that the workers receive these benefits. He cannot think that the proposition would be easily swallowed, especially in the light of the huge profits some people in the rural industry are making in their very successful positions, even though commodity prices have affected the rural industry. The effect of the problems in the rural industry has hardly scratched the surface of the top 30 per cent of rural producers. The rural crisis does not mean a thing to them, with the amount of wealth that they, their fathers and their grandfathers have accumulated. In fact, the rural crisis helps them because they can take over from those people who have gone bad.

What does the honourable member mean by suggesting that we should return to a 40 hour week? It means a reduction in wages. It is nothing more than a thinly veiled attempt by members of the squattocracy to reduce wages in Australia. Even though we have a 38 hour week, those people in permanent employment actually work 42 or 43 hours per week, and the hours they work reflects the size of the pay that they take home. That is what it really means. Here we have a proposition from one of the richest men in South Australia trying to reduce—

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

**Mr FERGUSON:** —the working conditions of the people in the industry.

**The SPEAKER:** Members will comply with Standing Orders and not talk after their time has expired, otherwise the Chair—

*Mr Ferguson interjecting:*

**The SPEAKER:** The member for Henley Beach is out of order—the Chair will have to take some action.

**Mr S.G. EVANS** secured the adjournment of the debate.

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

## MINISTERIAL STATEMENT: SACON

**The Hon. M.K. MAYES (Minister of Housing and Construction):** I seek leave to make a statement in relation to claims of rorts existing in SACON in the form of employees receiving reclassifications prior to the payment of redundancy packages.

Leave granted.

**The Hon. M.K. MAYES:** The 25 March 1992 edition of the *City Messenger* included an article entitled 'MP Calling for Inquiry into Public Service Pay-out Rort', in which it is suggested by the member for Hanson that rorts exist in SACON in the form of employees receiving reclassifications prior to the payment of redundancy packages, whilst others were given pay rises before being displaced. Due to the serious nature of the implication of widespread dishonest practices in SACON, I feel compelled to present a detailed reply to the allegations.

The member for Hanson raised this issue in Parliament in August 1991 and I answered satisfactorily then that there was no evidence of abuse. This matter was not raised again in Parliament or elsewhere prior to the article of 25 March. SACON has over the past 12 months undertaken a significant organisational restructuring program in line with the award restructuring principles laid down by the Industrial Commission. In fact, through this process significant efficiencies have resulted from an intensive program of organisational and job redesign. This is evidenced by a reduction of SACON's employees by approximately 16 per cent. This reduction has, in part, been achieved, as in a number of other Government agencies, through the offer of voluntary separation packages to employees whose positions have been identified as excess to requirements.

The voluntary separation package program, as well as the process of award restructuring, has been scrupulously controlled in close cooperation with the Commissioner for Public Employment. No employee of this department has received a reclassification other than through this strictly regulated process, and any suggestion that there is a connection between reclassification of an employee's position through award restructuring and the offering of a voluntary separation package is totally without substance. The Commissioner for Public Employment has confirmed that to date the member for Hanson has not presented him with the details of alleged rorts in SACON. I can only conclude that the suggestions made in the article are totally unsubstantiated.

## QUESTION TIME

**The SPEAKER:** Order! Before calling for questions, I advise that, in the absence of the Minister of Emergency

Services, the Deputy Premier will take questions normally handled by that Minister.

## RADICAL PUBLICATIONS

**Mr D.S. BAKER (Leader of the Opposition):** Does the Minister of Education condone the wide distribution in South Australian schools of radical left-wing newspapers, which preach among other things, the advantages of sexual freedom and the irrelevance of the family and, if not, what steps will he take to prevent this material circulating in our schools against the wishes of many parents? I have been sent copies of three separate publications called *Resistance,* the *Green Left* and the *Environmental Youth Alliance.* All three seek to indoctrinate extreme socialistic tendencies under the cloak of environmental protection. The member for Henley Beach seems to think that is amusing. One article in an issue of *Resistance* disputes the argument that monogamy, heterosexuality and women's motherly instincts are natural and refers to the family unit as a 'capitalist illusion'.

**The Hon. G.J. CRAFTER:** I thank the Leader of the Opposition for his question. Certainly the Education Department and I, as Minister, do not support that form of literature being distributed to students. The question is what can be done about it. I can advise the House that the Associate Director-General of Education has issued an edict to all secondary schools advising that if they find such materials have been distributed those materials are not to form part of any of the curriculum within a school.

*Members interjecting:*

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

**The Hon. G.J. CRAFTER:** If honourable members will wait to hear the answer that I am giving rather than to prejudge my comments, I might be able to explain to the House this issue, which I regard as serious. As I said, the Associate Director-General of Education has issued an edict to schools. I should explain further that the group known as Resistance notified the media earlier this week that its members plan to target certain unnamed South Australian secondary schools from the date that they gave and that they intend to give students material containing explicit advice on sexual matters and contraception.

The edict that was sent to school principals says that if they find that such materials have been distributed to students they should take steps to notify the parents and other members of the school community that the materials are not part of the school's health education program or curriculum materials in any way; that is, that they have no status although there have been attempts to distribute them outside schools to students. Further, the materials are not endorsed in any way by the school or by the Education Department and permission has not been granted for them to be distributed to students at school. It is a matter of concern. Schools have been instructed to advise parents, students and teachers—

*Members interjecting:*

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

**The Hon. G.J. CRAFTER:** The message is to be conveyed to all responsible that these materials do not have status and that they are not condoned or accepted in any way by the Education Department. Education Department officers do not have authority to confiscate this material outside school property.

*Members interjecting:*

**The Hon. G.J. CRAFTER:** There is no authority to confiscate this material outside school property. If the material comes into a school, this note is intended to advise parents, students and staff of the nature of these materials and that they are not acceptable. It is not a matter where staff of the department can take action outside the school where this literature is distributed. I understand that it is distributed in a way which makes it very difficult for our staff to intervene—for example, when students are leaving in the afternoon.

I reiterate that neither the department nor I condone this literature in any way. I believe that we have taken all the steps we can take to advise parents, students and our schools that this material is not acceptable, and schools have authority under their own auspices to deal with these matters at school level. However, it is of great concern to us all that this organisation has targeted young people in our community to distribute this material.

## ABORIGINAL LAND RIGHTS

**The Hon. T.H. HEMMINGS (Napier):** Will the Minister of Aboriginal Affairs outline to the House how the issue of land needs for Aboriginal people is being addressed in the context of the Royal Commission into Aboriginal Deaths in Custody? I note that Commissioner Johnston said in his final report:

> . . . land needs is not an ideological concept but a very practical issue which, in my opinion, must be addressed, along with others, if deaths in custody and the disproportionate detention rates out of which they arrive are to be reduced.

**The Hon. M.D. RANN:** The honourable member is right: Aboriginal land rights will be absolutely crucial across this nation to the successful implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody. I believe that land rights must now be placed in the forefront of the Federal Government's reconciliation agenda. The honourable member is right in saying that the royal commissioner made a specific recommendation that was very strong and clear regarding land rights. Recommendation 334 says:

> That in all jurisdictions legislation should be introduced, where this has not already occurred, to provide a comprehensive means to address land needs of Aboriginal people. Such legislation should encompass a process of restoring unalienated Crown land to those Aboriginal people who claim such land on the basis of cultural, historical and/or traditional association.

Many Aboriginal people have already expressed to me their disappointment at the apparent lack of commitment to land rights by the Federal Government. Indeed, I could find no mention of land rights in the Federal Minister's statement to the House of Representatives in tabling the Government's response to the royal commission. I believe, and know that all members of this Parliament believe, that land rights are of fundamental importance to the reconciliation process and to Aboriginal self-determination and advancement.

It would be a tragedy to Aboriginal people if the land rights issue were dropped from the national Aboriginal affairs agenda. Every member of this Parliament should be proud that in a bipartisan way—and I emphasise that—the Parliament has addressed land rights with vigour, with some 20 per cent of South Australia's total land area already under inalienable Aboriginal title. Late last year 3 500 square kilometres of land around Ooldea and the Wanilla Forest near Port Lincoln were transferred by legislation to Aboriginal ownership and control, and negotiations are proceeding to involve Aboriginal people in the management of key national

parks in South Australia under the auspices of the Minister for Environment and Planning.

I have told the Federal Minister (Mr Tickner) that I want the issue of land rights placed on the agenda of the next meeting of Aboriginal Affairs Ministers to be held in Melbourne in May. Also, I would welcome ATSIC's involvement in the national land rights debate. It is vitally important that we discuss the strategies to address cooperatively the land needs of Aboriginal people around Australia. We in South Australia have a great deal to offer the other States and the Federal Government in tackling this issue.

## *RESISTANCE*

**Mr SUCH (Fisher):** Is the Minister of Education aware that a newspaper called *Resistance*, which circulates widely in South Australian schools, offers what it calls a 'Resistance Camp' at Frahn's Farm near Monarto at a cost of $30 for the weekend, with membership of the organisation being offered at $4, and $2 for high school students? I have been told that young students attending these camps are exposed to Marxist and extreme feminist propaganda without balancing argument and that this is causing friction within families whose basic values are being undermined. I will cite some of the literature:

> So, join us for a weekend of relaxation and education. Delicious meals will be provided and is included in the cost . . . We will be organising transport so all you have to do is ring . . .

And a telephone number is shown. The last of these camps was held on 14 and 15 March, and was attended by a number of high school students.

**The Hon. G.J. CRAFTER:** If the honourable member had listened to my answer to the first question, he would have understood that advice of the existence of an organisation called Resistance was provided to the press recently. So, I am aware of that organisation, as I explained in my previous answer to the House. I am not aware of the advertisement about the camp, but I assume that most organisations of that type conduct activities of that sort as well as distributing propaganda to the community.

As I said in my earlier answer, obviously they were targeting a group of young people in our community, and I deplore that approach being taken by the organisation. I understand it is an organisation that is extremely critical of the Labor Party: I am not quite sure of the political philosophy that the honourable member, or the Leader, is attributing to the organisation.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.J. CRAFTER:** All I can say is that every secondary school in this State has been advised by the Associate Director-General of Education this week of our attitude towards this organisation, and each school has the authority within its own structures to deal with this matter in the way in which it believes most appropriate because, in each of these cases, different tactics are obviously being deployed by this organisation to reach that group of young people. Most important is, I think, the advice that schools give to parents about the activities of the organisation so that parents can provide the adequate advice, counselling and supervision for their children, so that any likely involvement in camps such as this is well and truly understood by parents, if not perhaps by students, and so that the damage that may be caused to young people in our community by unscrupulous groups, not only in this case but in other instances that occur from time to time, can be minimised.

## MARALINGA

**Mrs HUTCHISON (Stuart):** Can the Minister of Aboriginal Affairs inform the House what steps can be taken to ensure that the clean-up of the Maralinga atomic test site and payment of compensation to the Maralinga Aboriginal people by the British Government is maintained as an issue in the international arena?

