LEGISLATIVE COUNCIL

Thursday 2 April 1992

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 2.15 p.m. and read prayers.

STATUTES REPEAL (EGG INDUSTRY) BILL

The Hon. BARBARA WIESE (Minister of Tourism): I move:

That the sitting of the Council be not suspended during the continuation of the conference on the Bill.

Motion carried.

MINISTERIAL STATEMENT: ART EXHIBITIONS

The Hon. ANNE LEVY (Minister for the Arts and Cultural Heritage): I seek leave to make a statement on consulting fees at the Art Gallery.

Leave granted.

The Hon. ANNE LEVY: Yesterday the Hon. Mr Lucas asked a question concerning consulting fees in relation to exhibitions of the Art Gallery of South Australia. The Question on Notice No. 44, which he placed on the Notice Paper some time ago, asked for cost estimates for the 1991-92 financial year. The amount of $5 000 was, therefore, an estimate at the time the response was prepared and related to the Zones of Love exhibition and other exhibitions at the Art Gallery. Unfortunately, the words 'and other exhibitions' did not appear on the schedule provided.

The consultancy for the Zones of Love exhibition cost $1 544.74. I can now advise that, as at today, a total of $6 797.79 has been paid to Christopher Rann and Associates, covering the Eros Adelaide Biennial Exhibition and the Monet publicity, as well as the Zones of Love exhibition.

I am advised that there could be further expenditure by the gallery directed through these consultants in relation to the gallery's exhibition program for the remainder of the current financial year. The rest of the information provided in response to Question on Notice No. 44 has been rechecked and is correct. There are no on-costs associated with these payments to consultants.

QUESTIONS

TANDANYA

The Hon. R.I. LUCAS: I seek leave to make an explanation prior to asking the Minister of Tourism a question about Tandanya and related matters.

Leave granted.

The Hon. R.I. LUCAS: Mr President, yesterday in this Chamber I indicated to the Minister that information had been provided to the Opposition that, at the time of Mr Stitt's direct involvement in the Tandanya project, he was making payments to one person and possibly two persons in the employ of Tourism South Australia.

The *Advertiser* of today notes that the Minister shook her head in disbelief and then stated that she had no knowledge of any such thing. The *Advertiser* further reports that, within half an hour, her office confirmed that at least one TSA employee had worked for Mr Stitt. The Minister's office claimed that, whilst the employee had worked for Mr Stitt, the employee had not worked on the Tandanya project or the Glenelg foreshore redevelopment project. In fact, I am advised that the Minister's office told one journalist the work involved had been organising a fashion show.

I have now been provided with further information on this matter. On 4 April 1989, a confidential meeting was held between the Glenelg council and proponents of a proposed development for a ferry terminal at Glenelg. This meeting was requested by the proponents and was held in confidence. Four people attended that meeting with the Glenelg council, two of whom I do not need to identify. One was Mr David Dawson, about whom other questions have been asked in recent days and weeks, and another was the employee of Tourism South Australia who was also being paid at the time by Mr Stitt. My question to the Minister is: how does the Minister explain the fact that this employee attended that meeting, in the light of the Minister's claims that the employee had not been involved in the project?

The Hon. BARBARA WIESE: I can only assume that the two issues are totally unrelated. The employee—as the honourable member has described this person—is not, in fact, an employee of Tourism South Australia at all, as was made perfectly clear to the media yesterday, including the *Advertiser*. The *Advertiser* was informed yesterday by a member of my staff that the only person who had an association with Mr Stitt and who also had any involvement with Tourism South Australia was a person who was employed to undertake a particular task for the organisation on a contract basis. That person is not an employee of Tourism South Australia: that person does a particular task on a contract. Numerous other organisations, companies and individuals, from time to time, have been employed by Tourism South Australia to undertake particular tasks on contract.

Presumably, I think that would mean that, if those people are working on a contract for Tourism South Australia—and it is not a full-time position—they are probably also working for other people within the South Australian business sector. For example, our public relations consultant is employed by numerous other people in South Australia. There are various people—

Members interjecting:

The PRESIDENT: Order! The Council will come to order.

The Hon. BARBARA WIESE: —who work as consultants to particular companies who also do work for Tourism South Australia.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: I am sure that that is an appropriate course of action. Therefore, I cannot see the point that the honourable member is making. The only problem that there may be in a situation of this sort would be if the person being employed on contract by Tourism South Australia had some sort of conflict of interest. As I understand it, the person involved in this case was someone who was employed by Tourism South Australia to do a task which was totally, completely and utterly unrelated to the task that she was employed by Jim Stitt at some stage or other to undertake on his behalf. I am sure there are numerous other people in Adelaide for whom that person has worked. If the honourable member is suggesting that any consultant who works for Tourism South Australia is not entitled to work for anyone else in Adelaide, I think that the various businesses of Adelaide would be very interested to hear this, and it would be extremely difficult to attract appropriate expertise.

Members interjecting:

The PRESIDENT: Order! The Council will come to order.

The Hon. L.H. Davis interjecting:

The Hon. BARBARA WIESE: The Hon. Mr Davis asks me why I did not tell the truth yesterday. I indicated yesterday that I was not aware of any Tourism South Australia employee—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The Hon. Mr Davis will have a chance to ask questions later.

The Hon. BARBARA WIESE: —who had been working at any time for Jim Stitt. That was true then and it is true now. The person who has done some work with Jim Stitt and who had an involvement with Tourism South Australia has a contract with TSA.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: That person is not an employee of Tourism South Australia.

Members interjecting:

The PRESIDENT: Order! The Council will come to order.

The Hon. BARBARA WIESE: Members of the Opposition made it very clear—

Members interjecting:

The PRESIDENT: Order! I suggest that the honourable Minister not attempt to answer the question while there is so much noise in the Chamber. If members want to hear the answer I suggest that they hear it in silence.

The Hon. BARBARA WIESE: Opposition members made very clear yesterday what they were asking me: was an employee of Tourism South Australia also employed by Jim Stitt—and the implication was with the Tandanya development.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: The Hon. Mr Griffin asked me a specific question about employees. When he asked this question he was referring to employees of the Public Service and the conditions that apply under the Government Management and Employment Act.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Davis will come to order.

The Hon. BARBARA WIESE: That was the clear implication that these people were making: that a public servant was on the payroll of Jim Stitt.

Members interjecting:

The Hon. BARBARA WIESE: Well, you know that that is an absolute lie, and so do I. It is absolutely outrageous to suggest such a thing. The person who was working for Tourism South Australia is a contract consultant who also, at one stage, did a job for Jim Stitt as a public relations consultant. Indeed, the job that was done—

Members interjecting:

The PRESIDENT: Order! There is too much noise in the Chamber. I suggest to the Minister that, if members do not wish to hear the answer in the silence to which she is entitled, she not bother with the reply.

The Hon. BARBARA WIESE: The job was to organise a fashion parade. Isn't that interesting! That has a great deal to do with the Tandanya development and with all these other inferences, smear campaigns and other things with which these people have been going on.

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Davis will come to order.

The Hon. BARBARA WIESE: The honourable member has indicated that he has information that this same person who is employed on a contract by Tourism South Australia attended a meeting with the Glenelg council. I have no knowledge of that whatsoever.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: If the honourable member wants to know about the work that this person does, and he says that he has her name, I suggest that he contact that person and ask for some sort of a briefing on her business affairs because, frankly, I do not know what they are. I know what work she does for Tourism South Australia, because she is employed on a contract with our organisation to do a particular task. However, it is not related in any way whatsoever with development issues, as is being implied by these members opposite, and I ask them to cease and desist on this unless they can come here with proper information from the person concerned about the work that she has undertaken.

The Hon. L.H. DAVIS: I seek leave to make an explanation before asking the Minister of Tourism a question about the Tandanya project.

Leave granted.

The Hon. G. Weatherill: We will listen in silence.

The Hon. L.H. DAVIS: I think you will when you hear the facts.

Members interjecting:

The PRESIDENT: Order!

The Hon. L.H. DAVIS: The Minister has confirmed that Tourism South Australia has been, since 1989, a strong advocate of a development at Tandanya on Kangaroo Island, just outside Flinders Chase National Park. In the Kangaroo Island newspaper, the *Islander*, of 28 March 1991, she was reported as saying:

> The opportunity to develop accommodation at the western end of the island was identified in Tourism South Australia's 'Invest in Success' document which I released in 1989. Since then, TSA officers and I have worked very hard to achieve such a development, and I'm delighted it's now come about.

That was a direct quotation from the Minister of Tourism. Mr Jim Stitt was a consultant for the original proponent of this project, Paradise Developments Pty Ltd, in both 1988 and throughout 1989. In September 1989, while Mr Stitt was directly involved with the project, a senior officer of Tourism South Australia, Mr Rod Hand, appeared before the Planning Appeals Tribunal while it was considering an appeal against a decision by the Kingscote council to give planning appeal approval for Tandanya. Mr Hand, this senior Tourism South Australia officer, told the tribunal that Tourism South Australia supported the project proposed by Paradise Developments and Geographic Holdings and would abandon its own plans for a $15 million development on the western end of Kangaroo Island if the Tandanya project went ahead.

This evidence was given at a time when the Tandanya project was facing competition not only from the proposal of Tourism South Australia but also from a proposal to develop resort accommodation in the vicinity of Tandanya, but just within the Flinders Chase National Park. The company, Woods Bagot, had won the rights to develop this rival project, but in November 1989 the Government withdrew its support for the development within the national park proposed by Woods Bagot and supported the Tandanya project. My questions to the Minister—just two—are as follows:

1. Did the Minister authorise Tourism South Australia to go before the Planning Appeals Tribunal in September 1989 and offer to abandon plans for a project at the western end of Kangaroo Island in favour of the Tandanya project,

at a time when her partner was still directly involved with the proponent of Tandanya and, if so, will she agree that she had a serious conflict of interest in the matter?

2. Did the Minister know about Tourism South Australia's appearance before the tribunal? Was the Minister involved in any way in discussions leading to the decision by Tourism South Australia to make this statement at the Planning Appeals Tribunal?

The Hon. BARBARA WIESE: Tourism South Australia has been compiling information for me during the past couple of days, because I must say that I have required a chronology of events to be prepared for me as the events on which I am being interrogated on a daily basis date back some years. I believe it is correct that Tourism South Australia officers or an officer appeared before the Planning Appeals Tribunal around September 1989, when the matter of the application for a development at Tandanya was brought before the tribunal.

The content of the submission put by Tourism South Australia officers, as far as I can recall, was never discussed with me, and that is not an uncommon situation. Tourism South Australia officers are asked regularly to comment on the tourism merits of particular tourism developments. Sometimes they are asked directly by developers and sometimes they are asked by another Government agency. Sometimes they are asked by a local government authority for comment on a particular tourism development, and they undertake that task without reference to me in most cases, and that is an appropriate course of action. There is no need for me to be involved in those matters.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: It is the Government agency within the South Australian Government that has the expertise for providing advice to appropriate organisations on the tourism merits of particular projects. As I understand it, the advice that was given to the Planning Appeals Tribunal centred around the view that Tourism South Australia development officers have, and had, that it was desirable to see a development occurring at the western end of Kangaroo Island in order that the island can reach its full tourism potential. Now, the honourable member has indicated that the Tourism South Australia officer offered, or suggested, that Tourism South Australia would withdraw its plans for a project at the western end should Tandanya get the go ahead. Well, Tourism South Australia was not in a position to make such an offer because it never had plans for a project for development at the western end of Kangaroo Island. That is totally, completely and utterly incorrect.

I have no idea why the honourable member would be suggesting that Tourism South Australia ever had such plans. The fact is, as I have indicated in this place before, the Department of Environment and Planning put forward a proposal to the Government for a small scale development within the Flinders Chase National Park. It was the Department of Environment and Planning that had that view. They are the facts that I lay on the table quite happily.

However, the real issue is what role I played in this. I have made it quite clear during the course of questioning this week that, on the Tandanya issue, during the time that Jim Stitt had an involvement with it, I declared my interest to the Premier. I made it clear that Mr Stitt had an involvement with the Tandanya development, and I indicated that in that case I felt it improper for me to participate in discussion on the matter. Therefore, when Cabinet considered the proposal that was put forward by the Department of Environment and Planning for a development at the western end of the island, I played no part in that discussion or negotiation in any way, shape or form. I did not take part in the Cabinet meetings; I was not present; I did not receive the papers relating to that matter. I had no role in that at all. Again, I took no part in any of the discussions on that matter when, eventually, after considerable public pressure, the Government considered again whether or not that development should proceed and took the decision that it would not. I played no role in that matter and that should be the public issue here. These details, these red herrings, and these issues are totally and completely unrelated to the central point and should be cast aside for what they are: blatant political campaigning.

It is outrageous that these people are continuing on this same vein, raising the same issues and not listening to the replies. They have no interest whatsoever in discovering the truth; they want an inquiry. The Hon. Mr Lucas is inquiry mad. He is also out to get as many Ministers as he can put on his scalp belt. He took a most outrageous stand some years ago in the attack that took place on my colleague the Attorney-General. We all know where that ended up: everything he raised in this place on that occasion was found to be totally, completely and utterly untrue—absolutely untrue. He is a totally unprincipled person with no integrity. The Hon. Mr Davis seems to be not much better at all in raising these issues and continuing to raise them when he knows the facts, because they have been placed clearly on the record.

The Hon. L.H. DAVIS: I seek leave to ask a supplementary question to help the Minister discover the truth. The Minister did indicate that Tourism South Australia had no interest—

The Hon. ANNE LEVY: On a point of order, Mr President: a supplementary question cannot have an explanation; one can only pose a question.

The PRESIDENT: That is true.

The Hon. L.H. DAVIS: Let me rephrase that. As the Minister has claimed in this Council today that Tourism South Australia had no interest in a project on Kangaroo Island itself, how could she explain Mr Rod Hand's testimony to the Planning Appeals Tribunal in September 1989? He said (and I quote directly from the transcript):

> At the moment, we [Tourism South Australia] have identified a site we thought would be appropriate, and we had an investment publication, we have got a Kangaroo Island coastal resort: but we are quite satisfied that the proposal that is now being proposed would mean that we would no longer have to pursue that [namely, Tandanya], and we would say we have achieved our objective in getting accommodation established that end of the island, which will meet our objectives. We would no longer seek actively any firm investmemt in a coastal location.

How can the Minister explain that statement, in view of the statement she has already made to this Council?

The Hon. BARBARA WIESE: I can explain that quite clearly. It is a matter for the public record that over a period of years Tourism South Australia has been suggesting that a coastal resort on Kangaroo Island would be a desirable thing to achieve. He is now raising a third development opportunity. I understood that what he was trying to suggest was that the Tandanya development was competing with the development inside the national park. They were two developments about which there had been not only discussion—it was not just some idea floating out of the air—but they were actual developments about which serious propositions were being put up. The suggestion for a development that the honourable member refers to is an idea that was put forward by Tourism South Australia officers—

Members interjecting:

The Hon. BARBARA WIESE: Just wait; you wait.

The PRESIDENT: Order! The Council will come to order. A question has been asked, and if members want the answer I suggest they listen. If they are not prepared to let the Minister answer the questions, I suggest she does not even attempt to answer them.

Members interjecting:

The PRESIDENT: It is getting to the stage where somebody will be named, and that will do nobody any good. I suggest members have plenty of opportunity to ask questions and they can hear the answers.

The Hon. BARBARA WIESE: Tourism South Australia has been looking at Kangaroo Island and its development opportunities for many years—years that pre-date my time with that organisation. Over those years it has discovered various parts of the island that have development potential. It was suggested in the early days that a coastal resort development at the western end of the island was the ideal tourism development to occur. The fact is that there has never been a proponent—there has never been a potential developer, to my knowledge—who has come forward to say, 'Yes; we like that idea and we will do something about it.'

The Hon. L.H. Davis: What was Mr Hand talking about, then?

The Hon. BARBARA WIESE: What he was talking about were the opportunities that Tourism South Australia talks about with developers. The Hon. Mr Davis claims to be knowledgeable about business affairs, but he seems to know absolutely nothing about investments, from the questions he asks in this place. He is totally ignorant of the way a tourism authority should and does work. What Tourism South Australia does in the development area over time is to identify, as has been stated clearly on the record many times, the gaps that exist in the South Australian tourism industry's current product that is available, and it has made suggestions to developers over the years about areas where development would be desirable. Kangaroo Island is one of those places.

The western end of the island was one of those areas. They suggested that a coastal development would be the ideal situation. They also suggested that there should be some sort of resort development in the Barossa Valley and, following that suggestion, two proponents have come forward and put up proposals. There has never been a proponent who has come forward to say, 'Yes, we would like to develop a coastal resort.' The view of Tourism South Australia at the time that the Tandanya development went before the Planning Appeal Tribunal was that there would probably be room for only one development at the western end that in the short term would be a viable development and so they said, 'If this proposal for Tandanya goes ahead; if these people are interested in pursuing this, then it would not be our intention to raise the question of a coastal resort—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The honourable Mr Davis will come to order.

The Hon. BARBARA WIESE:—because it would not be fair or reasonable.' But, if somebody wanted to come forward with a development of that sort, they are free to do that; it is a free country. Anyone can take any proposal that they want to any council or planning authority. This is another complete, utter and total red herring. It is a waste of the Parliament's time.

RESIDENTIAL TENANCIES TRIBUNAL

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Minister of Consumer Affairs a question about the Residential Tenancies Tribunal.

Leave granted.

The Hon. K.T. GRIFFIN: During the Estimates Committee of 26 September 1991, the Minister was asked by Mr Ingerson, the member for Bragg, about a case involving allegations first made in October 1990 of misconduct by a member of the Residential Tenancies Tribunal. A member of the public, Mr Murray Willis, who was a party before the Residential Tenancies Tribunal, alleges that the tribunal member, among other things, adjourned his case abruptly against his wish and made statements and allegations which were false. In her response at the Estimates Committee the Minister expressed the hope that the matter would be resolved satisfactorily—and that is over six months ago. At the present time, it remains unresolved.

Mr Willis has informed the Opposition that the tribunal member against whom he has lodged a complaint has now made a serious counter allegation against him. Mr Willis indicates that he has been interviewed by a departmental investigating officer and, since October, has been making telephone calls on a regular basis to the department to find out what has been happening. His latest information is that the tribunal member has yet to be interviewed and that the Department of Public and Consumer Affairs in fact intended to raise this issue with the Minister at a meeting to be held this week.

Mr Willis has indicated in correspondence and discussions with us that he proposes that, if the matter is not soon properly investigated and satisfactorily resolved, he will be exploring the possibility of petitioning the Governor for the removal of the member of the tribunal on the basis that the legislation provides that a member can be removed by the Governor for, among other things, misconduct. That, of course, would be a unique prospect. My questions to the Minister are:

1. Has the member of the Residential Tenancies Tribunal against whom Mr Willis has laid a complaint yet been interviewed by an investigating officer or other person?

2. If the tribunal member has not been interviewed, can the Minister indicate why that has not occurred?

3. When does the Minister propose that this matter will be finally resolved?

The Hon. BARBARA WIESE: I do not know whether the member of the Residential Tenancies Tribunal has been interviewed in this matter and I cannot give a date on which this matter will be resolved. This has been a long running issue and I am familiar with the correspondence that has been received on this matter, both by the Residential Tenancies Tribunal and, also, correspondence that I have received on it.

An initial investigation was undertaken by the Chair of the Residential Tenancies Tribunal. Mr Willis has not been satisfied with the outcome of that matter and has raised further issues with me. On the basis of that, I have asked for advice from the Commissioner for Consumer Affairs on this matter and she has initiated further inquiries to be made so that I can be advised as to whether there is any further action that I should take with respect to this matter. I hope that, very shortly, I will receive either a final report or a progress report on this matter and that it is something that can be cleared up very quickly.

The Hon. K.T. GRIFFIN: As a supplementary question, can the Minister indicate when the Commissioner for Con-

sumer Affairs began the further inquiries to which she referred?

The Hon. BARBARA WIESE: Sir, I do not recall the date when that request was made of the Commissioner for Consumer Affairs, but I will supply that information if it is helpful to the honourable member.

HOSPITALITY INDUSTRY

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Minister of Tourism a question about logicality and the hospitality industry.

Leave granted.

The Hon. R.I. Lucas interjecting:

The Hon. T. CROTHERS: You won't forget this one; just listen and learn for a change. Mr President, I was constrained to compile my questions on the subject matter to the Minister by the honourable behaviour of the Mr Heini Becker in another place. Noticing that Mr Becker has announced his retirement at the next election, I am sure that he will be sorely missed by the Liberal Party for the rare flashes of honesty, principle and integrity that he brings to the discussion rostrums of that Party.

An honourable member: Not lately.

The PRESIDENT: Order!

The Hon. T. CROTHERS: I have watched the Opposition members in this place for the past two weeks engaging in another activity of vilification in the same way as they endeavoured to destroy the career and the domestic life of the Leader of our Party in this Council, the Hon. Chris Sumner. After several years of vilifying and pillorying that man, they then had to agree that there was nothing in the questions that they consistently put to him, day after day in this Chamber. The questions were put to the honourable Attorney in a manner that made them look almost like a truth and a half and, when the matter was investigated by the NCA, they were found to be nothing more than lies and a half. Mr President, it is almost like watching Adelaide revisited to see the Opposition in the past several weeks attacking the Minister of Tourism for alleged wrongdoing. This is the logicality that underpins their questions—it is like asking a juvenile at school what two and two is and they know they have to give an answer so they say 'Seven', because they know that seven is a number, too. My questions are as follows:

1. Is it true that the Minister of Tourism drinks Perrier water and, if so, does that mean that she has shares in this or any other offshore company?

