HOUSE OF ASSEMBLY

Wednesday 10 February 1982

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

PETITION: PRE-SCHOOL COSTS

A petition signed by 187 concerned residents of South Australia praying that the House urge the Government to provide sufficient funds to cover all pre-school operating costs was presented by the Hon. Peter Duncan.

Petition received.

PETITION: MASLINS BEACH

A petition signed by 4 269 residents, voters, and visitors from South Australia and interstate praying that the House urge the Government to extend the area for nude bathing at Maslins Beach to the north by about 400 metres was presented by Mr Millhouse.

Petition received.

MINISTERIAL STATEMENTS

The Hon. D. C. BROWN (Minister of Industrial Affairs): I seek leave to make two brief Ministerial statements.

The SPEAKER: Is leave granted?

Mr Millhouse: No.

The SPEAKER: Leave is refused. The honourable Premier.

The Hon. D. O. TONKIN (Premier and Treasurer): I greatly regret that I have to move:

That Standing Orders be so far suspended as to enable Ministers to make Ministerial statements.

Mr MILLHOUSE (Mitcham): The Premier says that he moves this motion with regret. Of course, the remedy for the problem is in his hands and the hands of the Leader of the Opposition and his Party. Neither Party has made the slightest move to remedy the abuses that have crept into the making of Ministerial statements, the Labor Party not having done so, I suspect, because it has an ever-growing confidence that after the next election it will be in a position to abuse the system itself.

The SPEAKER: Order! I ask the honourable member for Mitcham to be relevant to the motion that is before the Chair, or I will rule him out of order.

Mr MILLHOUSE: With very great respect, I do not see how I can be more relevant than to refer to the very words that the Premier used in moving the motion.

The SPEAKER: Order! The Chair will make the decision, and I ask the honourable member for Mitcham not to argue with the Chair; otherwise, he is fully aware of the consequences.

Mr MILLHOUSE: Certainly, the last thing I ever want to do is argue with the Chair, and the last thing I ever do is argue with the Chair.

Members interjecting:

Mr MILLHOUSE: Only when it is absolutely necessary. This, as I have complained before, is an abuse of Parliament. Abuses have crept into the system of Ministerial statements, which have been long, windy statements about nothing in particular, and about matters which should not be the subject of Ministerial statements. They are without limit as to time and, once the leave is given, it cannot be refused. They are my complaints and, as I have said on every occasion when I have had to take this action, until they are remedied I propose to oppose the giving of leave.

The SPEAKER: The question before the Chair is that the motion be agreed to. Those of that opinion say 'Aye', against 'No'.

Mr Millhouse: No.

The SPEAKER: There being a dissentient voice, there must be a division. Ring the bells.

While the division was being held:

The SPEAKER: Order! There being only one member on the side of the Noes, I declare that the Ayes have it.

Motion carried.

MINISTERIAL STATEMENT: PORT STRIKE

The Hon. D. C. BROWN (Minister of Industrial Affairs): The motor vessel *Troubridge* has been exempted by the Federated Miscellaneous Workers Union from the current port strike to allow it to carry goods to and from Kangaroo Island. This exemption follows talks between the Government and the union. I am very pleased that the union has agreed to honour the long-standing agreement to exempt the *Troubridge* from industrial disputes. I draw the attention of the House to the fact that the member for Alexandria has always insisted on this long-standing exemption for the *Troubridge,* for which he is to be commended.

I have also asked the union to immediately exempt a vessel which is carrying 12 000 tons of drinking water for the Pacific island, Nauru. I understand that the situation there is critical and it would be a matter of common courtesy to release the vessel.

MINISTERIAL STATEMENT: TECHNOLOGY PARK

The Hon. D. C. BROWN (Minister of Industrial Affairs): Concerning the establishment of Technology Park Adelaide, the final report of the Parliamentary Standing Committee on Public Works and its coverage in the *Advertiser* today may have created in the minds of some the impression that the park could be unviable because of possible flooding, and that money invested in the project would not be returned. The implication is that drainage works of $11 000 000 will be required to provide adequate protection to the Technology Park site. Point 12(6) of the committee's report says:

The site selected for Technology Park Adelaide is on a river plain which is subject to inundation, and ultimately a fully integrated drainage system for the whole Dry Creek catchment area, estimated to cost $11 338 500 as at June 1980, will be necessary to adequately protect any investment that takes place at Technology Park.

That is qualified by point 12(11), as follows:

The drainage works envisaged on the site at Technology Park fit in satisfactorily with the existing state of affairs and tend to shift any over-spill downstream.

During its deliberations, the committee relied on the expert opinion of B. C. Tonkin and Associates, a firm with extensive experience in drainage works in Adelaide. To correct any misunderstanding that may exist, I would like to read a letter from that company.