**The Hon. M.D. RANN:** The issue of the Maralinga compensation and clean-up really needs to be put squarely on the international agenda, and we want to see the world spotlight put on this issue during the coming year. I have called for the issue to be raised at an international conference of the United Nations Working Group on Indigenous Populations, to be held in July, and I have asked my Federal counterpart, Mr Tickner, to assist a delegation of Maralinga Aboriginal people to address that meeting.

An important measure of the Commonwealth Government's commitment to achieving reconciliation with Aboriginal people will be its willingness to press more vigorously for recognition of the rights of the Maralinga people by the British Government. I am sure that all members would agree that there could hardly be a better test in terms of natural justice. The Maralinga people suffered enormously from the nuclear testing on their lands, parts of which remain dangerously contaminated. Indeed, places like Yalata live daily with the tragedies that have flowed through from those tests in the 1950s and the 1960s.

1993 is the International Year of the World's Indigenous Peoples, and I have called for the Maralinga compensation and clean-up issues to be put on the agenda of the United Nations meeting in Geneva, Switzerland. Mr Tickner will attend that conference. I have spoken with Mr Archie Barton, the leader of the Maralinga people, who has expressed an interest in a delegation of his people being given the opportunity to address this conference. The South Australian Government strongly supports the Maralinga people in the negotiations with both British and Australian Governments. We believe that it is now time, seven years after the royal commission reported, that action was taken.

This has dragged on for far too long. There are too many alibis and too many excuses. Mr Major must not be allowed to wimp out on this issue. If it were a matter of Scottish crofters or Welsh sheep farmers, there would be no question: Britain would be leading the charge at the EEC and the United Nations to gain compensation and justice for those people, just as it did, and quite rightly, in relation to Chernobyl contamination. The same test of British fairness, the same test of British justice, must be applied to the Aboriginal people of the Maralinga area.

I was very pleased with the assistance that the member for Eyre gave the Aboriginal people in terms of their visit late last year to Britain, where they met with Conservative and Labour politicians and others; I was also pleased with the assistance of former Premier, Dr David Tonkin, who was extremely hospitable and helpful to that delegation of three people. Recently, I met with a British shadow Minister, Nick Brown, to brief the British Labour Party on this important issue.

## *RESISTANCE*

**Mr BRINDAL (Hayward):** Why did the Minister of Education, in his reply to the Leader of the Opposition, claim that Resistance was delivering materials to unnamed schools? What action, if any, was taken by his department to protect the children in targeted schools? The Minister alluded to

the press release of Resistance, of which I have a copy and which contains the following words:

There will be a national launch of the Resistance sex guide this Thursday, 2 April. In Adelaide we shall be distributing the sex guide outside the Brighton High School at 8 a.m. that day.

This press release was faxed to the Brighton High School on 30 March at 11.57 a.m. by the 5AD news room. Indeed, as the local member, I had enough forewarning to yesterday contact Sergeant Mulvihill of the Glenelg police station to alert him to this event.

**The Hon. G.J. CRAFTER:** As I understand the situation, the department did not know of the schools, apart from the one school referred to there.

*Members interjecting:*

**The SPEAKER:** Order! The member for Albert Park is out of order.

**The Hon. G.J. CRAFTER:** One must question the honourable member's motives in making this allegation when one wonders what action the honourable member took, if it was in his possession—

*Members interjecting:*

**The SPEAKER:** Order! The Leader is out of order.

**The Hon. G.J. CRAFTER:** —to provide the information to the Education Department. What the department did was to contact every school, so that every school could be warned of the situation. As we understood it, a number of schools were to be targeted, and no information was given about which schools they were to be, apart from the instance to which the honourable member has referred. Therefore, the action that the department took was most responsible, and that was to contact every school and warn that this was likely to happen.

## GRANGE PRIMARY SCHOOL

**Mr FERGUSON (Henley Beach):** My questions are also directed to the Minister of Education. Is the Minister aware that enrolments have increased spectacularly for the Grange Primary School? Will the Minister ensure that current zones for recruitment around the school remain? Will the Minister investigate, as a matter of urgency, the need to increase the number of classrooms on the present site? Will the Minister consider the problem of security at this school because of the recent spate of break-ins that have caused hundreds of thousands of dollars worth of damage?

**The Hon. G.J. CRAFTER:** I thank the honourable member for his question and indeed for his interest in schools in his electorate. I am aware, as the honourable member has made representations to me in recent times, of the unexpected increase in enrolments at the Grange Primary School. It is one of the largest primary schools in South Australia, and indeed is a very popular school. Many students from out of its now established zone attend that school, and it may well be that the boundaries of that zone do require a review. I will undertake to ask the Education Department to review the appropriateness of the boundaries surrounding that primary school. With respect to matters of security, I will also ask the department to provide me with a report on the security measures available at that school and their appropriateness.

## RADICAL PUBLICATIONS

**The Hon. JENNIFER CASHMORE (Coles):** Will the Minister of Education instruct his department to give to school principals more appropriate advice on how to deal with the radical propaganda material now circulating throughout State schools than the circular to which the Minister referred which merely asked principals to notify parents that the material was not endorsed by the Education Department—a self-evident fact?

**The Hon. G.J. CRAFTER:** The honourable member seemed to be continuing to ask her question when she was seated, but I think I understand the first part of her question. The instruction given by the Associate Director-General of Education should be read in conjunction with the other regulations that exist in the Education Department for dealing with these matters: they should not be read in isolation. Very clearly, principals have very wide powers in this area, and they exercise them.

*Mr S.J. Baker interjecting:*

**The Hon. G.J. CRAFTER:** Members might want us to spoonfeed principals and come down with mandates on every particular instance that suits the purposes of the Opposition, but these principals are responsible leaders of the Education Department in our schools. Regulations are in place that deal with these matters. This is a matter about information concerning what may or may not occur. Obviously the existing regulations then come into play along with the practices established in our schools. For the Opposition to allege that our principals are irresponsible and do not care—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.J. CRAFTER:** No, that is what the Opposition is saying. What the Opposition is saying—that the principals do not care—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.J. CRAFTER:** —about the welfare of students, and that they will not notify parents about these unsavoury—

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Leader is stretching the friendship.

**The Hon. G.J. CRAFTER:** —attacks on our young people and on our schools—is absolute nonsense. I have every confidence in our principals and in their ability to provide appropriate leadership in our schools and to read the existing regulations, despite the assertions by the Opposition that such regulations are inappropriate or do not exist, or that practices do not exist in the schools across the State that deal with these situations. Principals have to deal year in, year out with people who are trying to proselytise in some way or another. They are trying to market products that attract young people.

Here we have a quasi-political organisation trying to get through to a group of young people in our community. In other cases it is a commercial organisation or some other group in the community. Fortunately or unfortunately, that is the way in which our community operates: young people are preyed upon, day in and day out, by people for one reason or another. Our principals are experienced in dealing with these situations. The purpose of the communication from the Education Department was to provide information to our schools about what was likely to occur and to alert them of that, and that is what the Education Department did.

## TOBACCO ADVERTISING

**Mr QUIRKE (Playford):** Has the Minister of Recreation and Sport as yet studied the proposed Federal Government ban on tobacco advertising? If so, how does this proposal

line up with the South Australian model, and what other impact will the Federal measures have on South Australian sport?

**The Hon. M.K. MAYES:** I thank the honourable member for his question on this important matter. Personally I want to congratulate the Federal Minister for her stand on this issue and achieving what I think will be a very significant contribution towards public health. I know that international health organisations as well as our own Australian Medical Association have already congratulated the Minister and the Government for their decision. It now seems that we will eliminate some of these inconsistencies that exist between the States, particularly the States that have been dragging the chain such as New South Wales, which has been resisting the introduction of changes to tobacco sponsorship of sport.

I have not yet had an opportunity to see the legislation, and I cannot really make any definitive statement on it and on its overall impact. However, I have had an opportunity to look at the press release of the Ministers, and I believe that, from our point of view, it has enhanced what we are doing and will certainly add to the effect of tobacco sponsorship bans because it will eliminate difficulties that occur when national events are focused on South Australia. In order to keep those events alive in this State, it is obviously important for us to get exemptions. The press release states:

> The Federal Government has decided that, effective from today, 1 April, no new contracts for tobacco sponsorships of sport will be permitted and that, from 31 December 1995, existing tobacco advertising through sponsorship will be banned.

The press release talks also of exemptions to be applied, and one of them relates to cricket. The other exemption, which I note was mentioned in the press release, regards the Grand Prix. It is important for us to maintain an international event of the significance of the Formula One Grand Prix. Because there are international contracts for the television rights and the sponsorship of the cars, a ban by the Federal and State Governments would create difficulties and put the event in jeopardy. It is important that that exemption be maintained within the legislation that has been proposed by my Federal colleague. It will reduce the pressure on us and ensure that States such as New South Wales, which has resisted taking an important public health stand, comply with a national approach. That is what the Federal Minister and I have been promoting for several years.

This is a very positive step towards improving the health of our nation. On the other side of the ledger, it will mean significant savings to the public health budget. It is estimated that about $6.5 billion is spent on smoking-related illnesses. It is a very positive statement from the Federal Government and it has already been heralded around the world. Several international conferences and bodies have acknowledged it as being at the forefront internationally. According to one speaker I heard today on *AM*, it will have an impact in our immediate area and in countries such as the UK and the USA, which have similar political and cultural lifestyles and a very similar process of private industry. It is a significant step, and I congratulate the Federal Government on it. When I have had a look at the detail of the legislation, I will report to the House and perhaps enter into discussions with the Federal Government, because the invitation has been made to do so, to ensure that there is clarity in the legislation.

## MINISTER OF TOURISM

**Mr MATTHEW (Bright):** Will the Premier seek information from the Minister of Tourism to determine whether she withdrew from any discussions and decisions within her department about a submission by Tourism South Australia to the Planning Appeals Tribunal in support of the Tandanya project? If the Minister did not withdraw, will he agree that this is a further ground for an independent inquiry into conflicts of interest? The Minister is on the public record as saying that from 1989 she had worked very hard with her departmental officers to support the Tandanya project. On 28 September 1989, a senior officer of Tourism South Australia, Mr Rod Hand, appeared before the Planning Appeals Tribunal in a case in which the Tandanya project was being challenged. Mr Hand told the tribunal that Tourism South Australia supported the Tandanya project and, if it proceeded, the department would abandon its own plans which it had been developing for some years for a resort project on the western end of Kangaroo Island.

**Mr FERGUSON:** I rise on a point of order. Mr Speaker, you warned the House about the length of questions that were to be asked in Question Time and I wonder whether the honourable member's question comes within the parameter of that warning.

**The SPEAKER:** Order! The Chair does not uphold the point of order. The Chair will judge the length of questions and answers and, if the House requires that time limits be imposed during Question Time, Standing Orders can be used to effect that restriction. However, I ask the member for Bright to summarise his explanation.

**Mr MATTHEW:** This submission was made by the department at a time when Mr Stitt was lobbying on behalf of the companies proposing the Tandanya project.

**The Hon. J.C. BANNON:** Members may be a little curious to know why this issue, which the Opposition loudly proclaims is the chief and most important matter of the day in South Australia—more important than the economy and all the other issues that we may discuss—was not the chief topic of Question Time today. The reason is quite simple: the Opposition wanted to have questions asked in another place before it asked any questions down here.