2. Is it true that the Minister has attended tourism conferences also attended by the Hon. Ms Laidlaw—and I am using the word 'honourable' fairly loosely—and has been seen consorting with the shadow Minister? Does this mean that the Minister is thinking of changing her political affiliations?

3. Finally, since Tourism South Australia—

The Hon. M.J. Elliott interjecting:

The Hon. T. CROTHERS: The Democrats interject. The Democrats play a reasonable role in general terms in this Council, but there are occasions when they feel, if they are being overshadowed in Question Time by the Opposition, that they have to stand up and ask questions of a similarly scurrilous nature in order to keep their name to the forefront of the mind of the South Australian electorate. So, I pass off that interjection with that comment only. Finally, since Tourism South Australia—

The Hon. R.I. Lucas interjecting:

The Hon. T. CROTHERS: You would know about whether or not this is a disgrace. You are the greatest disgrace to the human race I have ever seen in my life.

The PRESIDENT: Order! The honourable member will get on with the question.

The Hon. R.I. Lucas: Are you running for a Cabinet vacancy?

The PRESIDENT: Order!

The Hon. T. CROTHERS: Certainly not; there will be no vacancies in our Cabinet. Finally, since Tourism South Australia recently assisted the wife of the Hon. Legh Davis to organise a major tourism conference, does this mean that she has already changed her political affiliations? I ask those questions because that is the type of logic that I have come to expect from the Opposition in Question Time over the past couple of days. I hope that they at least change their violinist, if not their violin!

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: The questions that the honourable member has asked, which draw some very long bows indeed, demonstrate very clearly the leaps in logic that can be made by linking unrelated facts. That is exactly what members opposite have been doing in this place for almost two weeks. They have been linking unrelated facts and trying to draw some conclusion from it. It is true that Tourism South Australia provided financial assistance to the wife of the Hon. Legh Davis some months ago to assist her in organising a tourism conference for this State.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: That decision was made not because I am in league with the Hon. Mr Davis or that I am a friend of his wife. It was not made for those reasons at all. The decision was made on the merits of the case. The honourable member's wife is involved with the tourism industry. She is involved with a particular sector of the tourism industry, and she does a very good job. She wanted to put forward a proposal to hold a national conference in Australia which would be hosted in South Australia and which would help to highlight the merits of this particular tourism sector. She in fact organised that conference and she did an extremely good job of organising that conference.

Members interjecting:

The PRESIDENT: Order! The Council will come to order.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order! The Hon. Mr Lucas will come to order. Constant interjections are not allowed under Standing Orders, and the honourable member will come to order.

The Hon. BARBARA WIESE: I fully supported the decision that Tourism South Australia made in this matter to support Mrs Davis and the work that she had recommended. What that indicates is what I have been saying all along: that Tourism South Australia and I, in our capacities in working for and with the tourism industry of South Australia, take all propositions that come to us on their merits, and we do whatever is possible to assist people who have some interest in pursuing tourism development, tourism propositions or tourism marketing, without fear or favour, and not because we know the people personally or because we like the colour of their face or because they are people of the right political persuasion. I hope that that at least demonstrates that point.

During this past two weeks, members of the public have listened to the sorts of things that have been put forward by members opposite, these extraordinary leaps in logic. The messages of support that I have received from all over

this State, from people I know, and many from people I have never met, have been very strong indeed. I think that members opposite should note that many of the messages I have received have come from people who are, or who have been, Liberal supporters but who are not keen on what they are hearing and they are reconsidering their position on this matter. They feel that the whole thing has been a farce. It has been a farce, and a farce it will be proved to be.

Adelaide's top rating radio station also seems to concur with this view. Yesterday, radio SAFM had a small segment, and I think it is worth quoting from that segment. They had on SAFM a man named Warren Lemon—

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order! The honourable Mr Lucas will come to order.

The Hon. BARBARA WIESE: —assistant chief accountant, who said:

After more revelations in Parliament, we present the top five other scandals Tourism Minister, Barbara Wiese, might be implicated in.

5. Being related to a Scotsman, Hamish McWiese, underwater funpark proprietor at Loch Ness.

4. Having a great aunt, Agnes Wiese, who was a flight attendant on the Hindenberg.

3. Being a member of the very famous Wiese family dingo trainers of Ayers Rock.

2. Going out with a guy who used to be Harold Holt's swimming instructor.

And the top scandal Tourism Minister, Barbara Wiese, might be implicated in:

Once having a job as picnic supervisor at Hanging Rock.

That is SAFM's view of the Opposition's performance in the past two weeks, and I think it is the view shared by many others.

PERSONAL EXPLANATION: MINISTER'S REMARKS

The Hon. L.H. DAVIS: I seek leave to make a personal explanation.

Leave granted.

The Hon. L.H. DAVIS: The Minister of Tourism, in her desperate attempt to divert attention from the questions raised by the Opposition, has brought my wife into the argument. Let me just explain to the Council that my wife does operate two bed and breakfast cottages, one in Auburn and one in Burra. At her initiative, Tourism South Australia did indeed fund the first National Bed and Breakfast Conference which she convened and for which she received a fee from Tourism South Australia for that position. She had to fight very hard, notwithstanding her husband's doubtful political background, to achieve that position. The fact is that she did it. I find it curious—

Members interjecting:

The PRESIDENT: Order! This is a personal explanation, not a debate.

The Hon. L.H. DAVIS: Yes. I just want to say, Mr President, that I find it curious that the Minister seemed to know all about that, but knew nothing about TSA's involvement with the Planning Appeal Tribunal involving a $15 million project.

The PRESIDENT: Order! A personal explanation relates to yourself.

The Hon. L.H. DAVIS: I want to explain—

The Hon. ANNE LEVY: I rise on a point of order, Mr President: a personal explanation can only relate to matters relating strictly to the individual. Mr President, I ask you to uphold the point of order.

The PRESIDENT: Yes, that is true. The Hon. Mr Davis is straying from his personal explanation.

The Hon. L.H. DAVIS: Mr President, by raising my wife's involvement in the tourism industry and the National Bed and Breakfast Conference, which she so successfully convened last year, the Minister sought, I think, to suggest that there possibly may well have been some form of conflict of duty and interest.

The PRESIDENT: Order! The Hon. Mr Davis will confine his remarks to a personal explanation.

The Hon. L.H. DAVIS: I just want to say that the Leader of the Liberal Party, Mr Dale Baker, offered me the position of shadow Minister of Tourism. I declined to accept that position in 1990 because I believed that—

Members interjecting:

The PRESIDENT: Order!

The Hon. L.H. DAVIS: —there was a possibility of conflict.

Members interjecting:

The PRESIDENT: Order! The Council will come to order. I am getting very tired of the repeated interjections that have no semblance of order or meaning in relation to the debate or the questions that are being asked. I ask members to observe the proprieties of the Council. If they are not prepared to do that, I will be forced to name some of them.

The Hon. L.H. DAVIS: The point I simply make is that when Dale Baker offered me the position of shadow Tourism Minister in early 1990 I recognised that my wife had occasional dealings and contracts with Tourism South Australia. I did not want to put myself in a position of conflict. I discussed the matter with my colleagues and declined to accept the position. That matter is known to my colleagues, and I want to place it on the public record. That is the standard which the Liberal Party believes should operate in public life.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Lucas will come to order.

The Hon. L.H. DAVIS: That is my own view, and I am sorry that the Minister of Tourism does not share it.

TOURISM MINISTER

The Hon. I. GILFILLAN: I seek leave to make an explanation before asking the Attorney-General a question relating to a review of information concerning the business affairs of the Tourism Minister.

Leave granted.

The Hon. I. GILFILLAN: On Wednesday 25 March this year, the Attorney gave an undertaking to review documents concerning the business affairs of the Minister for Tourism, the Hon. Barbara Wiese, as they relate to the proposed Tandanya project on Kangaroo Island and the proposed Glenelg foreshore redevelopment. So far as the Australian Democrats are concerned, we have passed on all related documents and information about these matters to the Attorney, and I understand that similar information has also been provided to him by the Opposition.

I have already indicated in this place that I believe there must be an independent inquiry into matters relating to the Minister's business affairs with her partner Mr Jim Stitt, her friend, architect Mr David Dawson and her business accountant Mr Lyn Jeffery, and their involvement and relationship through the companies, Nadine Pty Ltd, Geographic Holdings, IBD Public Relations, Glenelg Ferry Terminal Pty Ltd and Paradise Developments.

I believe there must be a decision on an independent inquiry by the Tuesday before Easter at the latest so as to enable, as a last resort, time to establish a select committee, if it is the wish of this Parliament. It is important for me to repeat what I said in this place yesterday: that the assessment of material and call for an independent inquiry is not a judgment on the Minister. With that in mind I ask the Attorney:

1. Does he agree that it is reasonable for Parliament to expect a decision by him on an independent inquiry by Tuesday 14 April at the latest?

2. Will he undertake to give that decision by Tuesday 14 April at the latest, whether or not the officers studying the material for him have totally completed their work?

The Hon. C.J. SUMNER: As the Council knows, I have said that I think my review of these documents should be carried out with all due expedition. Anything that I have to say about an independent inquiry, which has been requested of me by the Hon. Mr Gilfillan and others, should also be said at the earliest possible opportunity. However, I think it is fair to say that when this issue arose initially and when the Hon. Mr Gilfillan asked me to consider the documents in the light of the possibility of an independent inquiry, the issue only revolved around the poker machines legislation and the possibility of conflict of interest in relation to that matter.

It is now true that other matters have been raised just this week, starting on Tuesday, by the Hon. Mr Elliott and other members opposite, and the Hon. Mr Gilfillan has now included those matters in the ones that he expects me to review. So, it is obvious that this week the content of what I was asked to do has changed to some extent. However, I still consider my brief to be to examine the documents provided to me by the Hon. Ms Wiese and other parties, including now documents that have been provided to me in relation to the matters that have been raised this week.

I believe that I have now received the documents that people have in their possession, with the one exception of the ABC, which has refused to provide me with any documents. However, I assume that the ABC provided all its documents to members opposite and the Hon. Mr Gilfillan and that they have come to me by that means. Nevertheless, the ABC has refused on the ground that the police were investigating certain activities and that there was a possibility of defamation proceedings being launched.

Apart from that, as far as I am aware at this stage, all the documents have been made available to me. It may be that on examination of those documents I will make further requests, but I cannot say that at this stage. I have said that I will complete the matter and provide a statement to the Parliament as soon as I possibly can. I think it is a reasonable expectation of the Parliament that that statement will be made by the Tuesday before Easter, and I will certainly try to meet that deadline if I possibly can. In fact, I will try to meet an earlier date if I possibly can. I think it is reasonable that a statement be made by that time, and I will do all I can to achieve that objective. However, I do not know whether this saga that we have seen this week will be a continuing one. If it is, of course, it will make my job more difficult, because new supposed allegations have been made this week.

In summary, I will attempt to achieve that target, and I expect at this stage that I will be able to do that. An officer within the Attorney-General's Department is working on the matter, and we are attempting to deal with it as quickly as possible. Obviously, it is clear to the honourable member, and I am sure to the Council, that there is no point in delaying what I have to say on the topic beyond what is necessary for me to make a sensible contribution on the issues which I have been asked to examine.

TOKYO-ADELAIDE FLIGHTS

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Tourism a question about Tokyo-Adelaide flights.

Leave granted.

The Hon. DIANA LAIDLAW: Late last week, Qantas announced that it proposed to cancel its once a week direct Tokyo-Adelaide service which it shares with Japan Air Lines. Apparently, from November, Adelaide will be served by a Qantas flight from Japan via Sydney. However, I was alarmed to learn that if this plan goes ahead Qantas will withdraw a further four Sydney to Adelaide flights that it currently operates each week with connections to Tokyo. I suspect that such a dramatic withdrawal of international flights to Adelaide would have a devastating impact on our tourism industry at a time when South Australia is only just holding its historically low market share of international visitor numbers and is experiencing a declining market share of international visitor nights. I therefore ask the Minister: is she able to confirm that, in addition to Qantas's decision to cease the non-stop Tokyo-Adelaide service the State is likely to lose access to a further four Sydney to Adelaide Qantas flights that connect with Tokyo?

The Hon. BARBARA WIESE: I am not able to confirm whether a further four flights are likely to be lost, but I can say that the loss of the Adelaide-Tokyo flight is a matter of very strong concern to me. I am bitterly disappointed with the decision that has been taken by Qantas and JAL on this matter.

I got some warning that consideration was being given to cancellation of this flight and, in fact, I sought to meet with Qantas officials in order to discuss the matter with them to see what could be done to head off such a decision being made. The meeting that I had scheduled with Qantas officials had to be cancelled because of the outrageous issues that have been raised in this Parliament during the past two weeks. My scheduled meeting was to be during this period, and of course it was not possible for me to meet that engagement, and subsequently the airline announced that it would be withdrawing from that flight. I have not been happy about the lack of support that has been given to that flight since it began.

The Hon. Diana Laidlaw: By Qantas?

The Hon. BARBARA WIESE: By Qantas in particular. I believe that the scheduling of the flight has not been conducive to building the traffic between Japan and Australia, and it is a matter that we have raised with Qantas on numerous occasions over the past three years. The scheduling has been changed from time to time, and that has not been helpful in establishing a strong link with Japan.

I have not been happy with that, and I have made my dissatisfaction quite clear. On the other hand, JAL has been a lot more supportive of the flight and has achieved much better results. However, we now have a situation where we have no direct flight and we must do what we can to make the best of all other available links. These are issues that I will be taking up with Qantas in the short term, but I hope also that negotiations with Qantas might in the long term lead to the re-establishment of a direct link with Japan if that is at all possible.

In the short term, my concentration will be on ensuring that our links with Japan are as convenient as they can possibly be in order to encourage as many Japanese visitors as possible to take advantage of the attractions that we have to offer. In the meantime, with Cathay Pacific coming on line, we will have at least one other new indirect link with Japan of which I am sure many Japanese people will take advantage. I will check on the question of the four flights to which the honourable member has referred and bring back a report on it.

SOUTH AUSTRALIAN OFFICE OF FINANCIAL SUPERVISION BILL

Adjourned debate on second reading.

(Continued from 18 March. Page 3286.)

The Hon. K.T. GRIFFIN: Members will be pleased to know that I will not speak on this Bill as long as I spoke on the substantive issues relating to the application of laws legislation last night. This Bill is really an important part of the whole scheme, but it does not do anything more than establish the South Australian Office of Financial Supervision, which is to have the responsibility for registering building societies and credit unions and overseeing their compliance with the substantive law.

It can act as a delegate of other State supervising authorities as well as undertaking work on its own behalf. It is a body corporate. It is not subject to direction by the Minister, and to that extent it is significantly independent. I would like the Attorney in his reply to address a few matters concerning the Bill, and it would be simpler for me just to run through those now so that he has notice of them.

Under clause 14 the composition of the board is identified as being not fewer than four nor more than five members appointed by the Governor on the nomination of the Minister. Subclause (2) provides that one member of the board must be a person employed under the Government Management and Employment Act 1985, and there may not be more than one such member. The only reason I can suggest for that provision is that it may be that a Treasury official should be on the board. However, that is not clear, and I would like the Attorney to indicate why that provision is in clause 14.

Under clause 17 a member of the South Australian Office of Financial Supervision holds office for a term not exceeding three years. I seek some idea as to what the Attorney has in mind about the length of appointment of various members: whether three years is to be the rule rather than the exception. The Attorney might also indicate why it is for a period of only three years and not for a longer period which, I think, in the substantive law, is provided in the case of AFIC, which I recollect has membership of five years.

Clause 23 deals with the times and places of meetings. The member appointed to preside at meetings of the board may at any time convene a meeting and must convene a meeting when requested by at least three other members of the board. I suppose it is a matter of judgment as to whether that should be three or some other number, but I would like the Attorney to indicate why three was chosen. I tend to the view, subject to anything that he may contribute in his reply, to a lower figure of two, to make it easier to get a special meeting of the board on requisition. I suppose not much turns upon it, and one hopes that there is not to be rigid adherence by members of the board to procedure such that they are not able by agreement to schedule meetings at appropriate times.

Clause 27, which deals with resolutions without meetings, provides:

> If at least three members of the board sign a document containing a statement that they are in favour of a resolution in terms set out in the document, a resolution in those terms is to be taken to have been passed at a meeting of the board held on the day on which the document is signed . . .

I have two suggestions to make about that provision, which I know is identical to provisions in the AFIC code. First, I think that at least all members of the board ought to be notified in writing of the proposal so that, if their whereabouts is known at the time that such a resolution is requested, they have some notice of it and are given an opportunity either to agree or not agree with the proposition. Secondly, I suggest that consideration be given to a proposition that it involve not the signing of a single document but the signing of a document by each party, each document being in identical terms with the other, so that each member can sign a separate document (but an identical document with the others), and that will constitute a resolution without a meeting.

In clause 29, there is a reference to disclosure of interests. The interests which have to be disclosed are pecuniary interests, and I note that that is similar to a provision in the Financial Institutions Code in one respect but not in another. Disclosure of interests in relation to directors and officers appears in clause 240 of the Financial Institutions Code where a director of a society has to disclose any interest in a contract, whether direct or indirect. I know there are other provisions relating to disclosure of interest where pecuniary interest in the scheme legislation is specifically referred to, but in other places not specifically pecuniary interest. I would have thought that, in the context of the responsibility of the South Australian office, the declaration of an interest ought not be limited to a pecuniary interest.

In clause 34 (7) the obligations of members of the South Australian office and its employees are addressed. It states that a person who in the course of his or her official duties is required to consider any matter concerning a person or body with whom that person is associated must immediately inform the SAOFS of that fact in writing and the fact of the association is to be determined in accordance with provisions that are to be prescribed. I would like some explanation of what is proposed for those regulations.

Again clause 34 (4) provides that a person must not make improper use of an office and the maximum penalty is $10 000 or two years imprisonment or both. I was going to check that before the order of business was quickly rearranged to accommodate my speech. I wanted to check that against the public offences legislation. I have not had an opportunity to do so, but I merely raise a question whether that is consistent with the penalties we have provided in the legislation that we considered yesterday and the day before relating to public offences, because there ought to be consistency.

During the Committee debate of clause 39 I may raise some questions about any limitations on the delegation of the South Australian office's powers. Certainly, there is a specific power under section 95 of the Financial Institutions (South Australia) Code that may not be delegated, but there may be others that should not be delegated. I would want to work through the Financial Institutions Code to identify any others. It may be that the Attorney-General's own office may be able to identify readily the sorts of powers which

should not be the subject of delegation and which we can therefore include specifically in clause 39.

They are the issues on which I want to spend some time in the Committee stage. I hope that my identifying them now will be helpful to the Attorney-General and to the Council and that it will short circuit the debate in the Committee stage. I support the second reading.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

CASINO (GAMING MACHINES) AMENDMENT BILL

Second reading.

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is consequential upon the Gaming Machines Bill 1992 in that it effects the amendments necessary to put the casino on the same footing as the hotels and clubs in respect of coin-operated gaming machines. The present embargo on poker machines in the casino will therefore be lifted.

The provisions of the Bill are as follows:

Clause 1 is formal.

Clause 2 provides for commencement on proclamation.

Clause 3 repeals the definition of poker machine and removes the exclusion of such machines from the definition of 'authorised game'.

Clause 4 amends the functions of the Casino Supervisory Authority to include functions assigned to the authority by other Acts.

Clause 5 repeals the section that prohibits a person from having possession or control of a poker machine on the premises of the casino.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

UNIVERSITY OF SOUTH AUSTRALIA (COUNCIL MEMBERSHIP) AMENDMENT BILL

Second reading.

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill embodies the final act of the Parliament in establishing the University of South Australia—South Australia's third and largest university. The creation of this University is probably the most significant development in South Australian higher education for a quarter of a century. The Bill deals primarily with the Council of the University and, as befits such a significant development, members will see that the structure of the Council includes some innovative features.

I say the final act of the Parliament because I know that there is a great deal left to do within the University in setting its sights on the future as a major South Australian institution. Of course, a great deal has already been achieved and I would like to take this opportunity, before dealing with the Bill in detail, to recount some of those achievements for Members.