**Mr D.S. Baker:** That's ridiculous.

**The Hon. J.C. BANNON:** 'That's ridiculous', says the Leader of the Opposition. He is saying that this is not part of a tactical ploy to try to crank as much mischief out of this issue as possible. That is what the Leader is saying. I was advised as Question Time started that we were not to expect any questions on this particular issue until the Legislative Council questioning had gone some way down the track; therefore, the first questions would be on a totally different and fairly irrelevant issue. That is what was being told to the media by the Opposition, and the Leader apparently does not even know his own tactics. That shows why he and his Deputy are on the way out.

This is relevant, when we talk about it, to an issue that directly touches on what the honourable member is saying. Part of what is involved is perhaps to try to extract another headline about the Minister and me being at odds in terms of the information that we give to Parliament. I have covered the matters that the honourable member raised about the Minister's clear declaration of interest in relation to the Tandanya matter. The honourable member, if all he was relying on was the daily press, could be excused for not understanding that, because my rather lengthy explanation of the Minister's declaration of interest was encapsulated into one short and fairly misleading sentence in the report in today's paper. But in fact, as I explained to the House—and the honourable member was here and would be aware of it—the Minister's declaration was made up front.

The Minister was not sent papers involved as Cabinet went through the process of decision making. In fact, the

Minister, in relation to a specific Cabinet decision, is recorded as not being present. All those matters were observed, and observed strictly. That is not to say that the department did not have a role in the project: of course it did at the appropriate time. I am saying that the declaration of the Minister's interest was on the table, known and understood clearly. Beyond doubt it was there. That was answered yesterday and this is just another way of attempting to stir the pot.

As for the Minister and me being at odds, again this is extraordinary, because it is one of the suggestions that are being made in this case. The fact is that yesterday, when explaining to the House the background to certain of these matters, I made it quite clear that a Mr Dawson was in fact not a shareholder but a director of one of the companies in which Mr Stitt was involved, and I explained on that basis that there was a friendship. The Minister had said this in another place as well. I also made the point that I understood the connection was not even known to the Minister; she was not aware of it.

It is alleged in the paper that in saying that I was at odds with what the Minister told the Legislative Council. That is not so at all. The Minister also put on the record that this individual was a director, not a shareholder, of a particular company. She made exactly the same information available to another place as was made available in this place. But the Opposition gets around and says, 'Look, there's a conflict here. The Premier said that the Minister did not know about it, yet she told the House yesterday.' What I was talking about and what was quite clear from both the context and the question was the Minister's knowledge prior to these documents being presented and this matter being made public.

Did anyone in the Opposition ask these questions? Not a bit of it! They cobbled together this story of some sort of conflict but, even worse, unfortunately, the journalists swallowed this. They were prepared to accept it at face value. Three journalists were involved in the preparation of this story. I spoke to a senior political reporter, Mr Rex Jory, this morning. Not once did he mention this issue or this particular question. Not once did he say to me, 'Are people at odds?' I find that very curious indeed.

In relation to Minister Wiese, I rang her and asked whether this had been checked out with the Minister concerned—no, it had not been. I think that is very slack indeed. It is bordering on the unethical to produce, then, a front page headlined story saying that we are at odds, when the principals have not even been checked. What the Minister said was totally consistent with what I said, and what I said was totally correct—there is no difference or disagreement. Members of the Opposition might feel pretty smug and self-satisfied about their peddling of these things. They were able to sell the story to the journalists today, but I suspect and hope that journalists are a little more sceptical in the future about what is going on and what is being done in this matter.

## HILLCREST PATIENTS

**The Hon. J.P. TRAINER (Walsh):** I direct my question to the Deputy Premier in his capacity as Minister of Health. Does the South Australian Mental Health Service intend to place relocated patients from Hillcrest at the Julia Farr Centre?

**The Hon. D.J. HOPGOOD:** I can assume only that the honourable member is referring to a letter in the press yesterday from a general practitioner. The letter was headed by, I guess, a subeditor and not by any design by the writer of the letter, 'Plight of the disabled', and the letter peddled this rumour. The first thing I want to say is that there is absolutely nothing in it. No attempt will be made to relocate psychiatric patients either directly or indirectly from Hillcrest to the Julia Farr Centre, and by indirectly I mean this concept of displacement from Glenside to Julia Farr Centre to make room, as it were, for Hillcrest patients.

However, there is another issue, and that is the issue of when it is appropriate for people to be transferred into the community rather than to an institutional setting, whether they are disabled in some way or suffering from a psychiatric illness. Two principles guide us in this. The first is the advice of the psychiatrist or whatever the classification is of the medical practitioner who is responsible for the treatment, and the second is the desires of the individual. I asked for a little more detailed information on this, because I am aware that this particular doctor has treated some people who have been in the Julia Farr Centre in a community setting.

I thought that surely she knows what she is talking about, because she must have got it straight from the patients. Three patients have been interviewed. I will not mention their names: I do not know their surnames, anyway, having been given only their Christian names, but I am not even interested in that. I will briefly indicate what each of them says. The first, a male, says that he is out of the Julia Farr Centre because he did not like it; he wanted to leave and live in a house with another person; and he says that he gets the care he needs. He does not want to go back to the Julia Farr Centre.

The second, also a male, says that he left the Julia Farr Centre of his own free will because he wanted his independence; he is more than happy with the care he currently receives. The third, a female, says that she wanted to leave the Julia Farr Centre; she wanted to live in her own house and to share the house with another person. No-one made her leave: she wanted to leave. There are one or two other matters about the manner of her leaving, which are not relevant here. So, here are three former residents of the Julia Farr Centre who are direct patients of the person writing this letter and who are prepared to contradict the allegations that are made.

It is true that, where people want to move into a community setting, nothing is put in the way of their doing so, and I can say that, as a result of that, in the past 12 months the number of people resident at Fullarton has been reduced from 440 to 397. Of course, there are also 77 people already in a community setting who receive community support from the Julia Farr Centre. There is no black and white in these particular matters. It must be very much a response to the opinion of the medical practitioner and the desires of the individual, and there are no zealots here in charge, deliberately pushing us in one particular direction.

## MINISTER OF TOURISM

**Mr OSWALD (Morphett):** I direct my question to the Premier—

*Members interjecting:*

**Mr OSWALD:** Well, it is, as a matter of fact.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member will direct his question—

*Mr Oswald interjecting:*

**The SPEAKER:** Order! The member may get a surprise if leave is withdrawn. He will direct his question through the Chair.

**Mr OSWALD:** Very good, Sir. I direct my question to the Premier. In the light of information that companies with which Mr Jim Stitt had an association were involved with the Glenelg ferry terminal proposal, contrary to statements by the Premier and the Minister of Tourism yesterday, will the Premier agree that this is further reason for an independent inquiry into conflicts of interest? Late in 1988, Paradise Development Pty Ltd and Geographic Holdings Pty Ltd, companies with which Mr Stitt was associated, announced further plans for the Tandanya project, which included a ferry link to Glenelg.

As plans for this ferry link were being promoted during 1989, under the name of a different group, which was still associated with Mr Stitt, a person in the employ of Tourism South Australia who was being paid at the same time by Mr Stitt lobbied the Glenelg council and other local community representatives, seeking support for the ferry project. This is contrary to a claim by the Minister's office reported in the media last night and this morning that this employee had not worked on the Glenelg project. The current proponents of the project, who have received the Minister of Tourism's support in Cabinet, include a director of one of Mr Stitt's companies, IBD Public Relations Pty Ltd.

**The Hon. J.C. BANNON:** I explained the process under which the Glenelg foreshore matter has been progressed. It was an open process which resulted from an announcement by me and the Mayor of Glenelg, Mr Nadilo, about how we intended to proceed with this matter. A committee was formed to make recommendations on the matter, and I outlined the membership of it and the way in which it operated. So, all those processes were appropriately gone through, and I think we have the makings of a very good project out of that.

*Mr Oswald interjecting:*

**The Hon. J.C. BANNON:** I am amazed that the member, who purports to represent that area, who opposed Jubilee Point and various proposals, is not 100 per cent behind this because of the improvements this would make to the amenity of his area. The Attorney-General is reviewing any of these matters that have been raised, and I will discuss the issue with him.

## LYELL McEWIN HOSPITAL

**Mr M.J. EVANS (Elizabeth):** My question is directed to—

*Mr Oswald interjecting:*

**The SPEAKER:** Order! The member for Morphett had his chance. The member for Elizabeth.

**Mr M.J. EVANS:** Will the Minister of Health give an assurance that adequate funding will be made available for the upgrading of facilities at the Lyell McEwin Hospital to allow for the treatment of mental health patients requiring hospitalisation, and that funding will also be provided to allow the establishment of outpatient and community-based services in the northern region prior to the closure of the Hillcrest Hospital? As the House will be aware, it is proposed to close the inpatient facilities and transfer patients to the care of regional-based services. I am advised that the existing ward at the Lyell McEwin Hospital is to be upgraded to accommodate some 30 in-patient beds. If the upgrading and associated community-based services are not to the highest standard, I am further advised that it may be hard to attract the necessary senior resident specialist staff to work in the hospital and provide the overall level of medical care which some patients require.

**The Hon. D.J. HOPGOOD:** The honourable member is absolutely correct. Of course, it is important that the facilities be of a proper standard, and I can give that assurance. From memory, I believe that it is a 20-bed ward and not a 30-bed ward; I will double-check that for the honourable member, but I am sure it is. The concept is to upgrade and use ward 8 as an interim measure. I do not see that as a long-term solution: I think the long-term solution would be the incorporation of the service in stage 3 of the rehabilitation of the hospital.

It is important that contemporaneous with the development of the ward there be those community-based services—rehabilitation services, emergency services and accommodation support services—and all those will be provided. The key to this is unlocking the funds that are currently represented by the establishment that is at Hillcrest. That matter is proceeding. One would hope that we will get the maximum cooperation in that so that the funds can be released in very short order and these important projects for psychiatric patients in the northern suburbs can continue.

## MINISTER OF TOURISM

**Mr S.J. BAKER (Deputy Leader of the Opposition):** Will the Premier say when the Minister of Tourism first declared a conflict of interest relating to the Tandanya project and will he agree that an inquiry into this matter is now needed, given a significant discrepancy between statements he and the Minister have made? The Premier told the House yesterday that the Minister's interest had been declared 'right at the beginning of the process'. Paradise Development Pty Ltd announced its decision to proceed with the project in May 1988, saying that it had received 'final approvals' from the South Australian Government. In July 1988, Mr Stitt had discussions with Tourism South Australia about the project. However, eight months later, in reply to a question in the Legislative Council on 7 March 1989 about whether any Minister had any direct or indirect interest in the project, the Minister replied, 'That is not a matter on which I can answer.'

**The Hon. J.C. BANNON:** The declaration was made at the appropriate time, that is, as it came before Cabinet—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** —when the matter was considered in September 1988.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Price.