- The University is well advaced in the development of a university plan. The Council adopted a Mission Statement and Goals for the University early in 1991 and followed this with the adoption of a set of medium and long term objectives in July. The development of strategies and action plans will be undertaken this year ensuring that the University is successfully moving towards achieving targets and that its goals and objectives remain relevant.
- The University has established Australia's first University Faculty of Aboriginal and Torres Strait Islander Studies.
- The University is a leader in physiotherapy research and education, and the University's School of Physiotherapy is a pace setter in a science within constantly expanding horizons. In 1991 the School introduced a innovative system of multi-level awards in postgraduate work that range from a post-graduate certificate in physiotherapy to an advanced specialisation Masters. Students from the United States, Israel and Iceland are coming to the School of Physiotherapy for post-graduate study.
- In a joint venture with the South Australian Department of Agriculture the University has developed a seed placement test rig which will aid in vital research into maximising the effectiveness of seeding procedures and their effect on crop yield.
- A Partially Parallel Stump Jump Mechanism developed by the University won a Commendation in the Primary Industry Category of the 1991 BHP Australian Steel Awards. The mechanism could save around $100 million a year in tillage fuel costs for Australian farmers and could revolutionise tillage methods and produce better yields for broad acre farmers.
- The University held a publishing forum at its Underdale Campus, the first of its kind to be held anywhere in Australia, which examined issues in academic publishing, marketing and distribution. Emphasis was placed on the possibilities of the three South Australian universities cooperating in the establishment of a press in association with the proposed MFP Academy.
- Research and development work by the energy/engines group in the University's School of Mechanical Engineering is attracting international interest from government and private organisations in Argentina, Belgium, Canada, Germany, Italy, Japan, Malaysia, New Zealand, Norway and Singapore which see natural gas as the main road fuel of the future.
- Commonwealth Government funding of $12.42 million has been allocated for a new Co-operative Research Centre, the Centre for Sensor Signal and Information Processing, in the University. The new Centre will be the national focus for advanced research into sensor signal processing equipment such as radar and vision systems.
- Successful completion of a major research project, funded through the Australian Mineral Industries Research Association, into the chemistry of processing sulphide minerals has led to the launching of a new three-year program for mineral extraction research supported by top Australian and overseas mining companies. This project is the biggest of its kind ever conducted in Australia and one of the largest chemical research programs current in the international minerals processing industry.
- The University has introduced an innovative new degree sequence designed to equip engineers for top positions in industry by following engineering studies with a Master of Commerce course.
- The University of South Australia and The University of Adelaide have introduced a Master's degree in Medical and Health Physics that will increase specialised training opportunities in this area by applying discoveries in physics to the diagnosis and treatment of diseases. Students will undertake work in such things as surgical use of lasers, magnetic resonance imaging and gamma camera.
- A member of the University's staff, Dr Pietrobon, has invented a new decoding system and transmitter which will assist the United States National Aeronautical and Space Administration by transmitting pictures from the orbiting Hubble space telescope seven and a half times faster.
- The University is a member of a cooperative venture with the University of Adelaide, the University of New South Wales, Hawker de Havilland Australia and other companies which has won its second Space Industry Development Centre. The new Space Engineering Centre of Australia will carry out research and development into a range of space engineering projects, including launching, tracking, ground control, satellite payloads and power from solar cells.
- Registered nurses will be able to further their knowledge of advanced practice and increase their career choices by enrolling in the University's new Master of Nursing—Advanced Practice course. Although other opportunities for a Master's degree are offered in South Australia, this is the first time an advanced practice course for registered nurses has been offered in the new university. It will meet a demand from nurses wishing to improve their professional status.

- The University has supported the development of inter university research co-operation and the promotion of closer relations between tertiary education and the MFP—Academy program.

So it is clear that this new University is already making its mark in the international research field and is already making a significant contribution to scientific and technological development in South Australia. I think the University deserves the congratulations of this House on its efforts so far.

I turn now to the Bill before us.

Members will recall that section 10 of the University of South Australia Act 1990 expires on 30 June 1992. The reason for this was that, as an interim measure, the Council of the University, which section 10 deals with, was established largely by drawing members from the governing bodies of the former SA College of Advanced Education and SA Institute of Technology. In addition, some members were appointed by the Governor on the Minister's nomination, after consultation with the Leader of the Opposition, and two members were appointed by the Governor on a joint address from the Houses of Parliament.

The Council was required to report by the end of 1991 on the operation of the Act with specific recommendations on the long term structure of the Council. This Bill deals with the implementation of recommendations made by the University.

The principal content of the Bill relates to the Council, the membership of which is proposed to be as follows:

(a) the Chancellor, *ex officio*;

(b) the Vice Chancellor, *ex officio*;

(c) the presiding member of the Academic Board, *ex officio*, or if that person is the Vice Chancellor then the deputy presiding member;

(d) the President of the Student Organisation, *ex officio*;

(e) six members appointed by the Governor on the recommendation of the Minister with the agreement of the Leader of the Opposition;

(f) two Members of Parliament appointed by the Governor pursuant to a joint address from both Houses of Parliament;

(g) ten elected members being two members of the association of graduates, if one has been formed, (other than staff or students) elected by that association, four academic staff members elected by the academic staff, two general staff members elected by the general staff, and two students elected by the students so that when taken together with the President of the Student Organisation there are two undergraduate student members and one postgraduate student member of the Council;

(h) up to two co-opted members who are not staff or students.

This is between 20 and 24 members—a quite manageable size.

As I mentioned earlier, there are some innovative features of this membership. The first is that there will be six Ministerial nominees which is unusual for university councils in South Australia. However, the University believes that past experience demonstrates the efficacy of its proposal since it allows careful selection of members to ensure representation of a broad spectrum of South Australian society on the Council. To avoid the possibility of political 'stacking' of the Council, which would clearly be undesirable, the Leader of the Opposition must be consulted in the process. This provision allows for a bi-partisan consensus to be achieved on the appointments concerned.

To keep the size of the Council manageable the University has proposed the continuation of the present arrangement for the representation of Parliament on the Council and this is included in the Bill.

The other significant feature of the membership of the Council is the more even balance between elected representatives of academic staff, general staff and students. The representation of these groups on the Council of the University of South Australia will be four, two and two respectively. This contrasts with the situation at Adelaide University—eight academic staff, two general staff and five students; and Flinders University—eight academic staff, one general staff and four students. This feature reflects the long standing commitment to equity and non-elitist practices brought to the University from its antecedent institutions.

As well as dealing with a long term membership for the Council the Bill deals with a number of other matters requiring attention.

Sections 12 and 16 of the Act contain interim provisions for the appointment of the Chancellor and Vice Chancellor. These need to be changed and provisions in this Bill accomplish this in accordance with the University's wishes.

Members will recall that last year The Flinders Univerity of South Australia Act 1966 was amended to empower that university to offer awards jointly with another university. This was particularly to facilitate the offering of joint engineering degrees by Flinders University and the University of South Australia. This Bill provides for complementary powers at the University of South Australia.

The Bill provides for the establishment of a fund to assist students in necessitous circumstances and incorporates provisions relating to the University's Common Seal. Redundant provisions relating to the provision of funds to the University and to reporting requirements are to be repealed.

The Act requires that Statutes and By-laws made by the University Council must, once confirmed by the Governor, be placed before both Houses of Parliament where they may be disallowed. This is clearly a proper procedure in the case of by-laws, which relate to such matters as traffic, parking, access to university grounds and so forth, where there may be significant implication for members of the general public. However, statutes deal with academic matters and matters relating to the internal operations and discipline of the University and the University has argued that there is no need for such matter to be subjected to Parliamentary scrutiny. Accordingly this Bill repeals those provisions which would require changes to statutes to be laid before Parliament.

The provisions of the Bill are as follows:

Clause 1 is formal.

Clause 2 provides for commencement by proclamation.

Clause 3 inserts some definitions relating to students, staff and graduates that are relevant to the election of Council members.

Clause 4 makes it clear that the University may confer degrees, diplomas, etc., jointly with any other University. (A similar amendment was recently passed by the Parliament for Flinders University).

Clause 5 empowers the University to set up a fund for assisting necessitous students.

Clause 6 repeals the provisions that set up the interim Council of the University and replaces them with a membership structure consisting of four *ex officio* members, up to 10 appointed members (two of whom are Parliamentary members and two of whom may be co-opted by the Council itself, and 10 elected members.

Clause 7 provides that appointed members of the Council (other than the Parliamentary members) will have four year terms of office. Elected members will be elected for two year terms. Half of the first membership of the Council will be appointed for half terms to ensure ongoing experience on the Council.

Members (other than Parliamentary members) may be removed from office by the Governor on various gounds. A member's seat on the Council becomes vacant if he or she no longer satisfies the eligibility criteria that led to his or her appointment or election. If the Chancellor is appointed from the membership of the Council, a further member will have to be appointed. New section 11a provides that the two Parliamentary members must be appointed at the commencement of each new Parliament and will hold office until the next appointments are made.

Clause 8 deletes the provisions relating to the interim Chancellor and Deputy Chancellor. A person from outside the University or one of the six Governor-appointed members of the Council may be appointed to the office of Chancellor. The Deputy Chancellor will also come from the same group within the Council.

Clause 9 inserts a provision dealing with the common seal of the University and the manner in which it is to be affixed to documents.

Clause 10 is a consequential amendment.

Clause 11 deletes the provisions relating to the interim Vice Chancellor.

Clause 12 deletes the now obsolete provision relating to the first report that the Council was required to make to the Minister.

Clause 13 repeals the provision dealing with payment of money by the Treasurer to the University.

Clause 14 repeals the provisions that required statutes to be laid before Parliament and therefore to be subject to disallowance.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

MFP DEVELOPMENT BILL

Adjourned debate on second reading.

(Continued from 1 April. Page 3796.)

The Hon. M.J. ELLIOTT: I rise to oppose the second reading of this Bill. My reasons are basically threefold. First, I believe the site as set out in the schedules is totally inappropriate for any development which is to be a model

for a sustainable future for Australia. Secondly, the EIS process is as yet incomplete because public comments are to be submitted and considered and the study itself is seriously flawed. Thirdly, I oppose the lack of genuine community input into the processes proposed in the Bill and disagree with what amounts to the corporatisation of the State's future while basic services and facilities throughout South Australia are deteriorating for lack of funding.

It is not my intention to debate at length the merits of the MFP concept and whether or not we should have one. South Australia won the right to the MFP by default. Queensland was the only serious contender, but had to withdraw because it could not guarantee ownership of the picturesque valley it had selected as a site. South Australia on the other hand could guarantee a significant holding of land under Government ownership within close proximity to the CBD, port and airport. The site was undeveloped, although this is probably more due to its condition than any desire to save it for something spectacular.

Any impartial reader will have to admit that South Australia's submission was a glossy publication, warm with motherhood statements and stunningly vague about what we were offering. Our MFP could have become anything from an enclave of foreign citizens, another Silcon Valley of high tech industries or an expansion of our defence technology industries. It could be your greatest hope or your greatest fear. The MFP became a lifebuoy for many. With our economy reeling, a cargo cult mentality developed, looking hopefully for an MFP-led recovery. Any questioning of the concept, any requests for more detail were howled down by the MFP PR machine as the worst form of treachery against the State's future. Like the emperor's new clothes, many who could have asked questions did not.

From the beginning of the debate, my colleague Ian Gilfillan and I focused on the only certainty in the proposal: the site. There are serious problems with the site: so serious that we are prepared—even putting aside the arguments about whether or not the MFP is a good thing—to oppose the Bill on the grounds that the condition of the site will compromise any potential benefits of the development. We have grave concerns not only about the site but also the manner in which the Government is planning to make its future city dream a reality.

This MFP Development Bill is an undisguised attempt to corporatise the future social and economic development of the State and enshrine in the law an obsessive link between that future and an unstable, contaminated tidal area. It is an attack on democratic processes in South Australia and a dangerous precedent for us as a Parliament to be setting.

For what exactly are we being asked to legislate—an industrial development, a lakeside housing estate, or a combination of the two? My money is on its being a housing estate with a few token industries to prove that its everything the Government said it would be. By way of example, one thing we have been told will be part of the MFP is an information utility: a joint government-private sector project which will see the privatisation of some of the computer power of government. This 'world first' was announced in June 1991 with the Premier describing the information utility as an essential platform on which to build the proposed multifunction polis. But what was not announced was that it had all been planned long before the MFP came on the horizon and was transmogrified to become an MFP initiative when the Government was desperate to make it appear that the MFP was actually doing something concrete.

Exactly where will the components of the development be located on the proposed site? How much will it cost us to build over what time frame and how much in ongoing maintenance? Where is the vision and innovation the MFP is meant to embody? Time and time again in the draft environmental impact statement released in February this year are admissions that the project will not be as exciting as it has been painted to be. After listing possibilities for advanced public transit systems to link the MFP with other locations in Adelaide, the EIS says '. . . it is likely conventional bus systems would service initial development . . .'.

Alternative, small-scale water and wastewater systems are also canvassed as possibilities for the MFP villages but once again the section ends with '. . .in initial stages, conventional methods of servicing may apply with the extension of E&WS water and sewer mains into the study area'. Conventional water and sewer mains are major, expensive items of urban infrastructure with expected lifetimes of many years. So, the MFP is not really planning anything innovative with transport, sewerage and wastewater. The MFP is too much concept and not enough detail.

The draft EIS, which is now out for public comment supposedly evaluates the concept of urban villages, separated by a network of lakes and parks, but we are told on page 5 that the document '. . . will not pre-empt the adoption of other urban design approaches in the future.' So, what is the point of the EIS exercise? How can we as a Parliament approve something which may change from that which was supposedly evaluated in the EIS? One thing that appears to be certain about the MFP is that there is not going to be too much industry but quite a bit of canal and lakeside housing. The tables on page 12 of the draft EIS show that.

Of the 1 840 hectares in the proposed core site, 800 hectares, or 43 per cent, will be suitable for urban development, 23 per cent of the site will be lost to lakes and canals, while 34 per cent will be open space and urban forest. Of the 43 per cent that will be developed, 15 per cent will be used for proposed urban villages and of that 15 per cent only 12 per cent, or 15 hectares of the land, is set aside for industry/commercial. I must ask whether 15 hectares of industry will save South Australia, given the massive cost we face in just getting the sites suitable for use.

In 1989 the Premier was commissioning studies on the Gillman area as a site for a proposed residential and recreation development. Some of those studies will be referred to later, because they were cautionary in their assessment of the area for residential and recreational use. The Government is asking us to commit this State to an undefined concept which will yield us a lot of lakes, some housing and a few industries and to trust a corporation with a Government-guaranteed open cheque book in order to achieve it. I cannot be part of that commitment. The MFP project has been billed as vital for the State's future and as such should, if it proceeds, be an example of the best possible models for that future. Unfortunately, the EIS says that this is unlikely to happen.

It has been acknowledged by the Government that that future will need to be ecologically sustainable. And although the State Government has recognised that environment-based technology and knowledge will be a profitable growth industry in the future as other countries begin cleaning up their act, I think there is a fundamental misunderstanding on the part of this Government of what sustainability means. For something to be sustainable it must be as viable and supportable, economically and environmentally, in a hundred or a thousand years as it is today. That implies developing communities which meet all our present social and environmental needs and so allowing future generations to have

the same. In order to achieve that we must begin working to minimise throughputs, inputs and outputs. We must reduce our resource demands and pollution creation.

With these criteria for sustainability, the Gillman MFP site is a poor one. The use of the Gillman site and not an existing flat, solid and serviced site to the east of Port Wakefield Road will require unnecessary infrastructure to be built and maintained and, because of the intertidal nature of the site, it will require replacement in a shorter time than would be expected for elsewhere on the Adelaide Plains. As the greenhouse effect impacts, as well as land subsidence, which is occurring anyway, the problems of the site and costs of maintaining it will increase. South Australia is facing an unnecessary short-term cost for the initial modification of the site and long-term resource use to maintain it. This is not a sustainable proposal.

The Gillman site is the most fundamental stumbling block to achieving a model of sustainable future development for Australia. The site has long been used as a dumping ground for industrial and domestic waste and as a collection area for stormwater runoff from a large section of metropolitan Adelaide. It is known to be contaminated, but the extent of that contamination is uncertain. It was, before the construction of levee banks, a swampy tidal area barely centimetres above sea level. In fact, with much of it covered by mangroves, the sea covered it at every high tide.

With all this going against it in development terms, what is for it? It is largely, as the EIS points out, its location in relation to Adelaide and the fact that the vast majority of it is Crown land—land the Government already owns. So, Adelaide puts in a bid full of thematic axes and unsubstantiated claims about how the problems of the site can become advantages and, because the Queensland Government did not own the site it proposed and looked like facing a fight to get it, South Australia 'won' the MFP. We did not know what we had won, but the Bannon publicity machine told us it would be great. Months later, 13 volumes of design concept were released, months later again that concept supposedly underwent an environmental impact assessment, and now we have legislation before Parliament.

Had the Government any respect for the EIS process and allowed it to run to conclusion, many of the environmental problems and the size of the cost of overcoming them to a degree suitable for urban development may very well have been voiced many times over during the public submission phase. However, the fact that we have legislation in Parliament aimed at guaranteeing that the project goes ahead at Gillman, whatever the environmental problems in the short and long term, is evidence of the Government's contempt and perhaps misunderstanding of the EIS process. One of the possible outcomes of an objective environmental study could be the decision not to proceed with the given proposal and the given site because of the environmental issues it and the community presents. The Government had decided the project would go ahead at Gillman before the EIS outcome was known and before any public submissions were considered.

The Liberal party is aiding Mr Bannon in this by supporting this Bill. Its amendment, moved in the other place, saying no work should begin on the site until the EIS process is complete, is a farcical attempt at placating the sections of the community outraged by the Government's actions. I call on the Liberal party—any member may choose to do this—either to acknowledge that the EIS is severely deficient or give it wholehearted support as a thorough investigation of the site. The problems of the site have been viewed by the Government as technical, able to be solved with a technological 'fix'. Unfortunately, that fix will involve significant and ongoing expenditure.

The draft EIS is an attempt to produce a substantial document out of what is at best a superficial study. The document talks in grand terms in its opening pages of biological diversity, hydraulic efficiency and sustainability, but these are wild claims which the document, instead of substantiating, actually demonstrates how and why they are unachievable at Gillman.

The EIS authors have undertaken limited original work and, instead, made great use of previous studies, many of which are not totally relevant to the study area. For example, the work on birds is plagiarised from work done by ETSA and others in the vicinity, not at the actual study area. The draft EIS admits on page 77, 'A detailed bird survey was not undertaken for the study area.' The studies, the draft EIS says, are 'based on incidental observations rather than a comprehensive survey'. It says, 'This is reflected in the absence of some common species from the list that would be expected to occur there.'

A detailed survey taken at the Greenfields Wetlands is mentioned, although why is a mystery because, as the EIS says, 'The habitat, although close to the core site, differs in being essentially freshwater'—absolutely irrelevant. Mammals also were looked at in the same depth as birds. Page 80 admits, 'A detailed mammal survey was not undertaken for this EIS.' A six-year-old ETSA survey is quoted. The flora study also concentrates on Torrens Island, saying that species recorded on the island 'may occur in the study area'.

The draft EIS document gives the impression of scientific analysis when that has not occurred. The EIS study area does not even include the entire MFP core site. The Largs North, Pelican Point and Garden Island sections of the core site, which we are asked to vote on that are excluded entirely and the Dry Creek section is only briefly looked at. There are known problems with the two locations on the Lefevre Peninsula. Pelican Point has been used as a dumping ground by nearby industries for many years mainly for cement kiln dust and calcium grits, but many other things have been dumped there as well. It is therefore likely that the ground is significantly contaminated—no work done.

The Largs North section of the MFP core site, as we are told by volume one of the design concept development and core site assessment documents prepared by Kinhill Delfin Joint Venture, was formerly used for the manufacture of sulphuric acid. The document says, 'The initial testing program revealed higher than background levels of several elements including lead, zinc, arsenic, sulphur and mercury, and very high levels of iron.' The document concedes that most of the site cannot be used for building because this site was not included in the work done for the draft EIS. We still know nothing beyond what that initial testing turned up.

The Hon. R.I. Lucas: They are not going to build on it.

The Hon. M.J. ELLIOTT: They are going to build on some of it. So, most of the comments within the document relate to the Gillman section of the proposed core site. It is not an environmental impact study for the MFP; it is an EIS for the Gillman area of the core site and not a very good one at that. Half the MFP core site is totally ignored by the EIS and the other half receives only superficial attention.

The EIS lacks other parameters, for example, precisely where and how big are the proposed lakes to be? Will they be fresh or salt water or a mixture? Where will the villages be sited? How can any sums be done on what it costs to dig up the earth if one does not say where the digging is to occur, because what underlays the lakes varies. The thick-

nesses of various soil types, etc., varies and what one has to do with them varies. With no precise plan, the costings can vary astronomically.

These questions need answers before an informed decision can be made on the site's suitability. Details are needed before an estimated cost can be arrived at for modifying the site to make it safe for residential and commercial development. Without specifics, the whole exercise is just guesswork.

Another major concern I have is that much of the initial work was done by companies with obvious vested interests in the project going ahead. This is often the case with environmental impact statements where companies such as the Kinhill Delfin Joint Venture appear not only to have almost a monopoly on the preparation of the study but often go on to win contracts involving work on the project. Kinhill Delfin admits this in volume one of the MFP-Adelaide design concept and core site assessment, which it prepared. It says in 8 point italic print just inside the front cover:

> Readers should note that the consultants, Kinhill Engineers Pty Ltd and Delfin Property Group Limited, may, at some future time, be candidates for involvement in the further development of the project.

Following that, I could add my own sentence which would say, 'Therefore the assessment undertaken by the companies is necessarily favourable, completed with a view to winning contracts and increasing company profits in the future.'

A *Sydney Morning Herald* article published in March 1991 questioned the quality of environmental impact statements undertaken in Australia asking, 'But can we trust the experts to get it right—especially when one company controls the lion's share of the market?' That company cornering nearly a quarter of the $50 million-a-year industry is Kinhill which was formed 30 years ago by an engineer named Malcolm Kinnaird and three friends from Unley High School. Kinhill's major works include an EIS for a proposed third runway at Sydney airport. The company announced it would not bid for any construction work after claims of conflict of interest. A former aviation support Minister, under parliamentary privilege, claimed that Kinhill had been selected to 'produce a study to achieve a predetermined result'.

A new $500 000 study had to be prepared by another group on a proposed south-western freeway for Sydney after public outcry over claims that 'no native animals' inhabited the creek area which would be destroyed to provide for the road. A mass protest of residents, concerned about the 43 species of native birds, frogs, reptiles and mammals which had been recorded as living in the creek, led to the study being shelved. Kinhill claimed it was a typographical error.