## HOUSING TRUST MODBURY OFFICE

**Mr De LAINE (Price):** Thank you, Mr Speaker.

*Mr D.S. Baker interjecting:*

**The SPEAKER:** Order! The Leader is out of order.

**Mr De LAINE:** My question is directed to the Minister of Housing and Construction. I understand that the South Australian Housing Trust recently opened a new regional office at Modbury. Will the Minister provide details of the expansion in the trust's activities?

**The Hon. M.K. MAYES:** I am delighted that the honourable member has asked this question, because it has wider implications than just the development of our policies in terms of regional offices. It means that we have a very clear policy not only about the restructuring of the Housing Trust but also in relation to the overall development of housing policy. The initiative that has been taken with regard to the Modbury office is significant. We have iden-

tified that we need to provide services to clients in convenient localities, and it is significant that we should choose the Modbury area, because it is one of the fastest growing population areas in metropolitan Adelaide.

I believe (and I am sure the figures prove it) that there is a need for facilities to service these people who live in the Modbury area. When one looks at the Modbury region one sees that it contains the local council areas of Payneham, Campbelltown and Tea Tree Gully; its catchment area is quite large. In the vicinity of 2 500 tenants live in those local government areas in the Modbury region, and another 2 500 applicants are being serviced by that office.

It is important that we look at the services we provide to tenants in this area; if people are to be satisfied with the services that are provided through the trust, they need to have access to information and officers who can provide them with advice in regard to housing. We have a one-stop shop process now, with rent payments being picked up by Australia Post. It is important that we look at developments in that area, that is, the inner ring of the outer circle of urban consolidation in Adelaide.

Included in those developments are the following: Magill Home, where 60 units will be built this year, and historic George Hall will be retained for community use; Glenbrook Close, Marden, on the site of the old Glenbrook Caravan Park, having a total of 43 units, 10 of which are still under construction; Felixstow, on the old site of the Payneham Rehabilitation Centre, where a total of 35 units will be constructed; and Golden Grove, where the trust's ongoing program will see 170 commencements this year.

That gives a very good profile of what the Modbury office will be servicing. The people living in that area will enjoy the advantage of having a local office within the shopping facility complex, not far from Modbury Hospital. One can see the advantages that will flow to the community from the siting of a Housing Trust office in that vicinity. I am delighted that I had the opportunity a fortnight ago to open that office to service the people in the north-eastern area.

## COMPUTER PORNOGRAPHY

**Mr BECKER (Hanson):** My question is directed to the Premier. What steps is the Government taking to prevent access to hard core computer pornography? If existing legislation is inadequate, will the Government undertake to introduce the necessary legislation, either alone or in cooperation with the Commonwealth and other States? A page one report in the *Advertiser* of 22 February 1992 indicated that hard core pornography including pictures of children performing perverse acts with animals, is widely available, including to teenage computer users in South Australia. Police say they are hampered by a lack of legislation so that computer pornography is available unchecked and uncensored.

**The Hon. J.C. BANNON:** If the case is that they are hampered by legislation, we had better change the legislation. I know that the Attorney-General has taken a leading role at the national level in relation to, for instance, X-rated videos, ensuring that as much rigour as possible can be applied, so I would be surprised if he does not have this matter in hand or under attention. I will certainly refer the issue to him to point out that the honourable member has raised a question on it.

## EFFLUENT DISCHARGE

**Mr FERGUSON (Henley Beach):** Is the Minister of Water Resources aware of allegations which surfaced last Friday and which suggested that toxic algae is forming in Adelaide Hills creeks because the Engineering and Water Supply Department is discharging excessive quantities of effluent from the Bird-in-Hand treatment plant?

**The Hon. S.M. LENEHAN:** I thank the honourable member for his very brief question. I am aware of the allegations which emanated from a press release put out on that day by the member for Heysen in his capacity as Opposition spokesperson on water resources. The first priority that I have, as I have indicated on many occasions in this place, is to remove effluent from the Adelaide water catchment, and that is precisely the reason behind the closing of the Woodside sewage treatment works and the diverting of the flow of sewage from Woodside to Bird-in-Hand. Treated effluent from the sewage treatment works finds its way onto the Murray Plains and not back into the Adelaide watershed, and it is interesting that the honourable member does not acknowledge that.

*The Hon. D.C. Wotton interjecting:*

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

**The Hon. S.M. LENEHAN:** Where it has been impossible to divert effluent from the watershed, considerable efforts have been made to remove the nutrients, phosphorus and nitrogen, from the effluent. As recently as last Wednesday I announced the beginning of a $2.7 million upgrade of the Hahndorf sewage treatment works which will scrub both nitrogen and phosphorus from the effluent flowing into the Adelaide water catchment area.

*The Hon. D.C. Wotton interjecting:*

**The Hon. S.M. LENEHAN:** It is most interesting that the honourable member does not like this information, because we are actually getting on with the job. That is not to say that effluent outside the catchment will be allowed to run unchecked and a number of on-land disposal options are currently being investigated. For the honourable member's benefit, I inform him that, in the meantime, effluent lagoons at Bird-in-Hand have been dosed with copper sulphate to eliminate the algae. Again, the member for Heysen has rushed out to the media making quite incorrect allegations. He never bothers to contact the department or my office to check the facts. He makes these wild allegations and does not bother to look at what is happening in this State in terms of the treatment of effluent and the removal of phosphorous and nitrogen from the effluent that cannot be disposed of outside the water supply protection zone.

*Members interjecting:*

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

## UNLEY SHOPPING CENTRE

**Mrs KOTZ (Newland):** Does the Minister of Housing and Construction intend to take any action to overturn the Planning Commission's approval today of the Unley Shopping Centre project?

**The Hon. M.K. MAYES:** Mr Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.K. MAYES:** Thank you, Mr Speaker. There is a serious inference in the honourable member's question that I have indicated an intention to interfere with the proper processes.

*The Hon. Jennifer Cashmore interjecting:*

**The Hon. M.K. MAYES:** The member for Coles should restrain her enthusiasm because her track record in this area is not too flash either, I might say.

*Members interjecting:*

**The SPEAKER:** Order! The Minister will resume his seat. The member for Bragg is way out of order. The Chair will be listening and watching for other infringements of Standing Orders. The honourable Minister.

**The Hon. M.K. MAYES:** Thank you, Mr Speaker. It is quite clear that the honourable member seeks to infer by her question that I have suggested that I would interfere in the proper processes of the Planning Commission. I would not do such a thing, and I have never done such a thing. I strongly resent the implication in the question. The honourable member has an obligation to have the courage—the guts—to make a public apology to the people she has offended, the 120 odd residents of Unley, whom she has maligned—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.K. MAYES:** The honourable member cannot accept that she has made an error of judgment in this matter and that she has badly affected her standing as an MP because of the way she has attacked an innocent private citizen who, as every citizen has a right to do if he or she feels that a planning matter will affect his or her local area, called for a public meeting. As a ratepayer and a resident he was entitled to do so. He was attacked, insulted and abused in this Chamber by the honourable member without any right of recourse. Therefore, it is incumbent on the honourable member to make a public apology. She should have the guts to go outside this Chamber and apologise to that private individual who has no right of response in this place. I look forward to the honourable member's having the courage to do that.

As for her question to me today, I point out that I accept the processes that are followed, and I will respect them as a responsible citizen and a member of Parliament. I hope that members on the other side, particularly the member for Newland, will learn to respect the processes of the law and of Parliament. The honourable member has a lot to learn about decency and honesty as a member of Parliament. She has not exhibited that in this Chamber and I hope that, in time, she will. I look forward to seeing a better performance from the honourable member. Indeed, I can see from some of the actions of the member for Newland—

**Mrs KOTZ:** I rise on a point of order, Mr Speaker. My point of order relates to Standing Orders with respect to reflecting on a colleague in this House. I ask the Minister to withdraw the offensive remarks that he has made with regard to dishonesty and other comments about my integrity.

**The SPEAKER:** I ask the Minister to withdraw.

**The Hon. M.K. MAYES:** In relation to the comments, I referred to the honourable member's remarks about a private individual who had no right of defence in this Chamber, and I think the honourable member ought to apologise.

*Members interjecting:*

**The SPEAKER:** Order! The Minister will resume his seat. The member for Newland is taking a point of order.

**Mrs KOTZ:** On my last point of order I asked the Minister to withdraw. I insist that the Minister withdraw.

*Members interjecting:*

**The SPEAKER:** Order! The member for Walsh is out of order. The Chair is at a loss here. I was listening to the response, but the Chair is not sure what the honourable member found to be offensive. Could she indicate what she found to be offensive?

**Mrs KOTZ:** The Minister did not even imply; he stated that I was dishonest. I find that totally offensive and unparliamentary and I ask him to withdraw.

**The SPEAKER:** The honourable member has requested that the Minister withdraw the statement that she is dishonest.

**The Hon. M.K. MAYES:** I cannot recall using those words. If I did, I am happy to withdraw the comment. Clearly, the honourable member has raised a question in this Chamber without having done any homework. She has challenged the right of residents to hold a meeting in their own area to question a planning application by a developer supported by the local council, in whose area they are ratepayers and concerning which they will pay the cost. She then has the audacity to come into this Chamber and question the honesty and integrity of a private individual who has had the courage, as was said by one resident at the meeting last Tuesday night, to stand up and be denigrated and attacked not only by members of the Unley council, but by Liberal Party members and by the member for Newland. Frankly, I think it is despicable and an act that does not sit comfortably with a member of Parliament's responsibilities and duties. This member, who questions the foundation of democracy and the freedom of general assembly, ought immediately to make that public apology. She has no alternative or she stands in disgrace in the eyes of the public.

*Members interjecting:*

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

**Dr Armitage:** Yes, I know.

**The SPEAKER:** Does the member for Adelaide wish to make some remark?

**Dr Armitage:** No, Mr Speaker.

## PERSONAL EXPLANATION: PUBLIC SERVICE PAYMENTS

**Mr BECKER (Hanson):** I seek leave to make a personal explanation.

Leave granted.

**Mr BECKER:** This afternoon the Minister of Housing and Construction reflected on me in relation to an article in the *City Messenger* newspaper of 25 March. The article, headed, 'MP calling for inquiry into public service payout rort', was the result of questions put to me by a *City Messenger* journalist. The Minister mentioned that the Commissioner of Public Employment had confirmed to date that the member for Hanson had not presented him with details of alleged rorts in SACON.

I raised this question at yesterday's Economic and Finance Committee meeting, as intended, and I will follow this issue through that avenue, not directly with the Commissioner of Public Employment, because public servants have complained to me that they fear victimisation if they complain directly to their departmental head or to the Public Service. Until we have whistle-blowing legislation, similar allegations will continue to be made to members of Parliament and journalists.

## GRIEVANCE DEBATE

**The SPEAKER:** I put the question that the House note grievances.

**Mr HAMILTON (Albert Park):** Today we noted the ongoing sleaze tactics of desperate people. It is rather interesting to hear the attempts that are being made by the Opposition to shout down members on this side of the House. The tactics being used are these: members opposite stand up and ask a question and then, when the Premier or one of the Ministers wants to respond, what do we get—a

tirade of abuse, catcalling and carrying on like a mob of yobbos! It is beautiful to see this, because people who come in here, particularly students of schools in my area, witness this.