Kinhill prepared the EIS and then was awarded the construction management contract for the Moomba to Stony Point and Wasleys to Adelaide natural gas pipelines, the gas pipeline across Torrens Island in South Australia, and Australia's largest goldmine and gold processing plant in Boddington, Western Australia. It has also, through its EIS work, been given the go ahead for the Apcel pulp mill in South Australia, the Olympic Dam mine, docks and chemical plants around Botany Bay, and a coal liquefaction plant in Victoria. The *Sydney Morning Herald* article reports on a study undertaken by Ralph Buckley, a former lecturer in environment science at the Bond University, into environmental impact statements. I quote:

> 'Three years ago, Buckley set out on the ambitious task of auditing the accuracy of every EIS that had then been done in Australia—well over 1 000 of them.
>
> Not all could be assessed (some were so lamentably vague that there was no way of measuring what they promised), but of the 400-odd predictions he was able to analyse, he came up with some quite shocking figures.
>
> To summarise the book he wrote for the Australian National University on his audit, nearly one-third . . . of all EIS predictions were gross underestimates of the potential damage to the environment.
>
> On average, pollution from the project turned out to be three times as bad as predicted, and in a worst-case misjudgment, someone underestimated the radiation exposure from the Ranger uranium mine by some 20 000 per cent.
>
> To Ralph Buckley . . . '. . . the greatest danger is secret deals between the bureaucracy and the developers' and 'the greatest safeguard against this is public involvement in the EIS process'.

This Government is asking us to give the go ahead for a development where the company which prepared the EIS openly admits it may be involved in the later stages of the work before the public involvement process is complete.

I intend here to outline some of the major environmental issues presented by the EIS, as they are some of the reasons I cannot support this Bill. Soil contamination is perhaps the most prominent environmental problem associated with the Gillman site. Yet the draft EIS on page 51 states:

> A limited number of sample sites based on historic information and survey were undertaken as part of the core site assessment.
>
> Further comprehensive investigation of soil contamination may be needed during the design process.

We are being asked to give the go ahead for a development on a site which has not been assessed despite reaching the draft EIS stage. What we do know about the site is worrying. The draft EIS says that soil samples:

> . . . had concentrations of contaminants which were frequently above the normal background range; often the values were also above the generally accepted world levels of concern and sometimes they approached or exceeded concentrations requiring clean-up.

It goes on to say:

> The constructed drains and creeks used for drainage of the study area are all appreciably polluted with metals. These metals may exist in the form of sulphides but this is by no means certain.

I have problems with the subjective nature of the words 'frequently', 'often' and 'appreciably'. There is no hard data in the EIS, no table identifying the ranges of contaminants and their levels. As the comprehensive environmental assessment of the site it is purported to be, this EIS is a failure.

A study undertaken for the Premier in 1989 for, and I quote from the introduction of the study, a 'proposed Gillman residential and recreation development' by a combined CSIRO and E&WS team looked at the potential contamination of the soil and groundwater of the area. The study said:

> Ground water movement from beneath landfills and industrial areas, in combination with surface flow, is likely to transport significant levels of contamination to the site. Moderate arsenic concentrations in soil on the southern perimeter of the development site provide a warning. Extensive placement of fill, which raises watertables, or the cutting of channels may lead to mobilisation of contaminants and enhanced loads, via groundwater flow and surface flow, on the North arm and the Port River. These may have serious consequences of the ecology of the estuary.

So there we have it, the very activities which are planned by the MFP bureaucrats, filling and channelling, are likely to not only expose previously buried toxins but increase their discharge into the surrounding marine environment. How are we to responsibly and accurately estimate the costs associated with the development and their effect on South Australia when there is no quantification of the problems to be overcome?

In a letter to members of State Parliament, the Port Adelaide Residents Environment Protection Group Inc. pointed out inconsistencies in the Government's attitude to contamination of the Gillman ponding basin. The letter says:

In 1986 it was convenient for the Government to quote experts to say that it was too dangerous to remove the toxic spill from the ponding basin. Pat Harbison, the only geological expert in this area, said that it was dangerous to dredge or expose the sediments to the air because it would release the toxic chemicals in a more dangerous ionised form.

It was also stated that certain operations should be carried out to secure the ponding basin. One of these was to prevent acid water entering the basin, again, because the presence of the acid water would release toxic chemicals.

The EIS report shows 19 sites where there is acid water. The other operations that should have been undertaken included changing the entrance of the drain into the ponding basin and upgrading of the outflow gate. None of these things have been done by the Government's Torrens Road Drainage Authority since 1986.

Now in 1992, after giving that advice to the Port Adelaide Residents Group, it is apparently safe for the Government to propose dredging the sediments and building houses in the area. We will have Mr Bannon's vision for the future rising from the swamps of Gillman, bringing with it new industry, housing and ionised toxins.

Leachate and gas from the Wingfield waste disposal areas is acknowledged, but again details of a method of dealing with it in an urban development are skirted with the phrase that the development will need to be 'protected'. How this will occur is, I believe, another major omission from the draft EIS. The need to remove some contaminated soil from two areas of the site is mentioned in volume one of the design concept which, by the way, is not included in the EIS. It says:

The top 0.2-0.5 m of soil containing metal contamination would need to be removed for either remediation or disposal at a secure landfill where it would pose no risk to the environment.

The draft EIS says on page 166:

The most highly polluted and most acidic sediments located are to be removed from the site. (Disposal to licensed sites would be required.)

We do not know the volume of the soil which needs to go, because the area from which it will be taken is not specified. Nowhere in the draft EIS is the disposal site canvassed. Government plans to truck contaminated soil from several housing blocks in Adelaide to a site at Two Wells were met with strong community opposition, and rightly so. We have no secure repository in South Australia for contaminated soils, so the development of a landfill site is another cost which will need to be borne by the taxpayers during the development of the Gillman site.

The EIS document constantly talks of the need for soil improvement and site rehabilitation, but what it actually is referring to is the creation of artificial environment. The original environment of the Gillman/Dry Creek area has been modified by the use of levee banks and landfill since the first revetments were constructed in the 1890s. Prior to that, the area was an expansive mangrove forest and samphire flat. Mangroves still exist along the perimeter, but their survival is uncertain as the inland retreat route vital for their survival as sea levels rise has been, and will continue to be, cut off by the levees.

Will digging the MFP's lakes and canals and filling for forests and open fields really be an improvement in environmental terms, even given its current state of degradation? I believe the only environmentally and economically sustainable solution for the area is restoration to what it once was. Removal of the existing levee and construction of a new one not too far seaward of existing buildings would be the first step to allow the sea to once again inundate the area and revegetation to occur. That would be an improvement in environmental terms and a guarantee that the fishing industry has a future, but unfortunately for Mr Bannon the wider benefits on human terms are not readily calculable in dollars and cents.

Apart from the issue of contamination being a major hurdle for urban development on the site, the very type of soil which makes up the area is of concern. The Draft EIS authors admit that limited geotechnical information is available in the Dry Creek section of the site; in fact, they have based all their recommendations on the result of tests carried out on samples taken from only two bore holes located on the site and others outside the core site. On the basis of two bore holes, they have decided what is underneath the Dry Creek section of the core site where the concept proposes future villages, and the Government is asking us to give approval now. Extra studies have been recommended.

The layer underneath Gillman of most concern is what has been called the St Kilda formation. This, the EIS tells us, is 'unconsolidated marine sediments' which are 'soft and loose', an inappropriate foundation for urban development. It is up to 9 metres deep in some places. Under seismic activity it has the potential to liquefy, in other words, turn to jelly and is highly erodible making it unsuitable for lake banks and canal edges. The Draft EIS says this will mean alternative, that is, built, edges will have to be provided—another addition to the cost of the project.

Given that the St Kilda formation is too unstable to carry development, the choice is then twofold if the site is still to be used:

1. Build foundations through the unconsolidated sediments to the more solid layers underneath, which would be enormously expensive; or

2. Dig up the unconsolidated sediments and replace them with something more solid, also a huge cost as the draft EIS admits that conventional cut and fill methods of landforming would be inappropriate for Gillman.

Some people are all under the impression that what happened at West Lakes can be repeated, but that is a fallacy. The proposal adopted within the MFP documents is to remove the unconsolidated sediments and replace them with, and I quote from page 45 of the draft EIS:

a substantial supply of sandy fill material from the Gillman site . . . this is a major source of fill.

The source is a buried, ancient shoreline at the southern end of the Gillman site. What is never answered by the draft EIS is just how much of this sand is available and how much of this sand is available and how much will be needed and, if there is a shortfall, from where will the remainder be sourced?

I understand from other sources that 12 million cubic metres of fill will be needed, but only 2 million are available to be contained in this buried shoreline. An allowance for compaction of up to 30 per cent for other dredged material to be used as fill will need to be in place so the volume required must take that reduction into account. It is just not practical to modify the site, given the amount of work needed and the cost it will be to the State. I chose the term 'site modification' deliberately, it is not rehabilitation or reclamation, as the MFP documents call it. They are not proposing to return the land to what it was before European interference with its natural ecosystems. They are proposing to further interfere with it, to further modify it. It was mangrove forest and tidal swamp, not islands of solid development ground criss-crossed with lakes, canals, forests and thematic axes, so the use of terms such as rehabilitation, improvement and reclamation are misleading.

The functions of the lakes are given as aesthetic and recreational; overflow stormwater capacity and groundwater control, while their excavation is in fact primarily to provide fill for development sites. That is the reason the lakes are being dug up. The proposal is to hold the level of the lakes below sea level, to depress the watertable and therefore

reduce the volume of fill needed for the parklands and for the villages. This is because not enought fill is available on the site and it is too expensive to bring in. A paragraph after that statement in the draft EIS on page 18 comes the proposal to surround the lakes with sandy beaches, vertical ledges and some cases mangroves. I understand an attempt to get mangroves to grow south of the causeway leading to West Lakes was a dismal failure, because of a failure to understand the intricate ecology of mangroves. Mangroves need tidal fluctuations. The plan is to hold the level of the lakes below sea level with the tidal influence halved by the use of small inlet and large outlet pipes. Such minimal tidal fluctuation almost certainly will not provide the conditions mangroves require to thrive in the first instance, but the effect of greenhouse induced sea level rise and land subsidence on the artificial system will ensure they will not survive in the long term.

As mean sea levels outside the MFP site rise but the mean level inside is engineered to remain constant to prevent inundation of parklands, the tidal fluctuation in the lakes will be reduced to zero, and may eventually need to be depressed further by pump. Mangroves also need saline water and may be affected from overflow from the stormwater lake system. They also will need space behind them to retreat inland as sea levels rise, something which is denied the existing, natural mangroves forests bordering the MFP site by the levee bank which will remain should the development proceed.

The lake edges proposed on page 10 will prevent the landward plan accession which the document admits on page 75 is happening elsewhere. On page 61 a 1982 study by Burton is quoted. It concluded that:

> ... there has been an 865 ha landward increase in the area occupied by mangroves in the Swan Alley Creek area ...

The phenomenon of landward migration of mangroves is not an hypothesis, it is already a reality and happening quite close to the MFP site. The long-term survival of the mangroves, and the ecosystems which depend upon them, rests with their ability to spread inland as sea levels rise. As I said earlier, the most sustainable use of the site is to remove the existing levee and allow it to return to mangrove forest and samphire flat. Holding the proposed lakes at below sea level will in the longer term require pumping, but that is hardly sustainable and the need for this would increase as the greenhouse effect sea level rises, impacting on the Adelaide coast. The only other choice is for the surrounding ground to be built higher. This is mentioned on page 19 as an option and cost for the future. How much would it cost in 2010 to raise 580 hectares of parkland by as little as 10 centimetres?

I fear that the urban forests planned for the MFP are not likely to be too tall as the saline groundwater will stunt tree growth. West Lakes is an example of this, but the problems at Gillman will be more severe. Saline groundwater close to the surface will also attack infrastructure, greatly shortening its life span and bringing forward replacement costs. Once again, this is already happening at West Lakes, where revetment walls are having to be replaced at a cost of $5 million and where sewerage pipes with a shortened life are leaking and letting in salt water which is affecting the function of sewage works.

The draft EIS does not demonstrate what will live in the lakes, fresh or saline, nor does it adequately explain what will stop them from having the same problems as the Patawolonga which also accepts stormwater despite the mention of flushing on page 18. Contamination of the lakes from leachates from buried wastes and toxins is a very real probability. The amelioration the draft EIS says is required is for the leachates 'to be moved through the system as quickly as possible'. Moved through to where? Out to sea, I presume, where the contaminants can affect the marine ecology. For this movement to occur, water movement through the lake system must be guaranteed, but the draft EIS, on page 190 under the heading 'There is insufficient knowledge of tidal circulation in the estuary', says:

> At present, there is limited scientific knowledge regarding the circulation pattern, flow rates, water interchange rates, and other factors relating to the hydrodynamics of the estuary.

So, the proponents are not even sure that their lakes system will be cleansed regularly by the flow of water through it. They can show me nothing in this document that satisfies me that these lakes, once dredging has exposed the toxins buried beneath the site, will not become contaminated, stagnant health hazards. The draft EIS recognises that the importance of the Port River estuary has increased as there is limited amount of similar habitat left in South Australia. It goes on to say on page 60:

> Although the threat to the ecological integrity of the estuary has become increasingly recognised in recent years, little as yet has been done to rectify the situation. Some consider that the estuary is still under considerable threat.

I am one of the some, and I believe the MFP poses one of the most serious threats the estuary has faced for reasons I have already mentioned, including increased mobility of contaminants, no escape route for the mangroves and significant modification of the remaining samphire swamps. The draft EIS quotes a Kinhill Stearns 1985 study which shows significant amounts of vegetation already lost from the area:

> ... since 1954 ... approximately 25 per cent of mangrove, 80 per cent of samphire and 100 per cent of saltwater Tea Tree and reed beds and native grasses have been lost.

Little original work was undertaken for this EIS but several Torrens Island studies were used to interpolate what was on the core site. The tables on pages 73 and 74 show species rare on Torrens Island which may have occurred on the core site. The prospects for those species reestablishing on the mainland are being denied forever by development. If development does not proceed, work could be undertaken to rehabilitate the area and reintroduce those species. The area has been severely compromised already, but the activities the MFP is promoting, including land reclamation, will compromise it further.

The Port River estuary mangroves provide important spawning and nursery grounds for some of South Australia's major commercial fish species, including the King George whiting and western king prawn, species already under threat because of overfishing. The whiting fishery in St Vincent Gulf alone is worth about $950 000, and the prawn fishery about $1.3 million, to the South Australian economy each year via the professional fishing industry. Those are just two species of many that are reliant upon the mangroves, but those two species in particular will be in deep trouble without the mangroves.

Angling is the largest recreational pastime in South Australia and the value of that to the South Australian economy is incalculable. In 1989, the Government's Interdepartmental Committee on Climate Change stated clearly that the future of the mangroves and the fish stock for the fishing industry would be secured only if the mangroves were allowed to grow inland. The existing levees prevent this, and the MFP proposes to move them only 100 metres inland, a purely token shift made possible because the land is unsuitable for development because of a large gas pipeline. The EIS does not evaluate the impact of the increased activity the MFP will bring to the area on the fishing industry.

The Gillman area has been an important buffer between the Port River, North Arm and Barker's Inlet mangrove fish breeding area and Adelaide's industrial and urban areas. Fishermen and environmentalists are also fearful of what measures will be used to control the odours and insects which are a necessary part of the mangrove forest ecology but which will no doubt prove unpleasant to nearby residents in MFP-land.

An issue not canvassed by the draft EIS is whether the existing spraying program will be expanded and the effect of the poison on the ecology of the Port River and the fishermen. The draft EIS says:

> Mosquitos are abundant on Torrens Island despite current chemical control measures.

It also says that mosquitos are vectors for viruses, such as the Ross River virus, which is carried by water birds and passed on to humans through mosquito bites. Something of which the existing residents of the north-western suburbs are painfully aware is their proximity to industrial hazards and pollutants. The Government is planning to introduce many new residents to the area without any plans for improving air quality. The EIS says that some areas of the study area would be in range for possible accidents, involving toxic gas escapes from surrounding industries. It goes on to say at page 59:

> There are numerous locations in Australia and around the world where hazardous industries and existing residential and other land uses are closer to each other than would be consistent with accepted isolation distance criteria. Because these situations have existed and have been accepted by the community for many years, it is widely accepted that different critera should be used when considering existing facilities.

What the EIS does not mention is that in many places where residential and hazardous industry are neighbours significant health problems are reported among the population. An environmental health survey carried out on the southern Lefevre Peninsula in November 1990 found residents recorded higher rates of headache, more stomach problems and much higher rates of respiratory problems than residents who responded to the same questions in Marion, Brighton and Glenelg. Deaths from bronchitis in the Port Adelaide council area were 41 per cent higher during 1981-85, and admissions to hospital for respiratory problems ranged from 42 per cent to 73 per cent higher, depending on the particular type of problem. Excavation work on the site, according to the EIS, will also release odours. It says on page 233:

> It is proposed to perform extensive earthworks in the study area involving the excavation, transport and stockpiling of millions of cubic metres of fill. This fill will contain large quantities of decomposing material, resulting in the potential for high odour release affecting a very wide area depending on weather conditions. This odour could typically be attributed to hydrogen sulphide, ammonia and some volatile organic hydrocarbon gases.

That is a very unpleasant prospect for nearby residents and workers when coupled with the dust and noise which will also be associated with excavation. Excavation work will also raise the question of what to do with the contaminated groundwater which will be exposed. Once again, the EIS proposes no solutions, saying on page 175:

> Dredging of sites such as the head of North Arm Creek still raises questions as to how to dispose of acid groundwater and how to separate the acid forming peat soils from other dredged materials.

It continues on the next page saying:

> A sound investigation of the options for this area should be undertaken.

Once again, there are no firm proposals of what is to happen but we are being asked to allow it to go ahead. So far I have outlined, with the help and support of the EIS, the environmental hurdles to the MFP. Pie in the sky notions and concepts cannot be the basis for scientific study—this EIS proves that. The economic hurdles are no less severe or important. The EIS and other MFP documentation are of little use in determining the financial burden on the State of modifying and developing the site. Yet we are being asked to give it the go ahead. One thing is certain: the costs are likely to be prohibitive in the light of the problems outlined in the EIS.

The Government could not have chosen a worse site in the Adelaide region in terms of the work that needs to be done. In the short term, this includes massive earthworks and, in the long term, as I have mentioned, ongoing restoration of levees, walls and embankments, maintenance of pumping equipment, etc. None of this would have been necessary on a level site of solid ground. There is ample existing land within the urban area, already serviced by roads and other infrastructure, which could have provided sites for the MFP. One suggestion was contained in the Democrats' alternative MFP. It is not necessarily an endorsement of the MFP, but it is saying if we are to have one there are more sensible places to have it. We proposed that the land to the east of Port Wakefield Road and south of Parafield Airport be used and the mangrove forests surrounding Torrens and Garden Islands and bordering the coast be protected as part of a national park.

The Levels area is already identified in the MFP documents as a possible expansion area for the MFP. Such a site would save money in the short and long term because the initial development required is considerably less; infrastructure will have a longer life; and there is no need for levees, banks and walls to be built, maintained, replaced and raised to keep out the sea.

The costly preparation of the Gillman site is to happen adjacent a background of increasingly contracting services in the State. A national survey recently showed that South Australia's school buildings are the worst in the country with 69 per cent of classrooms requiring maintenance. Country hospitals are being closed and wound down to nursing homes at an alarming rate while waiting lists remain long for metropolitan hospitals, which last year experienced shortfalls towards the end of their budget years. Education and support services for children with disabilities and their families are being contracted under the guise of a restructure.

There are fears that a similar process is under way for mental health services, with the closure of Hillcrest hospital, before service level and funding guarantees are in place for the replacement facilities. Recently it was announced that public transport services would be cut after 10 p.m. on weeknights and that some bus services would cease altogether. In the face of that contraction of State services, we are being asked to commit uncounted millions to Mr Bannon's vision in a swamp. So far, South Australia has received $40 million from the Federal 'Building Better Cities' program for MFP work.

The proposed MFP will not be the project which will provide the greatest benefit to Adelaide in terms of improving urban land use, reducing costs associated with traffic congestion and pollution and increasing housing choice and affordability. Its efforts will be largely concentrated on the one site which, in terms of urban development, will be one of the most expensive undertaken in South Australia. Many older areas of Adelaide are in need of urban consolidation programs while newer areas suffer inadequate transport links and social services.

We do not need a brave new world of new mini-cities within Adelaide increasing the divide between the haves and have nots. We need to know how to remodel what we

have to promote social equity. For the foreseeable future, Adelaide's population will continue to live in the existing suburbs with their increasing social and economic stresses. They are being seen to have failed efficiently to cater for a changing population, but that does not mean we abandon them and their residents in favour of a revised standard MFP version. Yet $40 million dollars of Government money is to be used to subsidise canal-side housing in a degraded swamp and it will be called a model for the future.

This should be called a monumental folly. It will be everything a redesigned Adelaide should not and cannot be. It will be a waste of money and prove that Bannon and his henchmen have learnt nothing from the excesses of the 1980s. The supposed economic benefits are listed on page 26 of the draft EIS. The list includes site development work and the contributions of the still unidentified users of the site to the economy.

There is still no international company willing to back Bannon's vision—they are either very wise or very foolish. My money is on the former. I would classify the site development as a cost to the State, not a benefit, although it will employ people in the short term.