Only recently, some students from my area were fascinated by the unruly behaviour of members opposite. It was a delight for me to hear these young people, prospective voters, from a high school saying how they were appalled by the rudeness and arrogance of members opposite, and the fact that they were not prepared to allow the Premier or the Ministers on the front bench to respond to questions. They say, 'What is this place all about? You preach to us that this is a democratic system. We have been taught in the classroom that when we ask a question of the teacher we sit silently and listen: if we want to interject, we raise our hands politely. But not here.'

*Members interjecting:*

**Mr HAMILTON:** Here is a typical example from members opposite. Today, during a supposedly serious question about a newspaper, about the dangers to the morals of our school students, we had this yelling and screaming of abuse across the Chamber to the Minister of Education. I believe sincerely that if you took these people out of the Chamber, into the streets and into the schools, they would not dare to carry on in the manner in which they have carried on here in recent weeks. Clearly, it was an orchestrated attempt to gain cheap publicity. Members opposite say that they are concerned about the morals of these kids, but I question the motives of the member for Hayward. I understood him to say that he rang 5AD and the police—

*Members interjecting:*

**Mr HAMILTON:** I said I understood him to say that. Let me go a little further. If he was so sincere, why did he not contact the office of the Minister of Education? Why did he not ring him at home, in his electorate office or his ministerial office and talk to any of his ministerial officers? Then, if the Department of Education or the Minister did not act, he would have every right to stand up in this place and berate the department and the Minister.

But that is not what he attempted. These are the sleaze tactics—they are the masters of sleaze who want to get up and berate people, and we have seen it happen to the Minister in the other House and here. If that is the way in which they want to gain government, then so be it, but it is not something with which I hold at all. I do not believe in that. There was another attempt against a Minister here on the front bench—one of many attempts.

I will remind members opposite of the dangerous, slippery, slimy path they went down when they attacked the Attorney-General. And after all the damage was done, perhaps even to his mental health at the time, what did we have as a result? We had the Leader of the Opposition standing up and saying, 'I'm sorry.' Where were the apologies from the others? They are a gutless bunch who use 'coward's castle' to denigrate and abuse, but they do not have the intestinal fortitude to go out of this place into the streets and say what they have said here. I ask them to question their own motives. I suggest that those so-called Christians on the other side go back and look at what they believe Christianity is all about.

**Mr MATTHEW (Bright):** During Question Time today we witnessed the asking of four very serious and important questions relating to material currently being distributed to school students in our city. In his reply, the Minister of Education dodged, ducked and weaved in an attempt to avoid the issue. I would now like to read an extract from a magazine called *Resistance* dated Autumn 1990.

*Mr Hamilton interjecting:*

**Mr MATTHEW:** This particular extract will give honourable members on the other side of the Chamber—particularly the member for Albert Park, who does not seem to think that it is a serious issue—some understanding of what this group is about.

**Mr HAMILTON:** On a point of order, Sir, at no time have I said that this is not a serious matter—quite the contrary, Sir. He is impugning improper—

**The SPEAKER:** Order! There is no point of order. The member for Bright.

**Mr MATTHEW:** The article states, in part:

> Under capitalist societies, stereotype sex roles are still necessary so that the family can be maintained. Capitalism needs the family for fundamental economic reasons. It is the family—primarily through women's unpaid labour—that provides the next generation, care of the young, aged and sick, as well as the maintenance of the present crop of workers free of any social charge. The more you look at it the more you realise how much the capitalist system (and therefore the capitalist!) benefits from the social service unit called the family, and the unpaid labour that wives-mothers-housekeepers perform. Imagine if the Government had to devote the same sort of social resources to child-care, clothing, food and domestic labour as it does (or should) to education, transport and health. The idea of the family is upheld, under capitalist society, by creating illusions that it's right, it's natural, it's God-given. Therefore monogamy is natural, so is heterosexuality, so are women's natural motherly instincts, etc. Stereotyped sex roles are important to continue this illusion, as is the prevention, or at least regulation, of undesirable sexual activity—that which might undermine illusions in the family.

The article also goes on further, and I quote:

> Sex is a big issue, and it's here to stay. One thing's for sure: no step forward in sexuality—for women, gays, lesbians, young people or anyone else—is guaranteed under capitalism.

Essentially, the group, which has been handing out literature outside our schools today and acting under the guise of various names such as 'Resistance' and under environmental headings, is an active group attempting to promote homosexuality and promiscuity through our community by giving paraphernalia to children as young as 12 years old outside school gates. It is absolutely vital that this Parliament does something to try to stop the spread and manifestation of this sort of rubbish.

The material that was handed to students outside Brighton High School today at 8 a.m. was in newspaper format and had the catchy title 'Fantastic Sex Facts—Resistance'. Inside that newspaper, which was given to 12 year olds, there was material such as a photograph of two males in an embrace and kissing, with the heading, 'Young, Gay, Lesbian and Proud'. This was given to 12 year old students outside a school as they went in today. These people will prey on the innocent and do what they can to influence them and turn them against the things that are regarded as normal in our society. Twelve year olds were also given literature that told them, among other things:

> If you are having penetrative sex, foreplay is fun and it also lubricates the vagina by getting the juices flowing.

It also states:

> If sex wasn't good with one person, don't be turned off the experience completely. Maybe experiment with other partners, because everyone's different in bed. Make sure you use protection every time.

I repeat that this material was being given to 12 year old children outside a school, and it is certainly not the sort of material which I would hope any member of this Parliament would condone being put in the hands of children of that age. I quote further from the newspaper:

> If you're giving head to a guy, don't forget the balls, they're very sensitive.

That is what is being given to 12 year olds. That is what the Minister tried to duck, dodge and weave in Parliament

today by sending out a memo through one of his officers, Mr Glen Edwards, the Associate Director-General of Education, saying, 'Don't blame us, it is not our material.' The Minister did nothing at all. The Minister did nothing to advise the schools how they could repossess that material.

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

**The Hon. M.K. MAYES (Minister of Housing and Construction):** I am pleased to have the opportunity to use this time to represent my local electorate. I will pick up where I left off last night with regard to the issue of the redevelopment of the Unley shopping centre. Last night I made the point that it was important that we record the situation that occurred in Unley. I had reached the stage of enlightening the House about the meeting that was held on Tuesday night which I thought, for a change, was recorded very accurately in the *Advertiser*, as follows:

> Unley council has been asked to drop the 'cheap and nasty' $12 million Unley shopping centre redevelopment plan in favour of a new scheme with more community facilities. A vocal crowd of about 120 Unley council area residents and business people jammed a public meeting last night, called by Unley MP Mr Kym Mayes and local resident Mr Taeho Paik to discuss the redevelopment project.
>
> Three overwhelmingly-supported motions condemned the council's alleged lack of public consultation over plans, called for the council to withdraw support for the scheme and set down conditions for any future redevelopment. The meeting criticised the upgrade's lack of sympathy with surrounding heritage buildings and called for more information on the financial arrangements with developer Woolworths and the likely impact on existing businesses in the area.

It is important to put on the record the distribution of the votes taken on the motions. In relation to the first motion, which supported the calling of a meeting and which criticised the council for its lack of consultation, one person—Mr Pratt, the former Liberal member for the Federal seat of Adelaide and a Liberal candidate for the seat of Unley at the next election—was against it. I welcome Mr Pratt's candidacy and look forward to the challenge he will present if he is successful in gaining preselection. I think it will be a very interesting campaign. Mr Pratt also happens to be a council member, and I think that indicates his view about this particular plan. The second motion, which dealt with the upgrading of the shopping centre, was carried by all but two persons present. That motion was as follows:

> This meeting calls on the Unley council to withdraw its support for the proposed Unley shopping centre currently before the Planning Commission to allow proper consultation with Unley ratepayers.

The final motion that was carried was as follows:

> This meeting calls on the council to include improved buffer zones.

Again Mr Pratt voted against that motion. Of the 120-plus people at the meeting, the overwhelming majority carried the motions, and I think it is important to place that on the record.

It is interesting that the member for Newland should take up this issue and attack local residents who are endeavouring to ensure that their environment is protected. Last night I made the point that there was a similarity between the letter the member for Newland sends her constituents and the letter of the member for Briggs. The letter from Dorothy Kotz MP headed 'the member for Newland' states:

> Dear . . . As your local member of the South Australian Parliament, I try to make myself as accessible as possible to people in my electorate.

The member for Briggs' letter states:

> As your State member of Parliament, I try to make myself as accessible as possible to people in the Golden Grove part of my electorate.

They are very similar words. It is quite clear that the member for Newland has plagiarised the member for Briggs' newsletter. She lives in his electorate—not in the seat of Newland. She has to travel through, I think, the seat of Playford to arrive at her electorate. Her letter continues:

> I believe a member of Parliament upholds the principles of democracy by representing all people within the community.

Mr Rann's letter states:

> I believe an MP must keep in touch with the local community and with local concerns.

The member for Newland, because she lives in the member for Briggs' electorate, could not use those exact words because she does not live in her electorate. The third paragraph of the member for Briggs' letter states:

> I enjoy living in the Briggs electorate and I am proud to raise my family in our area.

The member for Newland can only say:

> My family and I have lived in this northern region for over 20 years.

She cannot say that she actually lives in her electorate, because she does not. She cannot say in a letter to her constituents that she lives in the electorate and is concerned about the issues in her electorate, because she does not live there. If she was the member for Unley, she would not actually be representing residents.

**The SPEAKER:** Order! Members are continuing to talk beyond their time. I remind them of the Standing Order relating to that.

**Mr S.G. EVANS (Davenport):** I wish to comment briefly on what the Minister of Recreation and Sport has just had to say as the local member for Unley. I am surprised that the Minister, with all his opportunities, and having made one attack already, took the opportunity to make another attack on the member for Newland. I remind him that, as a member of Cabinet, he and his colleagues pushed like mad to get the Myer Centre, regardless of what happened to other traders in the area. He and his colleagues had no concern for the effect that would have on other traders in Rundle Mall or in the greater metropolitan area of Adelaide—none whatsoever.

Then he worries about some small project at Unley in comparison and says that he should get up and say he is concerned about the traders: he is not concerned about traders—he is concerned about his own political neck, which he knows is gone, and he is not prepared to stay in the House and get some of his own back. He leaves, because that is the arrogant manner in which he conducts all his operations in this Parliament. He took the opportunity to call a member a scumbag in a way that no member could take it up against him. He made sure that the message got across but, when the pressure is turned on, he leaves.

Anyone has a right to call a meeting, and 120 people attended that meeting. I noted that, when the member for Heysen said that 500 attended a meeting, the ALP said it was only a small crowd. I wonder, then, what 120 people constitutes? Those people have a right to make a point. The Minister knows, or should know, that, once an application is made, council does not need to make a decision but can pass the matter straight to the State Planning Authority, let it go to appeal and not get involved at all. However, it chose to become involved and make a decision, because that was part of its responsibility. By far, those who have the most say in that council are ALP supporters. I am sure that the Minister knows that. He knows where they lie in political philosophy.

It was not my intention to talk about that subject until I noted the arrogance of the Minister and his continued attack

upon the member for Newland who, quite properly, asked a question in the House about a person being a ratepayer. The Minister replied that he was a resident, and pointed to the difference between a resident and a ratepayer. That was the point made by the member for Newland.