The Potter Warburg Financial Advisory Report on the original concept says that 12 per cent of the basic infrastructure costs should be borne by the Government, not ever recouped from the sale of developable land. This, the report says:

> . . . is taken into account in the basic infrastructure component on the grounds that the creation of the saleable land also creates water bodies, open space and forest which will be of benefit to the wider community . . .

I do not accept that. A greater part of the community will not use the lakes, although it will be paying for their creation and upkeep. We are being asked to pay 12 per cent of that, just to make it financially viable. I would argue that the work is not really needed and that the money should be invested in something more productive and sustainable.

The Bill is proposing the corporatisation of the State's future, which is an interesting concept in a democracy. This Government is seeking to vest in a handful of non-elected individual decisions which will direct the State's economic focus for many years. The Premier has called the MFP a project of vision. But should this vision be handed over to a corporation with limited accountability? Recent experience with statutory bodies such as the State Bank, SGIC, the State Timber Corporation and SAFA have led many people to be cynical about the accountability and honesty of such bodies.

The State Bank was supposed to report often to the Treasurer, yet it managed to lose $2 billion without the Treasurer noticing. The MFP Corporation, as proposed by the Government, is to have wide land acquisition, investment and development powers. The MFP, as we are often told, is about building new industries. The Bill reinforces this by specifically including in the objectives of the MFP the social aspects of the development. But is it right that in a democracy a corporation should be the major decision maker in a project encompassing social, economic and cultural values?

The public consultation and extensive discussion that has been undertaken as part of the 2020 Vision Planning Review was totally ignored by the Premier's gang in its formulation of the MFP. The MFP Corporation is hardly likely to take note of the review's outcomes in the future if we allow it to have the power to do whatever it wants. On page 33 of the draft EIS are four lines that are devoted to planning review, the only mention of the exercise which is to determine the future shape of our city. The lines imply endorsement, but it is my understanding that there was no choice for the review team but to accept the MFP as fact and work around it. What is the chance of the corporation's putting as much effort into the social aspects of the MFP as the economic ones?—Not much.

I believe the establishment of this corporation is an abrogation of Government responsibility. The MFP Corporation will be fulfilling all functions of Government on that site without any of the accountability procedures and public scrutiny to which a democratically elected Government is subject. The provision for parliamentary and public involvement in the Bill is nil. Although a token advisory committee is to be established there is no compulsion on the coproration to take notice of what the committee advises. Mechanisms must be inserted into the Bill to ensure parliamentary supervision of the corporation. Not that I am talking of changes that need to be made, I say that only on the basics that the Bill may be passed. Appointments to the corporation should be subject to parliamentary approval. Such a provision would be consistent with high level appointments in overseas democracies, most notably the United States, where appointments must be investigated by Senate committees.

Parliamentary scrutiny of appointments is vital given the nature and extent of the powers to be vested in the corporation. The powers include the ability compulsorily to acquire land and develop it alone or in a partnership, or a joint venture arrangement which does not need to be scrutinised. The impact of the MFP has the potential to go beyond the site specified in the schedules to the Bill because of the corporation's power to acquire and develop land not only anywhere in the State, but anywhere in the country. This is where this Bill differs greatly from the Technology Park Adelaide Act on which it is based.

The MFP developments, wherever the corporation chooses to put them, can be undertaken outside of the normal planning approvals process because of the regulation making powers contained in section 33. Under section 28 South Australian taxpayers will be liable for any debts incurred through this activity. It would be appropriate for borrowing and investment transactions over a certain amount to require the approval of someone or some entity other than the Treasurer.

One of the major problems I have with this Bill is that I do not trust current people in charge of the project, who are likely to become major office bearers in the proposed corporation. Their record on development in this State reads like a who's who of abject failures. It includes Jubilee Point, the Mount Lofty Cable Car and Marineland. These brainwaves from the Bannon brains trust failed because they were cooked up in back rooms away from public view and then launched, half-baked, in a fanfare as a *fait accompli.*

The South Australian community wants to be involved in decisions. If we are to have a marina, where should it be, how big should it be, what facilities should it offer? This is the way to go. Telling South Australia that a 1 kilometre peninsula marina is just what it needed at Glenelg was the wrong way. One would think that Bannon and his boys would have learnt from those mistakes that the South Australian community does not necessarily want grand projects forced upon it. But they have not learnt.

The specialist project team has been disbanded and its top guns ensconsed *en masse* in the top floor of the Myer-Remm centre. They are the people who will become the MFP Corporation with more power and less accountability than they had as the Special Projects Unit. Their record on the MFP project so far is one of careful manipulation of information, distortion of debate, glossy reports with many

pages and emotive statesman-like statements from the Premier.

I oppose the Bill because the MFP exercise so far has been an affront to consultative planning and I cannot support the hijacking of the EIS process. I oppose it because the assessment of the site has been an exercise in glossy hype and not a scientific analysis. And I oppose it because the Bill will lock the State into an expensive, unnecessary program of capital works which will go on to be a burden to future generations. I urge all members in this place to oppose the Bill.

The Hon. DIANA LAIDLAW: I support the second reading of this Bill. As have all speakers before me, I see this Bill as controversial, as is the whole MFP project based upon the core site at Gillman. The contentious nature of this project has been inflamed to fever pitch by the Premier, who is desperate to register some runs on the board. The Hon. Mr Elliott has just been through a number of those failures, many stemming from the Special Projects Unit and the members of that unit who are now in charge of this project. However, the Premier has been very active in inflaming this issue. He tells us that the project is critical for the survival of this State. Most recently, on 2 March, he is quoted in the *Advertiser* as follows:

> ... if the project failed, South Australians would face declining living standards, fewer job opportunities and a diminished role in the nation's economy.

He is quoted earlier in the *Advertiser* of 30 October 1990 as follows:

> South Australia is in danger of sinking into a peasant economy if it fails to pursue projects such as the MFP.

Both those statements are a most damning indictment of the Premier himself and his colleagues. I believe it is a sick and sorry day when our Premier calls this State a peasant economy—an economy he has been in charge of for some 10 years.

I find it quite appalling to think that he would then try to blackmail members in this place and hold the whole State to ransom by saying that if we are to get out of the nightmare that he has created and presided over for this State and for future generations we have to accept this MFP project without qualification. He says his only way of ensuring the survival of this Government is the MFP project. It is pretty desperate stuff that the Premier has been playing at since this MFP project was first announced.

There is no doubt that our Premier has reason to be hysterical about this issue. He has lost his grip on the economy of this State. He is presiding over the highest rate of unemployment in any State and the highest *per capita* level of bankruptcy. He also leads a Government which over the past nine years has not even had the foresight to permit the provision of basic facilities for tourists at the most prominent site in Adelaide, the Mount Lofty summit. Nine years ago we had a ghastly fire in that area and today it remains bereft of even the barest of comforts and conveniences. Yet, this same Premier who cannot even provide benches, binoculars or information pamphlets at the summit has the audacity to tell us that we should accept his statements without qualification about the MFP being the salvation of this State.

I cannot accept that scenario, particularly when the proposition being put is an uncosted concept constructed on contaminated land. The Premier must think that we are all mad, and perhaps he is. I certainly find the proposition that he has presented to us quite scary. I see it as a proposition from a desperate man. I have no difficulty—and, in fact, I suspect the majority of South Australians have no difficulty—with the concept of the MFP. Clause 5 of the Bill provides:

> The objects of this Act are to secure the creation or establishment of—
>
> *(a)* a national focus for economic, scientific and technological developments of international significance;
>
> *(b)* leading centres of innovation in science, technology, education and the arts;
>
> *(c)* a focus for international investment in new and emerging technologies;
>
> *(d)* a model of productive interaction between industries and research and development, educational, community and other organisations and the use of advanced information and communication systems for that purpose;
>
> *(e)* an international centre of innovation and excellence in urban development and in the use of advanced science and technology to serve the community;
>
> *(f)* a model of conservation of the natural environment and resource management and of equitable social and economic development in an urban context.

Those goals are laudable, and I hope that in some way they can be achieved in the not too distant future. When the Premier talks about advanced information and communications systems, it is important to recognise that poor old Tourism South Australia, for instance, has been calling for such systems for its office for many years. It has even been looking for an improved telephone system so that 8 per cent of the calls to Tourism South Australia are not lost because people are sick of waiting at the end of the line. This Government will not support even the basic resources required to support existing agencies, particularly tourism, which the Government deems to be one of five areas for future economic development. TSA cannot get information and communications systems of any sort, let alone of an advanced nature.

I find it extraordinary also that in relation to the objects of the legislation the Premier talks about the integration of industries and research and development in a whole range of areas, but in this city we cannot even organise an integrated public transport system. The tram finishes its run in Victoria Square, the O-Bahn finishes in Grenfell Street and the rail system on North Terrace. We cannot organise those things, yet we are talking here about having international centres of excellence and the like. I would support those issues, but I think they ought to be applied to what we have at present before we go off on this harebrained scheme in some soil contaminated area—a scheme that has not even been costed.

The goals outlined in the Bill are important, but I strongly submit that we do not need an MFP to fulfil all or any one of the goals described in the Bill or in MFP papers. By embracing the proposed MFP concept based at Gillman, this Government is failing to focus on our potential for change and development within the existing structure and infrastructure of our State and capital city. If the Premier—the man who once promised us flair and vision following the last State election—was prepared to use just 1 per cent of that flair and vision on behalf of the State, I have no doubt that he would and should be flat out working on the rejuvenation and promotion of our existing industries in order to maintain jobs. This State has been the victim on too many occasions in the past of Labor Governments which have promised schemes before and between elections and never delivered. Their practices in the past have been a disgrace, and I see them being repeated in respect of this Bill.

I find a number of features in this Bill objectionable. The first is that the Government insists on bringing the Bill before the Parliament before the draft EIS has been assessed and reported upon. This would be the normal process for any private sector development, particularly on the scale of the MFP project, but, as we have come to expect almost as

a matter of form, when the Government has an interest in the project the rules are flexible. In fact, the rules that others are required to follow are too easily tossed aside or changed. We have seen this time and again.

The Wilpena project is one such instance where the Government introduced a Bill to endorse development in a national park. We saw it more recently in respect of Gawler Chambers. The Government did not like the court judgment relating to the heritage nature of that building, so it changed the rules. We also experienced with Mount Lofty a Government decision endorsing a project that was clearly outside the planning guidelines for the Hills face zone and, if put up by any private sector proponent, it would have been rejected. Not so with this Government. If it does not like the rules it ignores them, it seeks to change them or even to get the changes validated through this Parliament.

In all the instances that I have highlighted, the Government has made a mockery of our planning laws, and it is doing so again with this project. The Government may condemn those such as myself who have objections to this project by saying that we are frightening away development. We have heard that time and again from this Government.

I contend very strongly that, if the Government stuck by the rules that it sets others to follow, it would be very easy for people to invest in this State, because they would have a clear knowledge of what was required of them in each instance. They would certainly find it easier to raise necessary finances and proceed swiftly with their development, but that is not the way the Government wants to conduct its affairs, and this State has suffered markedly as a consequence.

My colleagues in another place moved an amendment to require that no construction work be undertaken on the so-called core site until the EIS had been assessed and reported upon. That amendment was not successful in the other place. I note that the Premier gave a commitment that no work would be undertaken on the site until after the EIS had been assessed and reported upon, but I share the same scepticism that was expressed by the Hon. Mike Elliott in regard to the Premier's commitments. We heard time and again in the other place the commitments he gave in respect of the viability of the State Bank, and we now know what a stranglehold on the future of this State that bank has in terms of its debt problems. So, I place very little faith and see very little integrity in the word of this Premier.

I am pleased that we will be moving similar amendments in this place, and that they will pass with the support of the Democrats. I can think of no draft EIS statement—not even in relation to the controversial Wilpena project—that will require as much assessment as does the one for the Gillman/Dry Creek site. The Liberal Party in another place used the opportunity during the Committee stage to ask some 85 questions relating to environmental factors.

We have had no other opportunity since this concept was first launched on us back in 1989-90 to ask questions or even to debate the concept, but I was very interested to see in reading the report of the Committee stage of the Bill that the Premier was able to give only one definite answer to any of those 85 questions. He rambled around another 28 questions and on seven he said he would bring back answers. However, with the remaining 48 the result was very wishy-washy, and it was an appalling effort by the Premier. My colleagues in another place did ask that the Minister for Environment and Planning be brought in to the Committee stage to answer the questions posed, but that access to the Minister's superior knowledge was refused. That was a particularly pathetic effort by the Premier, if he is genuine in his wish to see that this concept of the MFP is embraced by the community.

I have many concerns about this project. Some of my colleagues have raised them at some length, and I understand that the Hon. Bernice Pfitzner will address many of the environmental matters. However, I want to make just two observations with respect to the environmental matters at the core site. The EIS offers a number of technical solutions which, it suggests, will be able to address some of the major questions. However, it is quite clear, on analysis of the EIS, that it is offering only guesses as solutions. One of my concerns is the highly saline water, and this EIS proposes that this should be pumped out. We are not too sure what effect that will have on the neighbouring mangrove areas, and that is a particular concern of mine.

That has been addressed at length in an excellent report in August 1986 entitled 'Port Adelaide and St Kilda mangroves'. It appears that the EIS has not looked at that report in compiling its analysis. It suggests that the mosquitoes in the mangrove area should be sprayed, without any assessment of what effect that will have on the mangroves, fishing stocks, breeding areas and the like. I am equally alarmed about the rather trite suggestion that the contaminated soils be capped. Many of the solutions offered by the EIS are simplistic; others have been suggested but have no costings attached. I feel that, in light of those brief comments on the EIS, it is absolutely appalling that we in this place are being required to debate this issue without the benefit of the assessment of the EIS.

I have strong reservations about the Gillman site and feel most uncomfortable about the references in the Bill to the MFP core site being based in this area of Gillman/Dry Creek. A number of similar MFP projects have been developed around the world, and we should have learnt from those experiences. The Premier suggests that our proposed project is based on overseas experience, but that is another example of mere rhetoric. The success of MFP projects overseas in the past has been due to the fact that they are incorporated and integrated within the community in which they are to play a prominent role in the future. They have won community confidence because of that, and they have been successful as a result in attracting a great deal more money and support.

That is the way in which this project should be proceeding. We have many run-down areas within Adelaide that are in dire need of rejuvenation and re-establishment, but the Government does not believe that those are priorities. It believes that any money it may find for any such development project should be channelled into this extraordinary flat, contaminated site at Gillman. That is a very poor assessment of what is required for Adelaide.

I also believe that it is negative, in the sense that in the Woodville area, for instance, along the railway line, we have some very run-down areas, and it would be exciting to see urban consolidation and new industries attracted and concentrated around this railway line. We would then have money to put into rejuvenating the rail system in this State.

As most members would know, it is only when patronage increases that the rail can start to operate at some sort of level of profitability. But we are not talking about that: we are talking about having this major new development at the end of a promontory, with new transport required to be built to meet that new demand, rather than maximising the structures and rejuvenating old areas where there is desperate need.

It is also quite extraordinary that a Government that has pleaded it is interested in social justice could have even considered diverting money desperately needed for Better

Cities Programs to this site, and I think that is one matter which this Government will long regret, because it has upset many councils and people throughout the State. Certainly, it also flies in the face of the findings of the major report from the Parliamentary Economic and Finance Committee, released on 25 March. In part, that report found that the Education Department loan has a backlog of $230 million in asset maintenance. It also highlighted that the Health Commission did not have a formal plan, and that it lacked understanding of its legal responsibility for the management of about 7 per cent of the State's major assets under its control. The report was also critical of the Departments of Housing and Construction, Lands, Road Transport, Employment, Education and Training and Further Education. It believed that a great deal of work and money was required to help those departments fulfil their responsibilities for the management of the assets which they have at the present time. The report states:

If existing assets are to be maintained at a satisfactory level, it is essential that the replacement of current assets is given a high priority. It is short-sighted to continue to spend on new buildings if the State cannot afford to maintain the facilities we already have, especially given that every new building itself represents an extension of the need for further future maintenance.

I want to develop those remarks by concentrating a little on the Department of Road Transport and its needs in respect of maintaining our road assets. The department has a total of 11 845 kilometres of sealed road and 10 935 kilometres of unsealed road, making a total of 22 780 kilometres in this State. The department's annual report for the past financial year notes:

South Australia's network of sealed roads has been constructed or reconstructed largely since World War II, with peak activity occurring in the 1960s. Typically the economic life of these roads has been in the region of 35 and 40 years, and it therefore seems highly likely that major road asset replacement will be necessary throughout the 1990s and beyond. A road is considered to be at the end of its economic life when the savings of road maintenance costs and road user costs that would result from replacement are greater than the cost of replacement. The end of its service life occurs when the road is unable to meet the demands of traffic. The replacement value of the total road and bridge assets in South Australia has been estimated at $3 906 million. Such replacement is not required immediately, as the road asset stock has varying economic life before replacement is due. The depreciated value of the road network assets has been estimated at $1 755 million.

The department continues:

The long-term average annual cost of road asset consumption is approximately 2.8 per cent of the cost of replacing the total road assets. Applying this percentage to the total value of asset replacement of $3 906 million gives an estimate of road asset consumption for 1990-91 of $109 million.

This figure is only to be taken as an indicator of the order of magnitude of road asset consumption.

In 1990-91 the department spent approximately $59 million on road asset replacement—significantly less than the average estimated annual road asset consumption of $109 million. This should not imply that more needs to be spent on replacement. It is a reflection of the age profile of the road asset stock. According to that profile, the cost over the next few years of maintaining the road asset at current service levels is well below the average long-term replacement cost.

I would have thought that that section of the Department of Road Transport's annual report for 1990-91, with respect to infrastructure assets, contains many forewarnings for this Government, for members of the Parliament and for the community at large about the need for money to be spent on maintaining our road assets. The Government is spending only half that which is required to maintain the asset in its current condition. Yet we find that the Government is asking us to endorse the MFP project, with enormous commitments with respect to public transport and new road developments in, out and within the MFP site. It is asking us to spend State money on new works in the area, only money which is sorely needed just to maintain the assets that we have at the present and I have grave misgivings about the Government's judgment in this respect. But I suppose I have grave misgivings about the wisdom of this whole project, notwithstanding the very important questions relating to the environment that have not been answered to date. So, with reservations, I support the second reading of the Bill.

The Hon. BERNICE PFITZNER: The MFP Development Bill is, as they say in legal jargon, enabling legislation, mainly to provide for the development and promotion of the MFP development project, to establish the MFP Development Corporation and to define its functions and powers. The development area involves not only the MFP core site, about which more will be detailed, but includes also the Science Park area, which is adjacent to Flinders Medical Centre, and Technology Park, which is at Pooraka. However, the focus is on the core site at Gillman/Dry Creek and, to a lesser extent, Garden Island, Pelican Point and Largs North.

The EIS study area is only in the Dry Creek/Gillman area. The multifunction polis (or MFP) was first proposed by the Japanese Minister for International Trade and Industry in 1987. It was to be the 'city of the future'. In 1988, a joint steering committee of representatives from Australia and Japan was formed to monitor the feasibility study. In 1990, the joint steering committee concluded that the MFP had substantial merit. Initially, Queensland was the preferred site, but the Queensland Government refused to commit $320 million to purchase the Gold Coast site for the project. In 1990, the MFP Adelaide Management Board was formed to further monitor the work required to further develop and assess the MFP concept. Later, the board concluded that the MFP project was viable on the core site at Gillman. Initially, it was named 'MFP Adelaide', but relatively recently it has been renamed 'MFP Australia' to emphasise its national significance. In March 1992, a draft EIS report was published, and the conclusion was that there were no environmental issues that could not be resolved.

I have a particular interest in the Gillman site because I was a candidate for the area in the 1989 State election. We all know that it is a Labor heartland and, at that time, Port Adelaide needed a 24 per cent swing. Although there was no way of winning the seat, I became well acquainted with the area in both its geographical features and its community. In fact, the area where the MFP is to be sited, in the suburbs known as Gillman, North Arm and Dry Creek, was so poorly known that the sitting State Labor member did not know it existed. I support this statement by relating the episode of a resident in the area who rang me to complain that the sitting State member referred him to the sitting Federal member after saying that Gillman and North Arm were not in his State electorate (which of course they were—they were part of the electorate of Price). So, that area is quite an unknown patch of swamp.

During my campaign period I joined in with the fish market at North Arm, observed the smashed cars that were parked in a fenced-off area of Gillman and the busy factories that were belching various waste materials into the atmosphere, and wondered at the silent mangroves. The place is one of beauty and ugliness. The community is of ethnic diversity, a bustling population. It is a community comprising a wide range of socio-economic groups—in the main, a community of the disadvantaged, but a community of survivors and of people who perhaps have other priorities than material wealth.

We are to put the MFP in such an area. With the Government's mismanagement of State funds leading to budget blow-outs, and with the present high unemployment (which is said to be heading for 12 per cent), the Government is desperate to find some vehicle to create wealth and jobs. The MFP is seen to be this vehicle, so we have this rush to push it through. The MFP is also trying to be looked upon as the cutting edge of high technology and a city of the future—but will this dream succeed? We must try to be positive, for if the MFP accomplishes all the proposals outlined we will indeed be a State with a magnificent achievement.

Let us look at the proposals that have been raised. First, there is the tourism and leisure aspect. This proposal is around Pelican Point and is named New Port (which is located near Outer Harbor). It is envisaged that a golf course, a hotel and conference centre, a health centre, an executive club, marinas, condominiums and a variety of other residential accommodation will be established. The market would be for South Australia, MFP workers, Japanese and tourists.