I wish now to talk briefly about some matters of concern in my electorate. The traffic problem in the district of Davenport, particularly in the Mitcham hills, is becoming quite critical. The traffic build-up in the mornings on Old Belair Road, back along Main Road from Torrens Park, is up to five kilometres, and that is unacceptable according to modern day standards. We know that it takes a long while to get something done and, if this issue is not raised and tackled now, it will be a very slow process for motorists, particularly given that the Minister of Transport is talking about cutting out bus and train services. Less public transport means more cars on the road, with more traffic jams and pollution, because cars that continually stop and start create more pollution than if they are travelling at a constant speed.

Likewise, Main Road, Coromandel Valley, is a problem, and the junction of Main Road and East Terrace, Blackwood, is absolute chaos in the mornings, especially when Australian National goods trains travel through the area. They are very large trains and take a long while to pass a given point, causing much chaos and nuisance to the neighbouring people as well as the motorists. I refer next to the roundabout at Blackwood, where five roads meet, four major roads and one minor road. Traffic lights must be installed there, because there is absolute chaos in the mornings; nobody is sure when they can move with safety. There have been many minor accidents there. I ask the Minister of Transport and the person responsible for some of the junctions, such as the Blackwood roundabout, to take some action and ensure that the local ratepayers get some recognition. They do pay rates and taxes, and a reasonable amount of money should be spent within that electorate. I ask the honourable member, who is in the Chamber, to refer this matter to the Minister if he does not know about it already.

**The Hon. J.P. TRAINER (Walsh):** I am a great believer in honest, 'warts and all' history, and it always concerns me when any wrongdoing is glossed over. Because of that I have been concerned at the place of honour given on the walls of this Chamber to portraits of one or two people who really do not deserve to be there. I am not referring to some of the excellent people such as Sir Frederick Holder, whose large portrait is in the north-east corner, who was the first Speaker of the House of Representatives, and after whom the recently abolished electorate of Hawker was supposed to have been named in the first place in 1968. I am not particularly talking today about Sir Richard Butler, who was a Minister who lost his position after a royal commission into corruption. However, I am concerned about Sir Robert Torrens, who I believe should not grace these walls.

In recent years we have paid homage to this individual, homage that I believe is inappropriately based. In July last year publicity was given in the *Advertiser* to the recovery and restoration of the bronze bust of Sir Robert Torrens because the community is still unthinkingly paying homage to a man whom Dr Peter Howell, Reader in History at Flinders University, in his chapter in *The Flinders History of South Australia*, described as a rogue and swindler of the first order. He was not the originator of the Torrens titles and Peter Howell scathingly describes him and his father in rather savage terms. In that chapter he points out:

> The proposed reform was widely canvassed in the lead-up to the March 1857 elections, and no candidate dared to oppose it publicly. At the eleventh hour, the then Treasurer, Robert Richard Torrens, hoping to win a seat in the new legislature, joined this crusade.

The system was originally used in land titles in some counties of England and was also used in some parts of Europe. It was certainly not original.

Through the influence of his father (and Peter Howell refers to him in scathing terms), the Robert Torrens who was Chairman of the Colonisation Commission for South Australia and in whose honour the River Torrens and Lake Torrens are named, Torrens the younger from 1840 onwards had held high posts in the province's civil service. He did not originate the 1857-58 Real Property Act; he merely hopped on to a popular band wagon to exploit the work being done by other colonists to reform the chaos of unclear and conflicting claims of land ownership. The Bill to which his name was attached was substantially altered by Parliament before it finally passed as an Act and further flaws had to be amended afterwards.

Controversies of authorship, however, constitute only one reason for an insistence, weakened in recent years, unfortunately, that the title system should always be referred to as Real Property Act titles, not as Torrens titles. Even stronger reasons why Torrens should not be honoured is what Howell considers to be the corrupt aims of 'the king of the landjobbers, making use of inside knowledge (sometimes creating smokescreens of bogus inside knowledge) to speculate successfully on a vast scale'. Many of the land titles he had gained, especially from widows and absentees, were of doubtful validity and Torrens saw the great benefit for him in the system proposed by other leading colonists. Unlike the court system, the new Land Titles Board would meet and settle disputes in secret after publishing only a newspaper advertisement instead of having to serve individual legal notices on interested parties. Anyone who did not or could not read the newspaper, or who was absent from the colony, could be deprived of his or her property without knowing that the title was being contested.

A few months after the legislation was passed, Torrens resigned from Parliament, having put himself in charge of the new Land Titles Board while still personally speculating in land on a large scale. The inherent conflicts of interest for a land speculator in the position of 'definitively determining all the disputes about land ownership' help explain what Peter Howell calls his unique propensity for arousing animosity and even hatred. This rogue and swindler of the first order also had land dealings in the eastern colonies and New Zealand, and promoted this new land title system there for obvious reasons of self-interest, and under the Torrens title label which came to be widely used elsewhere as a result of his self-seeking publicity.

On a visit to England in 1863, his efforts to get an imperial honour for himself were referred back to South Australia's Governor Daly, a vice-regal representative who was famous for his generosity in recommending people for awards. Nevertheless, Governor Daly wrote back to say that South Australians:

> . . . speak of him more as an unscrupulous Charletan (sic) than as the real author of a beneficial measure of law reform to the origination of which he is well known to have no pretension whatever . . . Ever restless and unscrupulous, he has been the occasion of much mischief in this community, and honours conferred on him would certainly not give general satisfaction.

However, Torrens must have possessed the 1860s equivalent of a good public relations machine because, after joining the British Parliament, he eventually got his knighthood despite the complaints that had been made about him by six successive Governors of South Australia.

Those sceptical of my comments regarding Sir Robert Torrens should consult pages 158 to 163 of Dr Howell's

However, Torrens must have possessed the 1860s equivalent of a good public relations machine because, after joining the British Parliament, he eventually got his knighthood despite the complaints that had been made about him by six successive Governors of South Australia.

Those sceptical of my comments regarding Sir Robert Torrens should consult pages 158 to 163 of Dr Howell's contribution to *The Flinders History of South Australia,* from which all the quotations were taken. I believe that inappropriate and undeserved tributes to historical rogues should not be perpetuated because of ignorance of the facts. It is ironic that distance has now lent enchantment to such an extent that the Government renamed the Lands Titles Office the Torrens Building, and the Real Property Act titles are now usually known as Torrens titles.

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

**Mr GUNN (Eyre):** The matter that I wish to raise is the ongoing concern about the lack of job opportunities and the high rates of unemployment in regional and rural South Australia and, for that matter, Australia. The matter was highlighted on Friday at a public rally at Port Augusta when the Combined Rail Union and the Australian Workers Union called a march and rally to protest at the lack of job opportunities. I think it is appropriate at this time that the matter be brought to the attention of the House because, if Governments fail to take necessary action, we shall have a whole group of young Australians who not only will be disadvantaged but will not be making a productive effort for the welfare of the nation as a whole.

This unfortunate situation is clearly the result of inaction by Governments. Governments have the power to intervene in the market place, to increase interest rates and to create employment if they wish to do so. The Government has a clear choice: we can continue to go down the road which we are currently on, bumpy and rough as it may be, to allow market forces to continue without any supervision, to take advice from highly paid insensitive bureaucrats in Canberra and Adelaide who are not affected by their decisions, or we can have a commonsense approach by the Government to stimulate the economy, to remove the impediments to employing people and to involve itself by giving protection to industries which want to establish or industries which are facing difficulties.

I have never had any difficulty about supporting the orderly marketing of primary products and employment initiatives which are in our long-term interests. This rally was reported in the *Transcontinental* of Wednesday 1 April. It stated:

> Mr Simpkins said the CRU wanted Mrs Hutchison to stop trying to shore up lack-lustre performances by the State and Federal Governments on the issue of helping Port Augusta. At the rally she asked us for support, but first she must take on her own Government and stop making excuses for it. Her priority must be helping the people rather than the preservation of her seat in Government.

I am sure that the honourable member is sincere in her efforts. However, her Government has a track record which will inflict economic hardship not only on our children but on our grandchildren. If the $230 million which has been used to prop up the State Bank, the $60 million for Scrimber, and moneys from the Marineland escapade and a number of others had been directed towards assisting the people of South Australia, it would have created a considerable number of capital works projects. For example, the people of Ceduna could have had a reasonable recreation and performing arts centre, the people of Port Augusta could have had a centre like the people at Whyalla, Port Pirie, Renmark and Mount Gambier have, there could have been more road construction and schools could have been maintained. These facts cannot be disputed.

The Governments of this country have a responsibility. I am particularly concerned that there will be a continuing rundown of resources in rural South Australia, because there are too many people living in the metropolitan area now, at tremendous cost to the taxpayers. Existing towns have infrastructure and facilities, and they should be utilised.

It is interesting to note that a pamphlet we all received today, referring to unemployment, states:

> The Government's reactions . . .
> 1. Job training schemes—but no jobs.
> 2. Encourage students to stay at school which just defers the problem.
> 3. Austudy—which adds to people's talents but does not provide them with jobs. In short they are not tackling the problem, but just making the unemployment figures look better in their own self-interest. In other words, they have no real answer.

It goes on to say:

> With about 900 000 unemployed, the unemployment rate is over 10 per cent; in many poorer areas it is more like 20 per cent. If disadvantaged job seekers are included, the number of unemployed exceeds one million and the unemployment rate is about 12 per cent. January's youth unemployment rate was 35 per cent in New South Wales, 40 per cent in Victoria and above 50 per cent in some locations. Most Australian families have a relative or close friend who is unemployed.

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

## SURVEY BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1—Page 4, line 30 (clause 9)—Leave out 'to the Surveyor-General' and insert 'to the Minister'.

No. 2—Page 16, lines 42 to 44 (clause 43)—Leave out subclause (1) and insert—

(1) The Governor may, by regulation, issue survey instructions in relation to cadastral surveys and records of cadastral surveys.

No. 3—Page 17, lines 11 to 17 (clause 43)—Leave out subclauses (3), (4) and (5).

No. 4—Page 17 (clause 43)—After line 19 insert new subclauses as follow:

(7) The Survey Advisory Committee must be consulted before survey instructions are promulgated.

(8) The Registrar-General must be consulted before survey instructions are promulgated under subsection (2) *(e)* in relation to plans or other records to be lodged in the Lands Titles Registration Office.

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendments be agreed to without amendment but that the following consequential amendment be made to the Bill:

Clause 43 (6)—Leave out subclause (6) and insert:

(6) Survey instructions may—

*(a)* vary in their operation according to time, place or circumstance;

*(b)* confer discretionary powers on the Surveyor-General.

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

That the amendment be amended as follows:

After 'Surveyor-General' insert 'as to all or any of the following:

(i) exemptions from compliance with the instructions in particular cases where, in the opinion of the Surveyor-General, compliance is impracticable or might involve unreasonable delay or expense;

(ii) standards of accuracy to be attained in relation to cadastral surveys and additional work that may be necessary in a particular cadastral survey to ensure the accuracy of the survey;

(iii) marks that may be accepted as survey marks or other marks used in connection with a cadastral survey;

(iv) the placing of permanent survey marks and information that must be supplied to the Surveyor-General in connection with such placement;
(v) the placing of marks (other than survey marks) to aid in re-establishing a cadastral survey;
(vi) information that must accompany plans deposited in the Department of Lands;
(vii) any other matter of a technical or administrative nature in relation to cadastral surveys and records of cadastral surveys.'

In moving the amendment, I should just go back to some of the issues raised in the other place, because the proposal put forward in that place, a matter that I support strongly, was that, while the public and even members of the Parliament may not understand the technicalities of instructions as they apply to survey and to this legislation, the end result of the work affects us all. The argument put forward in that place is that, whilst we are having deregulation—and that is the policy of the Government; I recognise that—there ought at least to be a final right of appeal; therefore the Opposition believes that these issues are of genuine interest to the public, and the Parliament ought to retain some small right to oversee the industry and the effect of the industry's practice and actions of the Surveyor-General on the public.

The only way it can do that is by regulation. As was stated in another place, this is no criticism of the current Surveyor-General, but we must recognise that we are passing law for years to come and for many Surveyors-General to come. They may not all be as competent as the current Surveyor-General. I believe that we should retain some authority and, limited though it may be, some role for Parliament in this area.

When the Opposition considered this matter further, it was believed that it was necessary to spell out exactly the areas we felt should be considered as far as the whole matter of regulation is concerned, and I move this amendment to make perfectly clear to members and to the survey industry the matters contained in my seven points. I hope that the Government will accept this amendment. We believe that it is essential, and I ask for the support of the Committee.

**The Hon. S.M. LENEHAN:** At this stage I am not going to accept the amendment and would like to explain why. In his explanation moving this rather long and detailed amendment, the honourable member has become completely confused with the reason for having the legislation and the safeguards with respect to the community. No-one would disagree that it is vitally important to have a whole range of safeguards to ensure that the legislation is carried out appropriately. The amendment that the honourable member has moved is a nonsense and will serve only to cause confusion. The survey instructions are inherently of a technical nature and relate to how cadastral survey is to be conducted and how plans are to be prepared in relation to a cadastral survey.

If members look at the amendment I have moved, it says that survey instructions may confer discretionary powers on the Surveyor-General. The honourable member's amendment says that survey instructions may confer discretionary powers on the Surveyor-General as to all or any of the following, and lists seven points, the last of those points being:

any other matter of a technical or administrative nature in relation to cadastral surveys and records of cadastral surveys.

All the things delineated there are covered by paragraph *(b)* of my amendment, I believe, which confers discretionary powers on the Surveyor-General. There really is nothing else left. One could only wonder what matters the survey instructions cannot confer in terms of a discretion on the Surveyor-General. I am concerned that, rather than seeking to clarify and simplify the issue, this amendment serves to provide confusion in the minds of anyone reading this part of the Bill.

To address the point the honourable member makes about whether there is some form of accountability and what role the Parliament would have in terms of scrutinising what the Surveyor-General is doing, I put to the Committee that each one of the instructions that will be listed under regulation has the ability to do the things the honourable member is including in his list of seven points. I will cite one example of that. Survey instruction No. 3, one of the proposed regulations, lists four areas that surveyors must observe. For example, they must obtain all information relevant to the proposed survey from the office of the Department of Lands. The final point says:

The Surveyor-General may direct surveyors to locate additional survey marks or occupy boundary intersections if the Surveyor-General reasonably believes that evidence is required to prove a boundary definition.

This type of discretionary power is contained in all the regulations that will be promulgated. I remind members that the Committee has the ability to disallow regulations, so there will be an accountability factor. I believe that it is much more appropriate to do it in the way we have proposed and, in accepting the amendments from the Upper House, I believe I have indicated a willingness to seek a compromise, to be extremely reasonable and to meet the Opposition more than half way in terms of the amendments they have moved in the Upper House.

I have merely allowed some degree of flexibility for the Surveyor-General. In so doing, I have sought the opinion of the present Surveyor-General, and I think the House should understand that it is of importance to the good workings of the Survey Act in this State to have some degree of flexibility for the Surveyor-General. It is important that we recognise that survey instructions will certainly be much easier to administer if there is some degree of flexibility. I think it is important to recognise that the introduction of regulations, for example, should not affect the workings of the Act, and that those activities will be covered under instructions. They will now be regulated, and some inefficiency and inflexibility in administering the new Act could well result.

Is the purpose of passing legislation in this Parliament to somehow bring about inefficiency and inflexibility? I would have thought that the Opposition is about helping the Government to streamline procedures so that we have accountability, most certainly, but also the ability to efficiently and effectively get on with the job of providing a service to the community. After all, that is what the Public Service is here for, and it just seems to me that, if the further amendment moved by the honourable member causes confusion, that cannot be what good legislation is about.

It is with a bit of sadness and reluctance that I do not accept the further amendment moved by the honourable member. I ask the House to support paragraph *(b)* which I have added to subclause (6) of clause 43, which is to confer discretionary powers on the Surveyor-General, ensuring that the House is aware that we will have the power, through the disallowance of regulations, to exercise any kind of influence that may be seen to be appropriate in the future.

**The Hon. D.C. WOTTON:** I am sorry to learn that the Minister cannot accept the amendment. I do not believe that this amendment would have resulted in confusion. I know that the Minister is working on advice which she has received, suggesting that confusion will result from this amendment, but I do not believe that to be the case. Obviously, there is a need for further debate, and the fact that the Minister has disagreed with this amendment will mean that that further debate will occur in another place.

I understand what the Minister says when she refers to the need for the Surveyor-General to have flexibility. I have no problems with that. I understand what the Minister says when she refers to the need to provide the community with an adequate service and, of course, that is what we are all on about, that is what the legislation is on about, and that is why the officers are so dedicated in the work they do.

However, it is a matter of the community knowing what is happening and having these matters spelt out very clearly. That is what this amendment is about. I regret that the Minister and the Government are not prepared to accept the amendment. I can only presume that this matter will be dealt with in considerable detail in another place, and we may find that the matter will be dealt with in conference.

Legislative Council's amendments agreed to; the Hon. D.C. Wotton's amendment negatived; the Hon. S.M. Lenehan's amendment carried.

## SOUTH-EASTERN WATER CONSERVATION AND DRAINAGE BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 7, lines 1 to 6 (clause 13)—leave out subclauses (4) and (5).

No. 2. Page 11, line 26 (clause 29)—leave out 'The' and insert 'Subject to this section, the'.

No. 3. Page 11, line 30 (clause 29)—after 'area' insert 'elected to office by the eligible land-holders in that area'.

No. 4. Page 11, lines 36 to 38 (clause 29)—leave out subclause (5).

No. 5. Page 12, line 8 (clause 30)—leave out 'The' and insert 'Subject to this section the'.

No. 6. Page 12, line 14 (clause 30)—after 'Upper South East' insert 'elected to office by the eligible land-holders in that area'.

No. 7. Page 12, line 33 (clause 32)—leave out 'A' and insert 'An appointed'.

No. 8. Page 12 (clause 32)—after line 35 insert new subclause as follows:

'(1a) An elected member of an advisory committee will be elected to office for a term of four years.'

No. 9. Page 14, lines 34 and 35 (clause 39)—leave out 'a number of land-holders representing between them more than 75 per cent of the total area of land' and insert 'not less than 75 per cent of the total number of land-holders whose land'.

*Amendment No. 1:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 1 be disagreed to and that the following amendments be agreed to instead:

Clause 13, page 6, after line 38—Insert new subclauses as follows:

(3a) On the office of an appointed member becoming vacant otherwise than on expiration of a term of office, the Governor will appoint a person in accordance with this Act to the vacant office for the balance of the unexpired term.

(3b) Subject to subsection (4), on the office of an elected member becoming vacant otherwise than on expiration of a term of office, a person must be elected in accordance with this Act to the vacant office for the balance of the unexpired term.

Page 7—

Line 1—leave out 'a' first occurring and insert 'an elected'.

Lines 1 and 2—leave out 'otherwise than on expiration of a' and insert 'not more than 12 months prior to expiry of the'.

**The Hon. D.C. WOTTON:** On this occasion I am very happy to support the Minister's amendment, and the Committee will note that the Opposition will support other amendments that the Minister will move. I believe that this has come about as the result of appropriate compromise, a very sensible compromise, because there was a difference of opinion in a number of issues as between this place and another place. As a result of consultation, I am happy to support this compromise position, because I believe that it will be best for the effectiveness of the board involved. It is an extremely important body: the Opposition recognises this, and we are pleased to support the honourable Minister's amendment.

Motion carried.

*Amendment No. 2:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 2 be disagreed to.

Motion carried.

*Amendment No. 3:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 3 be disagreed to and that the following amendment be agreed to instead—

Clause 29, page 11, line 30—After 'area' insert 'nominated by a meeting of the eligible land-holders in that area convened and held by the board for the purpose'.

Motion carried.

*Amendment No. 4:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 4 be agreed to but with the following amendment—

After 'subclause (5)' insert 'and insert subclause as follows:

(5) If a meeting held pursuant to subsection (3) *(b)* fails to nominate the number of persons required, the Minister may appoint such number of eligible land-holders as may be necessary to ensure compliance with that paragraph.'.

Motion carried.

*Amendment No. 5:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 5 be disagreed to.

Motion carried.

*Amendment No. 6:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 6 be disagreed to and that the following amendments be agreed to instead—

Clause 30, page 12—

Line 14—After 'Upper South East' insert 'nominated by a meeting of the eligible land-holders in that area convened and held by the board for the purpose'.

Lines 20 to 22—Leave out subclause (5) and insert subclause as follows:

(5) If a meeting held pursuant to subsection (3) *(d)* fails to nominate the number of persons required, the Minister may appoint such number of eligible land-holders as may be necessary to ensure compliance with that paragraph.

Motion carried.

*Amendment No. 7:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 7 be disagreed to.

Motion carried.

*Amendment No. 8:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 8 be disagreed to.

Motion carried.

*Amendment No. 9:*

**The Hon. S.M. LENEHAN:** I move:

That the Legislative Council's amendment No. 9 be disagreed to and that the following amendment be agreed to instead—

Clause 39, page 14, lines 34 to 36—Leave out subclause (2) and insert subclause as follows:

(2) The authority may proceed with any proposed work if an agreement is reached in accordance with subsection (1) with at least 55 per cent of the land-holders whose land will, in the opinion of the authority, benefit from the work, provided that those land-holders with whom agreement has been reached represent between them at least 75 per cent of the total area of land that will be so benefited.

**The Hon. D.C. WOTTON:** As a result of the compromise, we support this amendment. A very practical solution has been adopted in that at least 55 per cent of the land-holders, provided they represent between them at least 75 per cent of the total area of the land, will benefit. This amendment makes a lot of sense. It is a matter over which there has been much consultation in the region that will be

affected. I believe that all landowners will accept the decision that has been made.

Motion carried.