The next proposal concerns environment management. This proposal is to try to attract organisations which are involved in the environment possibly to the Gillman site. Such organisations would be the Environment Protection Agency, an environment instrumentation group, a centre for environmental law, a centre for aquatic toxicology, and others. The next proposal concerns the media and entertainment. This complex proposal attempts to use the existing South Australian Film Corporation facilities and to transfer in the ABC and SBS children's production facilities and some CSIRO facilities to create a large and viable production unit. At the same time, a marketing group will be formed to sell the production in the Asian-Pacific markets. The target would be education, corporate videos, advertisements, and documentaries, rather than feature films.

The health care proposal is to develop new technologies to allow Australians to provide services to the Asian-Pacific health markets. The idea is to develop techniques of image transmission that assist with remote diagnoses so that undertakings such as the cranio-facial unit in South Australia can provide support to doctors overseas.

They would also develop and deliver remote education programs. A private hospital linked to and part owned by the Flinders Medical centre is also envisaged. Specialised medical databases are also proposed. Another proposal in respect of information technology and telecommunication is that an information utility will be formed to provide a network core in South Australia linking companies and institutions in South Australia by satellite and fibre cable to all other markets and provide a means for sharing resources even if they are not collocated.

It will also provide access to many world markets. Companies that want similar access can expect to relocate here. The information utility would also take over much of the computing already done by the State Government and offer services to other bodies such as the proposed rail freight network. Other units that would be interested in joining involve software engineering, a software standards compliance centre, an information technology training institute and an Asian Pacific software conversion facility.

The proposal for an advanced learning centre revolves around developing techniques to use video, television and computers for the provision of education. The idea is to develop a new MFP university that will focus on learning technology as a key research area and to develop its other schools around disciplines that can use the technology to tap other markets. The ideal is to use the information technology and telecommunication capability to access world markets with programs designed at the university and produced at the other centres, for example, the Media Entertainment Centre. Hence the idea of a world university.

Then there is the international management and innovation proposal. This proposal is for a management training college to be located perhaps at Pelican Point to offer education for senior management. These proposals are encouraged in the stated objectives for the MFP: to create a national focus for economic, scientific and technological development of international significance; to create leading centres of innovation in science, technology, education and the arts; to create a focus for international investment in new and emerging technologies; to create a world of interaction between industries, research and development centres, educational institutions and community activities and the use of advanced information and communication systems for that purpose; to create an international centre of innovation and excellence in urban development and in the use of advance science and technology to serve the community; and to create a model of conservation of the natural environment and resource management and equitable social and economic development in an urban context. These proposals are indeed very interesting. I understand that Dr A. Kellehear of the Health Sociology Research Group from the Latrobe University has difficulties with the health concept. He says:

> The MFP does not contribute to the national health goals and stated health priorities of Australia. On the contrary, the MFP will provide instead a high publicity, expensive exception to those priorities by publicly emphasising reverse priorities and opposite health strategies. Furthermore, not content with merely ignoring the World Health Orgnisation and Australian Federal health policy priorities, the MFP may actually be an additional problem and drain on our current health resources.

Dr Kellehear says further:

> The obvious emphasis here is clearly and firmly in the areas of biotechnology, diagnostic and treatment interventions. Neither in the general speculation or the specific proposals from the South Australian submission are health issues of national priority addressed.

Finally, he states:

> If the MFP is to be just another shop for the peddling of wares, including health wares, then the sheer size of this business appears to reinforce all health policies and to fly in the face of new ones.

So, this health proposal is of some concern to us all. All these ideas, thoughts, visions and dreams are excellent, but let us be realistic and check out two major areas of importance. These are the areas of finance and economics, and of the environment. The assessment and evaluation of these two areas are essential before one can proceed with one's dreams and visions, no matter how magnificent they may be.

In the finance area, let us look at the funding needed for the basic infrastructure to be put in place before these dreams become a reality. The South Australian Government's May 1990 submission to the joint standing committee estimated public costs at about $6 billion, of which '$200 million will be provided by the South Australian Government, $1 billion by the Australian Government, and $4.8 billion by others'. In June 1990, the Premier said:

> Adelaide's selection as the site for the $7 billion MFP will not cost taxpayers. The MFP will cost the Government about $280 million for the infrastructure development. Much of the expenditure will be the sort of thing we would be spending, anyway, on roads and water systems.

In March 1991, a report in the *Advertiser* stated that it would cost $705 million to clean up the Gillman site. Further, Mr R. Keller from MFP Australia stated that it would cost $2 billion 'for the whole shooting match, with buildings on it and people living or working in it'.

The development costs for the site will be about $800 million. The infrastructure needed to support the urban development on the core site will include roads and pathways, stormwater drainage, sewerage, energy systems, communications, water management and public transport. Therefore, we need to find $800 million at minimum, and up to $2 billion or $6 billion for the whole shooting match. Where will we find this? I understand that the State's coffers are bare. We must rely on foreign investment, we conclude.

The Federal Government has given us $40 million, which is a drop in the MFP funding ocean. The other concern is that the $40 million comes from funds that were meant for the Better Cities program. The commitment to MFP *per se* by the Federal Government cannot be a high priority, although we call it MFP Australia. We also note that the Adelaide City Council is wanting at least $6 million for the 323 hectare Wingfield rubbish dump, which is within the Gillman site. Can our dreams be still sustained?

Let me describe the core site. It comprises four main areas: the land at Gillman, currently used as stormwater ponding areas; a rifle range; a depository area for the disposal of wastes; and land at Dry Creek, currently used as salt pans and stock paddocks, consisting of 1 840 hectares. Also, there is Garden Island, comprising 87 hectares; Largs North, 73 hectares; and Pelican Point, 343 hectares.

Portions of the core site at Pelican Point, Largs North and the western portion of Gillman have been filled by river dredgings and other material. Waste disposal with other fill has been placed over a large part of Garden Island and the northern portion of Wingfield. The Dry Creek area is substantially low lying, and is used as evaporation basins for salt harvesting.

The present land uses in this study area include Cleanaway Pty Ltd which involved a major landfill operation in the region which mainly accepted solid household waste and waste from licensed waste collectors. It is expected to close as a completed landfill site in the immediate future. Also, the Adelaide City Council has a landfill operation which accepts household waste and solid waste such as bricks and concrete for recycling and vehicle tyres for shredding. Methane gas is recovered on this site. Next is All Surburbs Waste. This is a smaller landfill activity than the preceding two and accepts a range of wastes, principally from householders. Then there is the General Motors-Holden's area. These lagoons were for dumping plating liquors and steel pickling liquors. They are no longer in use and have been covered. I refer also to the Dean Rifle Range which has been present since the early 1900s.

The ownership of the land core site is by the Crown, the State, the Adelaide City Council, Enfield City Council, Port Adelaide City Council, Bristol Motor Wholesale Pty Ltd and Penrice Soda Products Pty Ltd (relocation $400 million). I hear that the single relocation of Penrice Soda Products will cost $400 million. The Bill directs that we must compulsorily acquire land if necessary in this area.

I turn now to other difficulties in this area, and refer to environmental issues, in particular, industrial hazards, water quality, air quality and soil quality. The issues are raised in the draft EIS, on which I draw strongly. First, I examine the industrial hazards. McCrackan in 1989 assessed the potential hazards posed by the surrounding industries. McCrackan found that 'the cumulative risk of dangerous concentration of toxic gas vapour or fumes arising from credible potentially hazardous incidents exceeds the adopted criteria for acceptable risk at residential areas over the majority of the study area'. Further he said that 'most of the study area would appear to be unacceptable for residential development if strict adherence to the adopted risk criteria was deemed to be essential', but concedes that 'it would not be unreasonable to use at least some of the lowest risk areas for residential development provided that only low density development is permitted, and a comprehensive emergency evacuation plan is prepared'.

There are three major areas which contribute to the risk of fatality, namely, potential anhydrous ammonia releases during rail transport to the Penrice soda plant at Osborne; potential fires on natural gas leaks in any of the Pipelines Authority of South Australia's three main natural gas pipelines; and potential toxic fumes from fires at any of three local warehouses storing biocides. Tweeddale and Sylvester 1989 gave a second opinion and found the risk to be less (but still there was a risk) than what McCrackan found in 1989. However, he still said that there was a risk.

A further hazard of concern is the radioactive contamination. A radium treatment works was operated at Dry Creek from 1924 to 1934 and processed 131 tons of uranium ore. After cessation of the activities, the site was left in a contaminated condition. In 1982, some contaminated materials were removed from the site, leaving 120 tons of ore. The South Australian Health Commission measured the gamma rays in 1982 and again in 1990 and found the risk of gamma rays to be low, although ANR, the owner of the contaminated site, is not allowing activity requiring extended occupation on the affected site.

The draft EIS states that final impacts will depend on: future use of the contaminated site; the degree to which any future site clean-up is carried out; and the maintenance of fastidious management practices. Does that give one much confidence that the site is satisfactory?

Let us move now to water quality. The quality of water in the Port Adelaide estuary is of major concern. There are low dissolved oxygen levels in the southern estuary with high concentrations of nutrients contributed by effluent from the Port Adelaide and Bolivar sewage treatment works, and further nutrients, metals and suspended solids from the stormwater flows. The waterways are susceptible to algal blooms due to the relatively low quality water which contains a high level of nutrients and slow water circulation. These blooms are of major concern, for aesthetic reasons due to the discolouration of water, for public health reasons through contamination of edible marine organisms and for ecological reasons through severe oxygen depletion. I seek leave to incorporate a table that shows the nutrient concentration in the Port River from the draft EIS.

Leave granted.

Nutrient Concentrations in the Port River

nutrient	concentration mg/L	water quality criteria mg/L
Total nitrogen	2.2	less than 0.8
Organic nitrogen	1.1	less than 0.4
Available nitrogen (NO_{2+3})	0.5	less than 0.1
Ammonia nitrogen (NH_3)	0.5	less than 0.3
Total phosphorus	0.2	less than 0.07
Soluble phosphorus	0.1	less than 0.04

The Hon. BERNICE PFITZNER: The data shows the high nutrient level which potentiates the growth of micro and macro algal blooms. As can be seen in this table, the concentration level of nitrogen in the Port River is 2.2 milligrams per litre, whereas the criteria calls for .8. The organic nitrogen level is 1.1 milligrams per litre whereas the criteria calls for .4. The ammonia nitrogen level is .5 milligrams, the criteria needed is .3 and the total phosphorus concentration is .2 and the criteria called for is .07.

I turn now to soil quality. There are a number of areas of concern with respect to soil contamination. In the Wing-

field area there is potential for solid and liquid waste disposal sites to contaminate adjacent areas. In the Gillman and Dry Creek area, the stormwater providing basins, which act as a repository for contamination of industrial and motor vehicle origin, drain from the Adelaide northern suburbs. At the Dean Rifle Range, there are spent projectiles containing lead, copper, nickel and aluminium. The draft EIS reports:

The effects of heavy metals and lead-containing projectiles on the environment or public health should be assessed before attempts are made to perhaps unnecessarily remediate land only assumed to be contaminated.

There is also a problem with the type of soil, which will require pre-consolidation to overcome seismic risk, and substantial fill will be required to achieve the necessary compaction levels. This will, of course, increase costs above the normal cut and fill method.

I refer now to the issue of air quality. The main issues are the contribution of industrial air pollution to respiratory disease. Such deleterious factors include oxide of nitrogen and particles emitted by specific industries, odours emanating from Bolivar Sewage Treatment Works and from earthworks proposed to be carried out on the core site and dust generated from site works on site. However, the draft EIS states that effective management is quite feasible. I seek leave to insert in *Hansard* tables showing an increased percentage of respiratory disease. The tables are of a statistical nature.

Leave granted.

Port Adelaide local government area (1969-78) compared with overall South Australian area—

• elevated deaths of all age groups combined		
• pneumonia		
— bronchitis	males	31% higher
— emphysema	females	12% lower
— asthma		
— lung cancer	males	75% higher
	females	72% higher
— all deaths	males	23% higher
	females	9% higher

Port Adelaide local government area (1985)

• all deaths	13% higher
• bronchitis	41% higher

Le Fevre Peninsula (1981-86)

• deaths	15% higher
• cancer	15% excess
— lung	67% excess
— mouth	81% excess
• hospital admissions	
— respiratory (upper)	73% higher than expected
— respiratory (other)	67% higher than expected
• asthma	59% higher than expected
• pneumonia and influenza	45% higher than expected
• chronic obstructive	42% higher than expected

The Hon. BERNICE PFITZNER: The first table is from the *Social Health Atlas of South Australia*, produced by the Health Commission in 1990. It refers to the Port Adelaide area from 1969 to 1978. It shows that the incidence of bronchitis in this area was 31 per cent higher; emphysema, which is a lung disease, was 12 per cent higher; and lung cancer was 75 per cent higher. The second table relates to the Port Adelaide local government area in 1985, and it shows that the incidence of bronchitis was again 41 per cent higher. The third table refers to the Le Fevre Peninsula from 1981 to 1986 and it shows that the number of deaths was 15 per cent higher than the rest of the population; the incidence of lung cancer was 67 per cent higher; hospital admissions for respiratory disease were 67 per cent higher than expected, the incidence of asthma was 59 per cent higher than expected and the incidence of pneumonia and influenza was 49 per cent higher.

These figures are of great concern when we deal with the air quality of that area. The steering committee suggests:

Health statistics indicate residents of Le Fevre Peninsula and the Port Adelaide local government area have poorer health statistics than residents of many other areas of Adelaide. This is particularly true for respiratory health.

Members will note that the quality of water, soil and air is highly suspect and will need further investigation, not only of the Gillman site but also of the other sites of Dry Creek, Garden Island, Pelican Point and Largs North.

The ecology has been looked into in great detail by the draft EIS. I will just raise the issue of the mangroves, as this particular problem was highlighted with great vigour during the 1989 election when some mangroves in the Port River itself were threatened by the building of a new housing estate. The Port River estuary is dominated by extensive groups of mangroves—the only mangrove species occurring in South Australia. The mangrove and samphire ecosystem of the estuary is beloved by many residents, not only in the Port Adelaide area but also as far across the city as the Adelaide Hills and foothills, where I am resident. This mangrove area also provides shelter and feeding habitat for numerous fish and crustacean species, particularly juveniles of those species.

I believe that these precious ecological items will be taken into account and protected when we move into the area. We will not be a responsible body if we do not keep a tight check not only of the economics of setting the MFP site to an acceptable level but also of taking care of the environment and in turn of the health of the community. We would like to keep this vision of a futuristic city—this bright light—but with all these problems of making the site 'clean' we must wonder whether this is the best site for this project. We must not allow this site to be a magnificent obsession to the detriment of a balanced and objective outcome.

Finally, the expected overseas investors are of concern. My colleagues who have contacts in Singapore, Hong Kong, China and Japan do not rate the MFP highly as an investment to be involved in. We must make sure that we do not create a white elephant. The mix of the community in the area will have to be proceeded with sensitively if we are not to potentiate latent racial feelings which will always exist in a new multi-racial community.

Therefore, I support the concept of a brave new world in this MFP, but we must have stricter rules for financial accountability, procedures for the environmental impact study to be processed for public submission, accountability of the directors of the MFP Corporation and no compulsory acquisition of privately owned land with the core site. I support the second reading provided these concerns are addressed by way of firm and specific amendments to the Bill.

The Hon. R.J. RITSON: The debate so far has concentrated heavily and principally on the obstacles to this project. I intend to support the second reading of the Bill. I want to talk about the dream because we have lost sight of it. I was extremely disappointed by the contribution of the Australian Democrats. It was utterly negative. If the Democrats were a political Party with a longer history, we can rest assured that Sydney Harbour would have remained unbridged, the Eucumbene River would still be flowing undammed eastward to the sea because there were site problems with the Snowy Mountains scheme, there were no roads, there was no housing and there was a labour shortage—

The Hon. T.G. Roberts: But the dinosaurs would run free!

The Hon. R.J. RITSON: Yes. The contribution by the Australian Democrats has been utterly negative. I first heard

of the dream, the concept of the MFP, well before 1988 when formal discussions began. There were discussions and comments with South Australian universities and there were visits by people from foreign countries. The dream was of a centre of excellence where scholars of excellence could live and work together. The dream accepted that that community of excellence would have to live in houses and would need all the infrastructure services. In fact, the resources collected in that centre of excellence could contribute in an innovative and inventive way to a new and different form of housing and infrastructure, but that was secondary to the concept of a centre of excellence. It is not about a housing estate or another West Lakes, and it must not be allowed to become a discussion about urban renewal.

It is a discussion about an international centre of intellectual excellence. In this State we do possess people and schools of excellence; unfortunately, however, the clever country does not realise this, because the clever country exports its PhDs and imports their inventions. We have some marvellous and exciting developments in the field of molecular biochemestry and those people work in laboratories that are over-full of equipment; they have to put their lunch on top of scientific equipment and the paint is peeling off the walls. The system is impoverished in this clever country. When people achieve their PhDs, their work is still incomplete, a lectureship does not automatically open up for them and they look around and go overseas to much better conditions and a wider intellectual community, but we in this clever country have invested all our effort in maximising the number of first year bottoms on benches in lecture theatres. I understand that since the university merger the number of places is actually falling.

So, we seem to be failing on all counts to become the clever country, except by the export of our most exciting scholars. I believe that this proposed centre could be one of the most exciting things ever to happen to Australia, and I agree that it should be seen as a national project and not as a State project. It is unfortunate that, unlike the Snowy Mountains scheme, no money seems to be forthcoming, and I understand that potential investors may be getting cold feet, wondering whether we are fair dinkum. The Commonwealth Government has not given any money. It gave money under a different heading to the Better Cities project and that money is diverted, but it is not new money. I think the dream may fade, but I am not prepared to contribute to killing it.

I wonder whether, if the project were on the eastern seaboard, Federal money would have been forthcoming. I rather suspect that this national project would have received national funding if it were in Melbourne or Sydney, where all the swinging Federal seats are. So, I do not know, but I do think that in all of this discussion there have been too many nay sayers discussing it as if it were another West Lakes. It may even be that that sort of debate, when seen by enlightened overseas people, could put them off and cause them to say, 'Oh well; the Australians do not really understand.' I do not know, but I have a suspicion that there is that sort of factor in it. I thought it necessary to introduce the vision factor to the debate. The Hon. Dr Pfitzner did quote a medical authority when she said that the sort of agenda for medical research was not what Australia needed. Of course it is not a vehicle for distributing public health or for financially enabling people to pay their doctor.

If a centre of biotechnology did crack the genetic code for AIDS or for cancer, that would be a contribution to the whole world. The medical community is divided between those who see the immediate needs of the community to be better diet, to drive their motor car more slowly, to lower their cholesterol, and to stop smoking; but at the leading edge of medicine there are people who do see an international community of researchers trying to crack some of the hard problems. I see the core function of the MFP as being to attract excellence and scholarship from different nations into one place to work cooperatively to deal with some of these great challenges.

Australia can achieve other spinoffs by international cooperation in this way. It will involve interdependence between countries. There will be investment from other countries, there will be a technology transfer two ways—from us to them as well as from them to us—and it is a bonding to the countries that invest. When countries have interdependence, they have influence, and we will need all the influence we can get with other countries to enhance our trade position, for instance, because the world is going through a stage of reorganising itself in different trading blocs. We must make sure that we are seen as a true regional partner in the Asia-Pacific Basin and, if we adopt a xenophobic attitude over this—we cannot have foreigners coming in and owning property—what we are really doing is opting out of the whole process, in a way, of being a true partner in the Asia-Pacific region. I realise that it is a difficult site and that we do not have any hard cash put into it yet.

The Hon. C.J. Sumner: This is the most positive contribution that has been made so far.

The Hon. R.J. RITSON: I believe it. I am not going to contribute to the killing of the dream any more than I would have said of the Snowy Mountains scheme that there are no roads or houses there, we will have to import the labour and have all these foreigners coming over. I wonder whether the Snowy Mountains scheme would be built in today's cultural and political climate; I do not think so. The Harbor Bridge, of course, was quite a problem. It was a dangerous project and scores of people lost their lives during its construction. It was the longest span of that type that had ever been designed, and there must have been sceptics. It was money that the Government did not have, and it has paid it off only in the last year or two, if that. It was an enormous financial commitment. It was commonly believed that it would never meet in the middle, but it was done, because the political and cultural attitude of Australians back in those years was a bit more adventurous and had more guts than society does today.

The Opposition, therefore, supports the second reading of the Bill. We understand the misgivings and will be introducing amendments to provide for parliamentary oversight of expenditure and of acquisition of land, because we recognise the difficulties everyone has concentrated on and feel a responsibility to put certain controls in place. But let us not talk about it as if it were a housing development: that there are better sites on which to develop a housing estate.

We are trying to keep our PhDs here and, in fact, attract others from overseas to come here and live with us and work with us. In fact, a trend going the other way is increasing. Other countries are actually asking Australian academics to go over to their countries and help establish universities or curricula for courses, because that is something which we still have and which we can sell, that is, the academic, technological, and the professional experience. We have some good teachers and researchers, and they are being head-hunted in numbers. So let us not be deterred from exploring and overcoming the difficulties, just as we did in relation to the Snowy Mountains scheme and when the Sydney Harbour Bridge was built. I support the second reading.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

GAMING MACHINES BILL

Second reading.

The Hon. ANNE LEVY (Minister for Local Government Relations): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

On 4 April 1991 this House carried a motion that licensed clubs and hotels should be authorised to install coin operated gaming machines.

Two proposals were submitted for consideration, one from the Lotteries Commission advocating public ownership, regulation and control through the Commission, the other a joint submission from the Hotels and Hospitality Industry Association and the Licensed Clubs Association proposing private ownership under government regulation and control.

The joint industry proposal provides for the establishment of an Independent Gaming Authority which would purchase, install and maintain gaming machines as agent for individual licensees and would operate the approved control system.

This Bill provides for private ownership with government regulation and control. The Bill will establish an environment in which gaming machine operations are conducted fairly and free from corrupt practice. It provides for a licensing and regulatory regime in which all participants are subject to close scrutiny and control.

Revenue from the introduction of gaming machines will provide for an element of growth and stability within the club and hotel industry which forms a significant component of the State's tourism industry. In particular, it will allow for clubs and hotels in areas adjacent to States in which gaming machines are to be or are already in operation to compete on an even footing.

The Bill provides for private ownership of machines by the holder of either a hotel licence, a general facility licence, an unrestricted club licence or a restricted club licence. In the case of general facility licences the nature and type of operation will be considered in determining whether or not a licence will be issued.

The Bill vests responsibility for the administration of the Act in the Liquor Licensing Commissioner.

The Commissioner will be responsible for:

- determination of all applications under the Act including applications for a gaming machine licence, a gaming machine dealers licence or gaming machine technicians licence, and approval of managers and employees, persons in a position of authority, gaming machines, gaming equipment and the computerised monitoring system;
- determining the number of machines per licensed premises and the authorised gaming hours;
- disciplinary action against licensees including the power to reprimand, suspend or cancel a licence;
- review of barrings of persons by licensees;
- inspection, monitoring and scrutiny of gaming machine operations;
- receipt of gaming tax, recovery of unpaid gaming tax and remission of late payment fines.

Vesting responsibility for regulation and control in the Liquor Licensing Commissioner is seen to be a logical extension of the Commissioner's current roles under the Liquor Licensing Act 1985 and the Casino Act 1983.

The Commissioner has extensive regulatory powers in relation to the club and hotel industry and in particular is responsible for granting club licences, for approving all persons required to be licensed under that Act and for the total scrutiny of the casino. In particular his responsibility under the Casino Act encompasses the evaluation and approval of gaming machine suppliers, gaming equipment, computer control systems and security and surveillance systems.

Therefore, making the Commissioner responsible for the control and regulation of the gaming machine industry will avoid duplication and inconsistency of application between the Liquor Licensing Act and gaming machine legislation. Having the one licensing regime responsible for these two aspects of the club and hotel industry will minimise administrative resources in respect of both licensing and monitoring and control.

It will also utilise the considerable knowledge and expertise which exists within the office of the Liquor Licensing Commissioner gained through the administration of the liquor and casino industries.

Because of the necessarily broad powers vested in the Commissioner the Bill provides for the Casino Supervisory Authority which is an independent statutory body comprising as Chair a legal practitioner of ten years standing, a person with qualifications and experience in accounting, and one other person to oversee the broad operation of the gaming machine industry. The Authority will have power either of its own volition or at the request of the Minister to inquire into:

(a) any aspect of the gaming machine industry;

(b) any matter relating to the conduct of gaming operation pursuant to this Act;

or

(c) any aspect of the administration of this Act.

The Authority will also be the appellate body. Again, the Authority is favoured for this role because of its considerable knowledge of the relevant issues through its involvement in regulating the casino (including gaming machines) and its responsibility for hearing similar appeals against a decision of the Commissioner under the Casino Act.

Another fundamental safeguard is the provision that the Commissioner must furnish the Commissioner of Police with a copy of all applications and the Commissioner of police may intervene on the question either of whether a person is a fit and proper person or whether if the gaming machine licence was granted public disorder or disturbance would be likely to result.

The Bill does not impose any restriction on the type and denomination of machines to be introduced provided machines meet the strict security requirements of, and are a type approved by the Commissioner. Nor does it impose a maximum number of machines by class of premises. This will be a commercial decision only limited by the regulatory authority having regard to such factors as size and suitability of premises, approved capacities and membership, and the impact on the amenity of the locality.

The Bill provides for a minimum return to player of 85 per cent but individual licensees may elect to install higher return games as long as the game program has been approved by the Commissioner.

An important aspect of the Bill is that it provides for the Independent Gaming Corporation to be approved to hold a gaming machine monitor licence which authorises the licensee to provide and operate a computer system (approved by the Commissioner) for monitoring the operation of all gaming machines operated under this legislation. The Bill further provides that there will be only one gaming machine monitor licence. Prior to being granted a gaming machine monitor licence the Independent Gaming Corporation must satisfy the Commissioner that it is a fit and proper body to hold such a licence. This will include an analysis of the financial soundness and technical and administrative competence of the Corporation.

An important consideration for any gaming legislation is the control over minors. This Bill contains strict provisions to prevent underage gaming and in fact even prohibits minors from being on machine gaming areas of licensed premises at any time. Severe penalties apply to offences in relation to minors. Further, an applicant for a gaming machine licence must satisfy the Commissioner that the proposed gaming area is not designed or situated so as to attract minors.

This Bill recognises the potential for some people not to be able to control their gambling habits and accordingly, provision has been made for a licensee to be able to barr a person from licensed premises where the licensee is satisfied that the welfare of the person or the person's dependents is seriously at risk because of excessive playing of gaming machines. A person aggrieved by a barring may apply to the Commissioner for a review of a licensee's decision.

Gaming tax will be payable monthly calculated as a percentage of gross monthly turnover. The prescribed percentage will be that fixed from time to time by the Minister, by notice in the *Gazette*.

The Casino Act 1983 will be amended to allow for gaming machines to be introduced into the Adelaide Casino on similar terms to those that will apply to clubs and hotels. The Commissioner will continue to exercise powers under the Casino Act and the terms and conditions of the licence similar to those covered by this Bill.

Clause 1 is formal.

Clause 2 provides for commencement on proclamation.

Clause 3 supplies necessary definitions.

Clause 4 excludes the casino from the operation of this Act. Subclause (2) provides that gaming and the possession of gaming machines as authorised by this Act are lawful.

Clause 5 vests the responsibility for the administration of this Act in the Liquor Licensing Commissioner.

Clause 6 gives the Commissioner similar procedural powers to those under the Liquor Licensing Act. The Commissioner may require the production of equipment in any proceedings before the Commissioner.

Clause 7 provides that proceedings before the Commissioner must be conducted without undue formality and the rules of evidence do not apply.

Clause 8 sets out who may represent a party to any proceedings before the Commissioner. As under the Liquor Licensing Act, unions and other organisations may represent their members.

Clause 9 empowers the Commissioner to pass on information gathered in the course of the administration of this Act to appropriate interstate authorities and other public authorities.

Clause 10 provides for the appointment of inspectors as Public Service employees.

Clause 11 deals with inquiries into any aspect of the gaming machine industry. The Casino Supervisory Authority may conduct such an inquiry of its own motion and must do so if the Minister so requires.

Clause 12 provides the authority with the same procedural powers, whether for the purposes of an inquiry or an appeal, as it has under the Casino Act. It too may require the production before it of equipment.

Clause 13 sets out who may represent persons appearing before the authority.

Clause 14 sets out the four classes of licence under this Act. The main category of licence is the gaming machine licence which will authorise the holders of certain liquor licences to possess gaming machines and conduct gaming on those machines. A gaming machine dealer's licence will authorise the holder to manufacture, sell, supply or install gaming machines, certain components and gaming equipment. A gaming machine technician's licence will authorise the holder to install, service and repair gaming machines. The holder of the gaming machine monitor licence (there will be only one such licence) is authorised to provide and operate an approved computer system for monitoring all gaming machines operated pursuant to the Act.

Clause 15 sets out the special criteria for eligibility for a gaming machine licence. The only persons who may apply for such a licence are persons who already hold (or are an applicant for) a hotel licence, a club licence or a general facility licence. The special matters over which the Commissioner must be satisfied before a gaming machine licence may be issued are set out in subclause (3). The Commissioner must approve the gaming area or areas, the layout of gaming machines within those areas and the security arrangements. He or she must also be satisfied that the conduct of gaming operations on the particular premises would not cause undue offence, annoyance, etc., to the local community and would not predominate over the undertaking generally carried on on the licensed premises, and that the character of the premises or the nature of the undertaking carried out on the premises would not be unduly detracted from by the proposed gaming operations. Finally, the Commissioner must be satisfied that the gaming areas are not so designed or situated that minors would be especially attracted to the premises. The Commissioner cannot take into account the proximity of the premises to other premises with gaming machines or the number of licensed premises within the locality.

Clause 16 provides that there can be no more than 100 gaming machines in the one licensed premises. Where more than one club operates out of the one licensed premises, the number of machines must be evenly divided between them.

Clause 17 provides that more than one gaming machine may be held in respect of separate parts of the same premises. Where a number of clubs use the same premises, each may hold a gaming machine licence provided that each club as sole control over its own gaming machines.

Clause 18 sets out how applications for all the classes of licence may be made.

Clause 19 sets out the general matters over which the Commissioner must be satisfied berfore any licence under this Act is granted. The Commissioner must determine whether the person is a fit and proper person to hold the particular licence and, in the case of an applicant that is a body corporate, whether each person who holds a position of authority in the body corporate is a fit and proper person to occupy such a position should a licence be granted. The Commissioner must look at the honesty and integrity of a person's known associates (including relatives) in determining whether the person is a fit and proper person for the purposes of the grant of a licence.

Clause 20 requires that an applicant for a gaming machine technician's licence must also satisfy the Commissioner that he or she has appropriate experience or qualifications.

Clause 21 requires that an applicant for the gaming machine monitor licence must have appropriate management and technical expertise.

Clause 22 prohibits a minor from holding a licence under this Act.

Clause 23 gives the Commissioner an absolute discretion to grant or refuse a licence, and directs that each application must be considered after a proper inquiry into its merits.

Clause 24 provides that the Independent Gaming Corporation will be granted the first gaming machine monitor licence to be issued and a gaming machine dealer's licence provided that it makes due application and satisfies the Commissioner as the matters applicable to all applicants under the Act (see clause 18) and as to its expertise (see clause 20). It is made absolutely clear that if the IGC fails to get the licence, or subsequently loses it, the monitor licence can be granted to some other person or authority.

Clause 25 deals with the conditions to which licences will be subject.

Schedule 1 sets out the primary conditions for gaming machine licences.

Schedule 2 sets out the primary conditions for the gaming machine monitor licence. Other licences will be subject to such conditions as the Commissioner thinks fit. Conditions may be varied or revoked or added to either on the Commissioner's own initiative or on application by the licensee or the Commissioner of Police. Statutory conditions (that is, those in Schedules 1 and 2) cannot be revoked. The hours during which gaming operations may be conducted cannot be outside the hours during which liquor may be sold.

Clause 26 provides that only a gaming machine licence that is held by a hotel licensee or a general facility licensee may be transferred, with the Commissioner's consent, to the transferee of the hotel or general facility licence. No other licences are transferable. An incoming transferee must be a fit and proper person to hold the licence, and the Commissioner must have regard to the same matters in making that determination as on a grant of a gaming machine licence. A transferee succeeds to the liabilities of the transferor under this Act, except for unpaid gaming tax. The transferee will be jointly and severally liable with the transferor for outstanding tax, except for tax arising out of a deliberate understatement of gross gaming turnover.

Clause 27 provides that certain applications under the Act must be advertised in two newspapers and in the *Gazette* at 28 days before they are to be dealt with by the Commissioner.

Clause 28 provides for objections to advertised applications. Any person can object on the ground that any of the matters as to which the Commissioner must be satisfied would not, in the objector's opinion, be satisfied.

Clause 29 allows the Commissioner of Police to intervene on any application under this Part.

Clause 30 empowers the Commissioner to suspend a licence if the licensee so requests.

Clause 31 deals with surrender of licences. A gaming machine licence cannot be surrendered until all gaming machines have been removed from the premises.

Clause 32 provides that if a liquor licence is surrendered, revoked or suspended, then any gaming machine licence held by the licensee in respect of the same premises will be taken to have been similarly surrendered, revoked or suspended.

Clause 33 empowers the Commissioner to take over the running of the monitor system on an interim basis in the event of the holder of the monitor licence ceasing to hold the licence or ceasing to carry on business.

Clause 34 provides for the disciplinary action that may be taken against a licensee who contravenes the Act or his or her licence, is convicted of an indictable offence or is no longer a fit or proper person to hold a licence or a position of authority in a body corporate that holds a licence. The licensee may be reprimanded or may have his or her licence suspended or revoked. Licensees must be given at least 21 days notice of any proposed disciplinary action within which time they must show cause why the action should not be taken. The Commissioner of Police must also be notified.

Clause 35 provides for the approval of gaming machine managers and gaming machine employees.

Clause 36 provides for the approval of persons who seek to assume a position of authority in a body corporate that holds a licence under the Act.

Clause 37 provides for the approval of gaming machines and games to be played on gaming machines.

Clause 38 provides for the approval of manufacturers of gaming tokens and for the approval of gaming tokens.

Clause 39 provides the Commissioner with an absolute discretion to grant or refuse an approval.

Clause 40 empowers the Commissioner of Police to intervene on applications for the approval of a person as a gaming machine manager, a gaming machine employee or as a fit and proper person to assume a position of authority in a body corporate that holds a licence.

Clause 41 gives the Commissioner an absolute discretion to revoke any approval, but notice must be given of any such proposed revocation to the person. If an approval is revoked, the Commissioner must notify all persons affected by the revocation.

Clause 42 sets out the requirement for a person to be licensed under this Act if he or she possesses a gaming machine, manufactures, sells or supplies gaming machines or prescribed gaming machine components, sells or supplies gaming equipment, installs, services or repairs gaming machines, prescribed components or gaming equipment or provides a computer-based monitoring system.

Clause 43 creates an offence of breach of licence conditions. The maximum penalty is heavier in the event of the holder of the monitor licence committing such an offence.

Clause 44 prohibits a person from supervising gaming operations unless he or she is the licensee or an approved gaming machine manager. A person who assumes a position of authority in a licensed body corporate without first being approved by the Commissioner will be guilty of an offence.

Clause 45 makes it an offence to carry out prescribed duties in connection with gaming operations.

Clause 46 requires approved gaming machine managers and employees to wear identification cards.

Clause 47 prohibits gaming machine licence holders, approved gaming machine managers or employees or persons in a position of authority in a body corporate that holds a gaming machine licence from operating the gaming machines on the licensed premises (except as is necessary in the course of their duties). This prohibition extends for a period of 28 days after ceasing to be such a manager, etc. Certain persons (enumerated in subclauses (3) to (5)) are prohibited from playing the machines on any licensed premises—that is, the holders of a gaming machine dealer's licence, a technician's licence or the monitor licence, and their employees and persons in positions of authority if the licensee is a body corporate. The Commissioner and the inspectors are similarly prohibited.

Clause 48 prohibits the lending of money or the extension of credit by gaming machine licensees, managers and employees to players of the gaming machines on the licensed premises.

Clause 49 requires licences to be displayed at the entrance to each gaming area on licensed premises.

Clause 50 prohibits minors from being employed on licensed premises in any capacity connected with the operation of the gaming machines on the premises.

Clause 51 creates various offences prohibiting minors from entering gaming areas. These provisions are modelled on the provisions relating to minors in the Liquor Licensing Act. A minor is not entitled to keep any winnings made on a gaming machine, and any such winnings will be forfeited to the Crown.

Clause 52 requires certain warning notices to be erected on licensed premises advising minors of the provisions of this Act.

Clause 53 enables the removal of minors from licensed premises if the minor does not leave a gaming area or the premises when requested to do so.

Clause 54 empowers the holder of a gaming machine licence to bar any person from the gaming area or areas on the licensed premises if the licensee is satisfied that, as a result of excessive gambling on the machines, the person's welfare, or the welfare of his or her dependants, is seriously at risk. It is an offence for such a person to enter a gaming area from which he or she has been barred.

Clause 55 enables such a person to be removed from the licensed premises if he or she fails to leave the gaming area when requested to do so.

Clause 56 gives the Commissioner the power to review a decision to bar a person from a gaming area. The Commissioners decision on such a review is not appealable.

Clause 57 makes it an offence to interfere in any way with the proper operation of gaming machines, games and gaming equipment with the intent of gaining a benefit.

Clause 58 prohibits the manufacture, sale, supply or possession of devices designed or intended for interfering with the proper operation of gaming machines, etc.

Clause 59 makes it an offence for any person other than an authorised person or the holder of a technician's licence to either place a seal on a gaming machine or to break such a seal.

Clause 60 makes it an offence to remove the cash or tokens from a gaming machine. This does not apply to a person acting in the course of his or her duties.

Clause 61 makes it an offence for a licensee or approved gaming machine manager to permit a gaming machine to be operated if it, or the game played on it, is in any way defective or not operating in the proper manner, or while the monitoring system is not connected to the machine or the door of its computer cabinet is not sealed.

Clause 62 gives the power to remove persons from licensed premises who have damaged or physically abused a machine, or a person who is committing, has committed or is about to commit an offence or who is behaving in an offensive or disorderly manner. It is an offence for such a person to reenter the premises within 24 hours of having been removed. A person acting in an offensive or disorderly manner may be refused entry to a gaming area, and will be guilty of an offence if he or she enters any of the gaming areas on the licensed premises within the next 24 hours.

Clause 63 creates a similar offence of profit sharing by the holder of a gaming machine licence with unlicensed persons to that in the Liquor Licensing Act.

Clause 64 enables the holder of a gaming machine licence to apply to the Commissioner for review of any requirement made of him or her by a gaming machine dealer in respect of the acquisition of gaming machines, etc. The Commissioner has the power to confirm or revoke such a requirement.

Clause 65 gives a right of appeal to the Authority against the decisions, orders or directions of the Commissioner under the Act. The only exception is a direction given by the Commissioner while acting as an authorised officer. No further right of appeal lies from a decision or order of the Authority.

Clause 66 provides that a decision, etc., continues in force pending the outcome of an appeal unless the Commissioner or the authority suspends its operation.

Clause 67 sets out the power for an authorised officer (that is, the Commissioner, an inspector or a member of the police force) to enter and inspect premises. In the case of an offence, or suspected offence, the power may be exercised at any time. In the case of a random inspection, the power may be exercised when the licensed premises are open for business or at any other reasonable time. The power to enter and break into premises that are not premises the subject of a licence can only be exercised on the warrant of a justice. Directions can be given in respect of any gaming machine, game or equipment that is not operating properly or where the monitoring system is not operating correctly. If a direction is not complied with, the authorised officer can do such things as are necessary to ensure compliance, including seizure of any machine, component or equipment.

Clause 68 requires the monthly payment of the prescribed percentage of gross gaming turnover to the Treasurer as a gaming tax. The percentage will be fixed by the Minister from time to time, by notice in the *Gazette*.

Clause 69 requires the holder of a gaming machine licence to keep accounts and furnish returns in relation to the gross gaming turnover for the business and to keep such other accounts as the Commissioner may require. If turnover is deliberately understated and results in reduced tax a court, on convicting a person of an offence of making the false statement, may impose (in addition to any other fine) a fine of twice the amount of the underpayment.

Clause 70 requires both the authority and the Commissioner to furnish the Minister with an annual report.

Clause 71 provides that the accounts of the undertaking carried out under the monitor licence (and of any undertaking carried out pursuant to any other licence held by the licensee) must be audited by the Auditor-General.

Clause 72 provides for the withholding of winnings in situations where a player has received winnings as a result of error. Decisions to withhold are reviewable by the Commissioner but are not further appealable.

Clause 73 renders any agreement between the holder of a gaming machine licence and any other person for the supply of gaming machines null and void unless the agreement has first been approved by the Commissioner. An agreement for the sale of a gaming machine, etc., on credit is null and void and the parties will be guilty of an offence. This does not apply to the Independent Gaming Corporation if it obtains a dealer's licence. An agreement made between the Commissioner or an inspector and any licensee under this Act, or applicant for a licence, being an agreement of a financial or business nature, is null and void unless it has first been approved by the Minister. A person who enters into an agreement referred to in this clause will be guilty of an offence.

Clause 74 is a general offence of making false or misleading statements in an application, etc., under this Act.

Clause 75 creates an indictable offence of bribery, where a person bribes a licensee or an approved gaming machine manager or employee, or where one of the latter accepts such a bribe.

Clause 76 provides that a licensee who accepts any gift or benefit in relation to carrying out the undertaking under the licence must report to the Commissioner particulars of the gift or benefit within one month of receiving it, including details of the donor.

Clause 77 provides that if the agent of a licensed dealer commits an offence in the course of that agency, his or her principal will also be guilty of an offence and liable to the same penalty.

Clause 78 provides for service of documents.

Clause 79 is the usual immunity provision for persons engaged in the administration of the Act.

Clause 80 provides that offences against the Act are summary offences and that prosecutions may be brought within five years.

Clause 81 extends criminal liability to directors and members of governing bodies where a body corporate is guilty of an offence against the Act. Persons who were gaming managers at the relevant time will also be guilty of an offence in the case of a body corporate that holds a gaming machine licence.

Clause 82 provides some necessary evidentiary aids for prosecutions or disciplinary proceedings.

Clause 83 in the regulation-making power. Provision may be made for the exemption of gaming machines owned by private persons.

Schedule 1 sets out the conditions to which a gaming machine licence will be subject. The Commissioner may add others.

Schedule 2 sets out the conditions to which the gaming machine monitor licence will be subject. The Commissioner may add others.