## CROWN PROCEEDINGS BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 2938.)

**The Hon. H. ALLISON (Mount Gambier):** This Bill replaces the Crown Proceedings Act 1972 in accordance with measures which were evolved nationally by the Special Committee of Solicitors-General and later approved by the Standing Committee of Attorneys-General. The reason for the enactment of this Bill lies in the fact that the Commonwealth proposed to amend section 64 of the Commonwealth Judiciary Act 1903 following High Court decisions which reflected on the ambit of that section. It was recognised that both the States and the Commonwealth may, in some circumstances, be exposed to liabilities even where the legislative intent was for the Crown not to be bound. The unacceptability of such implications has brought about the present Federal and State legislative changes.

Commonwealth amendments to section 64 will leave it to the States to decide whether the Crown is legally bound. The Bill before us is the result of some three years of discussion and negotiation between various States' Solicitors-General and Attorneys-General, and the provisions of a federally amended section 64 of the Judiciary Act will not be enforced until all States have legislation which provides, *inter alia*, first, that proceedings by or against the Crown are to be brought in the same way as procedures between subjects, especially in regard to procedural rules and, secondly, that immunity (if any) of the Crown in actions in contract and tort should be terminated.

This Bill is based on model legislation and has been debated very thoroughly in another place. Despite that fact I understand that the Crown Law Department discovered a deficiency in the Bill that is before us, and I understand that an amendment will be moved today to cover that deficiency, which includes the question of common law immunity. That brief amendment is on file, and I also understand that the financial clause (in erased type) will be instated formally in this House by the Minister. The Opposition reflects that it is a pity that the Bill, which is based on model legislation, proved to be defective and that that was not picked up during debate in another place. However, we have no intention of deferring this legislation in any way; we will facilitate its passage. We support the Bill.

**The Hon. G.J. CRAFTER (Minister of Education):** I thank the Opposition for its indication of support for this Bill which has been the subject of discussion between officers of the States and the Commonwealth for some time. The measure comes before this place in the form of a model Bill, as the member for Mount Gambier has explained to the House. It makes provision for proceedings against the local Crown and also the Crown in right of another State, the Commonwealth and a Territory. The present Crown proceedings legislation in force in this and other States make no provision for the Crown to be sued outside its own State.

Secondly, the Bill makes clear that the Crown is generally in the same position as the subject in legal proceedings. The Bill makes clear that subject to the terms of the Bill and any other Act the same procedural and substantive law will apply to proceedings by and against the Crown as is the law in proceedings between subjects. Thirdly, the Bill gives the Crown by the Attorney-General liberal rights to intervene in proceedings. Fourthly, the Bill generally modernises a number of machinery and detail provisions.

All those matters will provide for a better delivery of legal services in this State, particularly where they relate to the Crown. As the member for Mount Gambier foreshadowed, there was some discussion and scrutiny of this measure on its passage to this place from the other place, and I intend to move an amendment to clause 6 which, out of extreme caution, clarifies the statement of the law in the existing Bill. I think it is wise to take that extra step and have the matter clarified, although it is probably not entirely necessary to do so.

By way of explanation, to speed up the Committee stage, I point out that the Bill has been amended to overcome a potential problem in the manner in which it will inter-relate with the amendment to the Acts Interpretation Act dealing with statutes binding the Crown. The issue which has been brought to the attention of the Government by an officer of the Crown Solicitor's Office concerns whether clauses 5 and 6 of this Bill read together would work to deny Crown immunity from the operation of statute under common law rules, particularly in relation to those statutes passed prior to 20 June 1990.

The amendment to the Acts Interpretation Act leaves the common law rules intact for those statutes. The matter has been discussed with Parliamentary Counsel, the Solicitor-General and the Crown Solicitor, and this amendment has been prepared to make the matter abundantly clear. It will be necessary in effect to look at the Acts Interpretation Act for those statutes passed after 20 June 1990 and the common law for those statutes passed prior to 20 June 1990 to ascertain whether a statute binds the Crown. This was always intended, but this amendment places the matter beyond doubt. It is for those reasons and, as I suggested, in an abundance of caution that the amendment will be moved.

The further amendment in my name relates to the clause in erased type, being a provision relating to the enforcement of judgments against the Crown. The new provision is substantially similar to the provision currently found in the Crown Proceedings Act. It is a code for the execution of money judgments against the Crown.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Immunities and limitations of liability.'

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

Page 2, after line 21—Insert new subclause as follows:

(2) This Act does not make binding on the Crown any Act or statutory provision that would not, apart from this Act, be binding on the Crown.

In my second reading contribution I outlined the need for the amendment to be moved in this way.

Amendment carried; clause as amended passed.

Clauses 7 to 9 passed.

Clause 10—'Enforcements of judgment against the Crown.'

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

To insert clause 10.

I so move for the reasons I outlined in my second reading contribution.

Clause inserted.

Remaining clauses (11 to 20) and title passed.

Bill read a third time and passed.

## ACTS INTERPRETATION (CROWN PREROGATIVE) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 18 February. Page 2873.)

**Mr SUCH (Fisher):** This Bill is really a companion Bill to the Crown Proceedings Bill. The Opposition indicates its support for the Bill. It may not have a high profile in the community, but nevertheless it is important because it seeks to clarify the matter of the Crown being bound in respect of statutes. This Bill arises, as we know, out of a judgment of the High Court on 20 June 1990 in Bropho's case where the High Court held that the presumption that the general words of a statute not binding the Crown could be displaced by the legislative intent appearing in the statute.

As a result of that case, the status of the Crown is unclear, as is also the status of agents, servants and contractors of the Crown who, prior to Bropho's case, would have shared the Crown's immunity if the Crown's interests were prejudiced if such persons were bound by a particular statute. Accordingly, this Bill seeks to clarify the situation and make quite clear those aspects relating to statute and the binding of the Crown. The Opposition supports this measure, and I commend it to the House.

**The Hon. G.J. CRAFTER (Minister of Education):** I thank the Opposition for its support of this measure. As the member for Fisher explained, this is a companion Bill to the measure we have just dealt with. First, it has been decided to legislate in this area to clarify the law so that no general provision is made for statutes enacted prior to 20 June 1990. Whether these statutes bind the Crown will be determined on a case-by-case basis. Secondly, the Bill provides that the Crown is bound by all statutes apart from criminal offences enacted after 20 June 1990 unless the contrary intention appears either expressly or by implication.

Thirdly, provision is made for instrumentalities, officers, employees and contractors who carry out functions on behalf of the Crown, whether carrying out obligations or functions required, to share the Crown's immunity. It is considered that these provisions will ensure certainty in the law and will be consistent with good administration and practice. I commend the measure to the House.

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

## CRIMINAL LAW CONSOLIDATION (RAPE) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 18 February. Page 2875.)

**The Hon. H. ALLISON (Mount Gambier):** In 1976 in South Australia, the rape in marriage provisions were enacted. Whilst these were controversial at the time, the provisions in that legislation have now been widely accepted, and public debate on the topic has largely diminished. Fears were expressed at that time and, indeed, since, that the very institution of marriage might be under threat following the legislation, and that the fabric of society itself would also be under threat. There was also fear that there might ensue a spate of improper convictions based solely upon evidence given to the courts by aggrieved wives, but these fears have proven unfounded and none of the consequences has in fact arisen in South Australia.

The Mitchell committee report formed the basis of earlier legislative change, but South Australian law was enacted containing even more stringent provisions than were recommended at the time. Even so, a further amendment is now sought to section 73 of the Criminal Law Consolidation Act, whose provisions in clauses 3 and 4 are qualified by subsection (5). Subsection (5) is to be repealed, and we support that. As the Minister pointed out in his second reading explanation, common law jurisdiction is now ahead of statute law in South Australia, and marital rape immunity has now been abolished by every other jurisdiction in Australia, either expressly or by implication. Moreover, English courts have also anticipated the findings of a law commission working paper by enacting provisions to the effect that common law no longer stands, that a husband cannot be found guilty of rape in marriage while he and his wife are cohabiting.

Whilst the definition of rape as against unlawful sexual intercourse may still be the subject of some debate, the Opposition supports this Bill which seeks, first, to abolish the presumption that marriage necessarily involves consent to sexual intercourse, thus absolving a spouse of a charge of rape and, secondly, to reverse at least in part the common law rule that consent procured by fraud to a sexual act is still considered to be consent for the purposes of a sexual act. The implications for medical practitioners carrying out invasive or intrusive medical treatments have been considered, and admittedly charges may be brought. There may be slight additional risk to a medical practitioner acting responsibly, but we believe that honest and reasonable doctors will continue to enjoy the confidence of their patients. The Opposition supports the legislation.

**The Hon. G.J. CRAFTER (Minister of Education):** I thank the Opposition for its indication of support for this measure. It is an important change to the criminal law with respect to the offence of rape in this State and it is a matter that has been very thoroughly scrutinised in another place, so it is not necessary for us in this Chamber to go over those matters. Nevertheless, I think it is important to say that this is an area where prevailing community attitudes have changed quite dramatically in the past 15 years or so.

It is interesting that the mid 1970s Mitchell committee on the criminal law and penal methods brought down a recommendation with respect to rape in marriage which, at that time, was regarded as quite controversial in this country and in other common law jurisdictions. The South Australian Parliament proceeded to legislate in line with the recommendations of the Mitchell committee but now, in just that period of 15 years, South Australia is behind, in fact well behind, the other States and other jurisdictions with respect to the application of the criminal law in this area. It is also interesting to note the changes with respect to consent procured by fraud in this area of the law to see the changing attitudes that prevail and the seriousness with which this offence is now viewed by the community.

The power which was exercised by a male-dominated society and which was reflected in the law has in large part been eliminated from our society. As we know, there are still vestiges of it, but it is certainly a very small minority that rely on that power of male dominance and have sought refuge by inappropriate laws to follow the prevailing mores. I hope that the legislation before us will be welcomed by our community, particularly by those people who have been fighting for a long time for not only law reform in this area but for rights of women in our community.

I will just recall one incident that might be of interest to members. A well-known South Australian, Dr Charles

Duguid, lived in my electorate before he died suddenly a few years ago at the age of 103. One day when I visited him and his wife, he was very upset. He was sitting in his wheelchair and was visibly upset by what had occurred in the parklands near the Victoria Park racecourse that very day. He had seen many police cars in the parklands and was told that a woman had been raped there. His response, as a medical practitioner and as an old, wise man, was, 'If I found that man, I would crack his skull with my walking stick.' His wife was sitting back and she reflected to me, 'I suppose men will do this to women until they regard women as equals.' I thought they were very wise words from Mrs Duguid, who has been a campaigner for women's rights throughout her life. She has links with the suffragette movement in this State and the organisations that grew out of it.

The fundamental message in that story is that the struggle is that all people in our community are regarded as equal and that one group of people cannot exercise power over another on the basis of their sex or other such status. This law brings what I believe are the prevailing community attitudes into line and provides the protection of the law for all people in our community. For those reasons I commend this measure to the House.

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

## STATUTES AMENDMENT AND REPEAL (PUBLIC OFFENCES) BILL

Received from the Legislative Council and read a first time.

## ADJOURNMENT

At 4.27 p.m. the House adjourned until Tuesday 7 April at 2 p.m.