Schedule 3 is a transitional provision entitling casino technicians to be granted a gaming machine technician's licence.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

LOCAL GOVERNMENT (REFORM) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 March. Page 3693.)

The Hon. I. GILFILLAN: In addressing this Bill, I will save most of my comments until the Committee stage. I would like to spend a brief time outlining my particular aspect of local government and where I believe that it could develop. I certainly have great enthusiasm for it fulfilling its promise as a major tier of government in Australia.

I have been personally involved in local government since the early 1950s, and its history has come from a structure which was very insular in its involvement and in its scope of operation. One could say that it was widely ridiculed as being a garbage collecting, kerbside and real estate interest entity. It has grown somewhat painfully from that rather restricted and relatively insignificant role to now vying with State Legislatures for the most vital role of Government—that which relates to people in their day-to-day lives—and, as such, is attracting much more specific interest.

It is fair to say that, if local government fulfilled its potential, the role of State Governments (as we have seen them) would become less and less relevant, to the point where, I predict, they may well ossify and eventually no longer be necessary as vital organs in the government of this country and, eventually, not even be needed as decorations or to fulfil traditional roles. This may sound rather grandiose, but the Democrats have supported a two-tiered government in which local government would amalgamate/cooperate into regional entities—that would be the second tier of government—and the Federal Government would operate as it currently does in Canberra. I think that at present we are in the process of seeing the adolescence of local government with the same sort of painful traumas which individuals often experience in their adolescence, where there is uncertainty as to where to go and at what pace and misunderstandings between the adolescent and others who are not of that age and milieu.

The role of State Parliament to local government has, in the past, been one of paternalism or maternalism (depending on one's viewpoint) with a somewhat rebellious, but becoming increasingly more exertive, reaction from the offspring (if I can carry that analogy through). In this Bill I do not think we are seeing a particularly significant move by local government in its own right. Facilitating measures are necessary as a consequence of earlier decisions and earlier legislation, and in my view some relatively minor innovations are incorporated in this legislation. If that is correct, the next stage along this evolutionary process could be very profound and involve significant issues which should be addressed thoroughly by wide consultation of not only Parliament and local government councillors but also the public at large, because the consequences to the public must be made plain before the substantial changes that I would like to see eventually occur in local government are put in place. My vision is that local government will become a single franchise with a form of obligatory voting similar to that which exists in State Parliament elections—so there would be what could be described as compulsory voting.

However, I would like to make the qualification—and this was a successful amendment of mine in the State scene—that the obligation is to attend the polling booth; there is no legal obligation to actually fill in the ballot paper. Although that may sound somewhat convoluted, it is the most appropriate way to get the best and most representative poll of people involved in both State and Federal elections and I would like to see it introduced into the local government scene. Eventually, that would mean dispensing with property franchise. We will need to manoeuvre carefully in this area so that what has been built up as a property and business stewardship that local government sees as part of its role is not lost or overwhelmed.

I believe that it is important that we get to the point where the election of local government representation is on a parity with what we expect from Federal and State Governments. In the same way, there will need to be coagulation of the current entities of local government so that there becomes a formal structure of regionalisation. This may happen in stages. There may be first the action of cooperation between councils. This will break down hostility and suspicion to allow amalgamations to take place willingly between local councils with eventually the recognition that groups of local councils have a shared regional interest, and they will then be willing to establish as a region.

Many of the regions will fall into natural forms, such as the South-East, a classic example of a natural region divided by an artificial State boundary. I do not believe that these are pipedreams. I think that local government having crawled for many years has now got up its own momentum and, with due credit to the people who have been involved in the past few years, it has gained more speed and direction. I include in that statement the present Minister, her predecessors and the upper echelons of the Local Government Association.

I refer, in particular, to Des Ross and Malcolm Germein, who have been outstanding presidents. David Plumridge I believe still has the challenge with him, so I will reserve judgment on his particular role. Jim Hullick has been outstanding in a national sense as leading change and reform in local government, towards, I believe, a vision of local government fulfilling its full potential. Its full potential, to my mind, is to absorb and take on more and more of what

have been regarded as State Parliament and State bureaucratic responsibilities.

They will devolve to regions of a size that can be efficient but not so large that they become detached from the people. In those circumstances, I believe that services will be given more efficiently and humanely. The cost of those services will be more accurately sheeted home to people using them and to people making decisions about them, whereas in the State and in particular the Federal scene there is a detachment or a remoteness which unfortunately in many cases removes the humanity and reality of those services from their optimum delivery.

This is not a pipedream. Unless we have this vision, I think we are tinkering with an archaic structure that has not proved to be satisfactory in many ways. The farce that we have seen repeated in amalgamations, the inability to get people to see past the end of their own street, has proved to me over and over again that we do not have anything like a satisfactory structure in place for amalgamations, or an attitude of local government to their business. We have a dichotomy of a single chamber, which is acting as executive, and a democratically elected body, working 'in concert' with, in many cases, highly paid, very competent bureaucrats, in a situation which I think anyone in this Chamber who has not experienced would find hard to comprehend in relation to how different it is from the way we work as a Parliament and the way the public sector works in Government departments.

I have outlined what I believe in part is the vision of local government. I am very keen to see it move along that track. I understand that the next stage of legislative reform, that of the constitution amending legislation, is intended to be the most substantial of the past few years. I indicate that, as much as I am able, I will insist that there is a widespread structured process of consultation, with public meetings, with almost tedious repetition of the presentation of material that could be included in a reform Bill, to obtain responses and to discuss and debate those responses in the most open way.

We have been accused of rushing through legislation and making decisions behind closed doors—those closed doors being of the LGA and the Government. These accusations cause unnecessary suspicion and hostility and are counterproductive, because members of Parliament are sensitive to and respond to expressions like this from electors. That is why I have felt unhappy about the reaction to this Bill. I read with some interest the contribution of the Hon. Jamie Irwin and his reaction to the Bill. I congratulate him on it. I think it was a constructive and balanced reaction. I do not agree with some of the opinions expressed, but in general he displayed a willingness to work constructively, recognising constraints of time and that the next stage will need a select committee, which he has talked about.

I am not convinced, though, that there are significant issues in the Bill that would justify holding up its passage, on the understanding that it is a relatively minor piece of legislation compared with the major changes that will be addressed before, during and, eventually, at the deliberation of the constitution amendment Bill, and probably a second administration Bill will be involved. I intend to support the second reading of this Bill. However, I intend to keep my options open in so far as support or otherwise of amendments that have been tabled, both by the Minister and the shadow Minister. I also hold the right, on further reflection, to introduce some amendments myself.

In conclusion, I indicate that one group that has shown considerable concern is the Conservation Council. I respect its right to discuss the legislation with me, and I have made that opportunity available to them, and intend to make it available again next Monday. The Conservation Council representatives have outlined three or four areas that they consider cause the most alarm. I intend to look at those in detail with them with the help of officers from the department and the LGA.

Finally, I am pleased to have the opportunity in this Bill to foreshadow what I believe will be the natural evolution of local government if it follows the right path and if the facilitating legislation is properly drafted, made available to the public for consultation and carries with it so far as possible the goodwill and support of members of the public who are finding that their local council is impinging more and more profoundly on their day-to-day activities.

People are taking much more interest in local government: much more interest in the elections and in election candidates. It is an exciting prospect. It may mean that, in the fullness of time, State Parliaments become irrelevant and drop off, and I see that as an advantage rather than a disadvantage. With those comments—

The Hon. Peter Dunn interjecting:

The Hon. I. GILFILLAN: That is an interjection I cannot resist. I cannot resist the interjections of the Hon. Peter Dunn because he is so close to me—otherwise I would resist them. This word 'commissar' that he points up is not recognising what I was saying earlier—that the character of local government is changing. In its emancipated state it will not be a bunch of highly paid autocratic bureaucrats making decisions and moving the elected members willy-nilly.

Members interjecting:

The PRESIDENT: Order!

The Hon. I. GILFILLAN: They will be elected representatives with as much independence and power as the Hon. John Burdett and the Hon. Peter Dunn, and maybe a shade more, so that local government will be as democratic as this State Parliament. I have not heard either the Hon. John Burdett or the Hon. Peter Dunn urging for dramatic changes to the structure that we have in this place. Apparently they are unable to see the vision of local government fulfilling its ultimate potential to be a real people-elected and people-responding tier of government.

I do not see that, and I see that that can happen through a process of evolutionary legislation, but this Bill is not that vehicle. Neither, in my mind, is it a great cause for alarm for those who are frightened about local government getting extra power. I do not believe it to be a cause for alarm among those who would like to see rapid change in local government. That change process will still go on. With those remarks, and perhaps having unwisely responded to the interjection of 'commissars' by the Hon. Peter Dunn, I indicate my support for the second reading.

The Hon. ANNE LEVY (Minister for Local Government Relations): I thank members for their contributions to this debate and for some of the very thoughtful and perhaps controversial remarks that have been provided by some members. I know that some of the specific comments made by members will be dealt with more fully in the Committee stages of the Bill, but I would like to respond to some of the main themes and concerns raised by certain members.

These seem to fall into the following categories. First, there is a complaint that the Bill does not deal with all local government constitutional and administrative matters which should be or could be addressed, and that it is not possible to assess what is proposed without knowing the big picture. Secondly, the matters in the Bill are the outcome of negotiations between the State Government and the Local Government Association and that other interests, philosophical

positions and community views have been excluded from the process. Those two points were mentioned by the Hon. Mr Gilfillan.

Thirdly, local government is not sufficiently accountable to its electorate and changes which introduce longer terms of office or reduce State Government supervision of councils should not be made until local government is made more accountable. Fourthly, the Local Government Association is not or may not be an appropriate body to be exercising the sort of powers proposed for it in this Bill because it is not open to public scrutiny and it is not democratic either in the sense of being fairly representative of all councils or of being directly accountable to the electorate.

As a result of those concerns, some members opposite believe that the provisions of this Bill concerning the winding up of the Local Government Advisory Commission and the proposed local government panel process, the making of by-laws and the setting of fees and charges for some functions performed by councils, should be referred to a select committee and that that committee should also look at all future arrangements concerning local government.

I will deal with each of those four areas. The first area of concern is the apprehension expressed about where local government is going, and this is tied up with concern about what will happen when the Local Government Services Bureau is wound up at the end of June. Members understandably want to know what the big picture will be. The negotiation process has established a model for reviewing the existing local government legislative framework, and I can assure members that the existing legislative framework is extensive.

The South Australian Constitution Act provides a basic guarantee of the continuance of a system of local government. The Local Government Act covers the structure of local government and councils, the general nature of a council's responsibilities and discretionary powers, members, meetings, officers and employees, financial management and rates, public land and utilities managed by councils, by-law making powers, some provisions applicable only to the City of Adelaide, and a vast number of miscellaneous matters ranging from land reclamation to litter.

There are 17 sets of regulations under the Act which detail forms, fees and other technical matters. There are 45 or so other statutes which could be said to form part of the local government legislative framework because they also deal with local government powers and regulatory responsibilities, for example, in planning, building, health, coast protection, libraries and dog control, or else these other Acts have a major impact on local government operations, such as legislation for the Local Government Finance Authority, rates remission and so on. These are distinct from the many statutes that also affect local government less directly, by setting out employers' obligations or governing activities engaged in by local government.

The general model for our ongoing review involved separating local government constitutional matters from administrative provisions and covering many matters of administrative implementation and procedure in regulation, compulsory codes or voluntary codes. Constitutional matters are those matters which define local government. They could include the purpose of local government, the structure of local government, the functions of councils in broad terms, the nature of councils, the electoral system and council membership, their taxing powers, their law-making powers, public rights in relation to local government and the relationship between local government and State Government. Some of these matters certainly need to be reviewed as a result of the approach established under the memorandum.

Constitutional matters could ultimately be distinguished from administrative matters by either including them in the South Australian Constitution Act, creating a local government constitution Act or, perhaps, by giving them particular prominence in a local government Act.

The existing sections of the Local Government Act dealing with matters such as traffic, parking, sewerage, drainage, health, cemeteries, buildings, fire prevention, water courses and flood management, reclamation of land and litter could be integrated into other Acts covering the relevant topic or a related purpose. There are advantages that would come from this sort of approach. They include the elimination of inconsistencies and overlaps, the ability to capture the roles of Government within a particular shared functional responsibility and scope for simplification when related controls are grouped together. This would involve a change to the current LGA policy that provisions dealing with local government functions should all be consolidated in the Local Government Act. Provisions relating to streets, roads, parks and other land managed by councils could be dealt with in specific legislation covering access, alienation, development and management of all council managed land.

Clearly, draft Bills, including achieving all aspects of this model of local government's role and function, will not be produced by June of this year. As a first step towards looking at some of the constitutional and administrative matters that need to be reviewed, the process has naturally focused on some procedures which are currently administered through the Bureau of Local Government Services and which account for a large part of its remaining work. These include executive support for the Local Government Advisory Commission, the processing of council by-laws and dealing with the most common requests for ministerial approval.

The fact that the Bill does not propose new procedures for all functions carried out by the bureau does not mean that there will be some sort of void when the bureau is wound up. It does not mean that regulations will no longer be made or that conflict of interest allegations will no longer be investigated. The bureau is being wound up, but not the entire State administration. It also does not mean that individuals will have any fewer avenues than they have now to complain about their councils. I do not think it is a good reason to postpone this Bill because it does not deal with all the constitutional and administrative matters that could be reviewed or every aspect of the relationship between the State Government and local government.

Members will know that it took 16 years from the 1968 Local Government Revision Committee until 1984 to introduce a Bill that reformed provisions concerning local government structure, council procedures and elections, although some significant changes were made in the 1970s. Provisions dealing with ratings, finance and discretionary functions were revised in 1988, and important amendments were made in the years before and after that date. The point I am making is that Parliament has been capable on any number of occasions of dealing with amendments to the Local Government Act without having the total future picture for local government in front of it. It assessed those amendments on their merits and that is what it is being asked to do again.

The Hon. Mr Irwin said there was little choice but to support the amendments removing some requirements for ministerial approval because the bureau would be wound up. I would hope that all members would look at those amendments only from the point of view of whether min-

isterial approval should still be required. We believe it is unnecessary in the limited circumstances detailed in the Bill and that local government should have the autonomy to decide for itself certain matters that are more suitable for local control.

In relation to the second area of concern with respect to the negotiation process that has been conducted between the State Government and the Local Government Association without the formal involvement of other political Parties or the release of the preliminary public reports, I appreciate that members' concerns are very genuine. However, it would be quite wrong to assume that the public interest issues they are raising have not occurred to anyone before now.

Over the past decade this Government has demonstrated its commitment to an accountable, accessible and responsive system of local government. Ideas about the sort of relationship with local government which is most likely to meet community needs may have changed, but that commitment remains and is built into the principles attached to the memorandum of understanding. It is clearly not the case that the State and the LGA have arrived at a cosy arrangement and that arguments for and against the proposals as set out in the Bill have been excluded or ignored.

This Bill results from months of serious and detailed negotiating. As a result of changes within the local government sector, the wide range of views held by the community is reflected to a much larger extent than previously in elected local representatives, as indicated by the Hon. Mr Gilfillan, and effective submissions opposing the proposals in the Bill, as well as those supporting them, have come from within the local government sector itself. I do not think the fact that different views exist means that we need a select committee. On the contrary, it is unlikely that a select committee process would discover a range of opinion which is not known or has not been taken into account already.

In particular, the question of an appropriate procedure for altering council boundaries has been the subject of extensive discussion and review. The 1990 committee of review into procedures for considering proposals for the alteration of council boundaries found that four models emerged from its inquiry which needed to be somehow balanced and accommodated.

There is the view that a disinterested expert body is necessary so that decisions are free from political interference and local parochialism. There is the model in which local government is overseen and directed by State Government, which would logically suggest that boundaries should be determined by the State Government of the day in the way it considers most efficient for service delivery. Then there is the model which emphasises the autonomy of each council in governing its electors. Under this model councils are accountable only to their electors and chiefly through the election process, and any boundary change would be the result of voluntary agreements between councils. Then there is the view that local communities—the people themselves—should be involved in and determine every major local decision and that their views should prevail over those of their elected representatives. Members can refer to the July 1990 final report of the committee and a companion report, 'Ascertaining the views of electors on local government boundary change', written for the committee by Dr Andrew Parkin, for a discussion of these different models and some of their implications. Every process for council amalgamation and boundary change which has been tried in this State has given different weight to each of those four models.

The process which is now proposed places greatest emphasis on the autonomy of individual councils, but also includes procedures designed to ensure that proposals are objectively assessed and that councils are accurately representing the views of their communities. Given the work which has been done in this area and members' interest and involvement in these questions over a long period, I hope the Parliament can come to a view about whether the current proposal strikes a good enough balance for it to be given a chance and then reviewed in five years to judge its success.

The third objection raised by members is that local government is not sufficiently accountable to its electorate for the changes in this Bill to be made. I reject that view and ask the Council to look at the specific changes proposed and consider what effect they will or will not have on local government accountability and what benefits might flow from them. Take the provision for three-year terms of office. A longer term of office for South Australian local government has been under discussion for years. New South Wales and the Northern Territory currently have four-year terms on an 'all in, all out' basis.

Victoria, Queensland, Western Australia and Tasmania all have three year terms, with either simultaneous retirement or a third retiring annually, and those States with staggered retirements are all considering reform at this time. Perhaps the Hon. Mr Irwin is implying that longer all in, all out terms are more appropriate in places like New South Wales and the Northern Territory because compulsory voting applies. I doubt this, however, although I could understand it if he had put that position. Instead, the honourable member suggested that there is a collective feeling that community support does not exist for three year terms, although he provided no evidence for this.

Against this are the arguments that slightly longer terms will assist councils with the strategic planning and management which it is increasingly necessary for them to do; it will reduce election costs; and it will result in fewer deferments of elections associated with the amalgamation process. I strongly suspect that people do not like elections being too frequent, particularly as we have three tiers of government with regular elections federally and for the State as well as local government.

In the case of the new by-law making process set out in the Bill, councils will be less accountable to a Minister of the State, equally accountable to Parliament and more accountable to their communities. The proposal will reduce costs and delays associated with referring every by-law to the Minister and the Governor. If comments are currently made by State officers or by a Minister in relation to a by-law, they are much more likely to be about form rather than substance, and it is difficult to see how this really adds value to the process. If there is a case where local government wants to make by-laws on a particular topic which are in conflict with the spirit of State policy initiatives, it is surely preferable for the State Government and local government to sit down and work out how the objectives of each level of government can be met and to define the roles of the State Government and local government on that topic more clearly in State legislation. Of course, in any conflict between State legislation and council by-laws the State legislation takes precedence. This Bill does not extend councils' current by-law making powers. The appropriateness of the current powers will be the subject of future examination.

The fourth objection to these proposals is that the Local Government Association is not a democratic body and that it may not be appropriate for it to exercise the powers

conferred on it by the Bill. It is important to look closely at what those powers are, and to understand that the LGA itself is extremely cautious about taking on any regulatory role and has considered these sections very carefully. It is being given the power to manage a process for the reform of council boundaries but not to make any decisions about the outcomes of proposals for boundary change. Those decisions are made by the councils and electors concerned and, formally, by the Governor. Fees regulations made by the Local Government Association will be subject to parliamentary review and possible disallowance, and by-laws nominated as model by-laws by the association must have been made by an elected council and will be adopted only by an elected council. The Local Government Association has a facilitative role only, and is not being given the power to make any binding decisions for the local government sector.

The Hon. Dr Pfitzner has also been critical of the consultation process followed by the association and has expressed concern about whether the Local Government Association accurately represents the views of councils. I certainly do not intend to get into a debate about squabbles between the honourable member and the Local Government Association.

I believe that the LGA has consulted with councils and has been able to put the majority view of councils to the Government. I note that the Hon. Jamie Irwin has also formed that view. Beyond that, the nature, timing and extent of consultation between the LGA and its member councils is largely a matter for the LGA and its member councils. I am disappointed that some members opposite have not fully understood the changes being made in the relationship between State and local government. I exempt the Hon. Mr Gilfillan from that comment.

It is the State's policy to recognise and to treat local government as a partner in the governing of this State. Councils and the local government sector as a whole have the maturity and confidence to manage their own affairs effectively. They are, after all, a democratically elected third tier of government. There will always be a role for the State in coordinating issues in the local government sector. However, this should be achieved through a cooperative rather than an authoritarian approach. Local government is responsible to its electors, just as we are, and its electorate needs to be respected by acknowledging its ability to choose its representatives wisely. As the Local Government Association President, Mr David Plumridge, has said:

> The principles underpinning the Bill and the procedures within it are appropriate for local government in the 1990s.

I commend the Bill to members.

Bill read a second time.

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

1. That this Bill be referred to a select committee.
2. That Standing Order 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.
3. That this Council permits the select committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the Council.

I have listened with interest to the contribution of the Hon. Mr Gilfillan and to the Minister's speech, which concluded the second reading stage of the Bill. I want to consider what was said and to keep my options open so far as the setting up of a select committee is concerned. Because of the time, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SURVEY BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments and made the consequential amendment indicated in the annexed schedule.

STATUTES REPEAL (EGG INDUSTRY) BILL

The Hon. ANNE LEVY (Minister for the Arts and Cultural Heritage): I seek leave to make a statement concerning the conference on the Bill.

Leave granted.

The Hon. ANNE LEVY: I advise the Council that the conference on the Bill will continue during the adjournment of the Council and will report on Tuesday 7 April 1992.

ADJOURNMENT

At 6.36 p.m. the Council adjourned until Tuesday 7 April at 2.15 p.m.