Mr BANNON: I rise on a point of order. This Ministerial statement concerns a matter that is before the House in the form of a Bill which is listed on the Notice Paper, and which, in fact, is to be debated today, as I understand. Is it in order for this matter to be debated? Should it not be incorporated in another part of the proceedings?

The SPEAKER: I do not uphold the point of order. On checking the record, the honourable the Leader will find that statements about matters of public importance that are made by a Minister, whether the matter involves a Bill before the House or otherwise, are always permitted.

Mr Millhouse: See, you didn't get any change out of that. Why don't you oppose the whole thing?

The SPEAKER: Order!

The Hon. D. C. BROWN: The letter that was sent from B. C. Tonkin and Associates this morning to Mr I. Kowalick, Chairman, Technology Park Adelaide Management Committee, Department of Trade and Industry, stated:

Dear Sir,

We have noted finding No. 6 page 29 of the final report of the Parliamentary Standing Committee on Public Works on Technology Park Adelaide Development and are concerned that the finding includes a misinterpretation of the contents of a report supplied to that committee.

Finding No. 6 would be correct if a full stop was placed after the word 'necessary' and the final part of the paragraph was altered to read 'An expenditure of $810 000 is necessary to adequately protect any investment that takes place at Technology Park.'

It is noted that approximately 7 per cent of the $11 338 500 is necessary to adequately protect the Technology Park site from Dry Creek flows. The balance of 93 per cent is for works required for protection of the total 105 square kilometre drainage basin.

The site development cost of $5 000 000, which includes land acquisition costs of $2 400 000, already includes the cost of the proposed works necessary to contain a 100-year flood through the Technology Park site.

Yours faithfully,
B. C. TONKIN & ASSOCIATES

The letter was signed by B. C. Tonkin, Chartered Engineer, Australia. This letter clearly states that the park project will not be at risk from flooding. As regards the capital risk mentioned by the committee, Technology Park Adelaide is not intended to be a revenue-making exercise for the Government. Technology parks are a mechanism to stimulate economic growth and diversify the economic base. The benefits to the State cannot simply be measured in terms of the return on land sales.

Indeed, the development of Technology Park Adelaide includes 30 hectares as a linear park along Dry Creek for community use, and a significant part of the development cost relates to that aspect. A recent report to the Greater London Council which recommended the establishment of two technology parks in London cited 25 overseas technology parks that were established on the same basis; that is, whilst we are hopeful of getting a long-term return on the funds invested, we must be prepared to take the risk that some of the development costs may not be recovered, because this is an investment in the future of the State. The benefits will be wider than the mere attraction of firms to locate in South Australia. Governments have to be prepared to invest in the future development of our economy; otherwise, we will be overtaken by change and our economy will stagnate.

The SPEAKER: Order! So that the record may be quite clear, I point out that the matter raised by the Leader of the Opposition by way of a point of order involved an issue of public importance that was brought to the attention of the State by the media within recent hours. There was not an attempt, in my view, nor did it turn out to be an attempt, by the responsible Minister to help the passage of the Bill that is currently before the House. Its relevance to the public importance is the critical point. I would not want it to be misconstrued that on yet another occasion a Minister could rise and seek to influence the passage of a Bill by the provision of material that was relevant specifically to a Bill and not to the matter of public importance.

QUESTIONS

STATE TAXATION

Mr BANNON: Will the Premier say why the revenues from some major State taxes as at 31 December are well down proportionately on the levels in the 1981 Budget for the full financial year? Does this revenue shortfall confirm that Government forecasts of State economic activity underlying the Budget were far too optomistic and the Budget deficit could in fact blow out to a level in excess of $10 000 000 before further transfers from reserves are made?

The Premier has budgeted for a $3 000 000 deficit and, in issuing the December State financial statement, said that there was no cause to vary his original forecast despite the figures contained therein. One determined that pay-roll tax collections in particular is employment growth. For the half year to 31 December collections from the tax were $97 900 000, about $7 000 000 or $8 000 000 down proportionately on the budgeted figure for the full year. In December 1979 and December 1980 pay-roll tax collections were a reasonable indication as at December of the full year figure, so there would appear to be no seasonal problems involved in making that comparison. In February 1979, when the then Premier indicated that pay-roll tax collections could be down $3 000 000 on budgeted levels, the Opposition Leader, now Premier, said:

> This is a further serious confirmation of the State's general economic, industrial and employment situation. The shortfall reflects this critical situation for South Australia . . . its economic situation is stagnating. This is clearly shown by the document we are now debating.

Stamp duty collections also appear to be down on budget, despite the range of increased duty rates under this Government. Stamp duty collections are influenced importantly by house sales and motor vehicle transactions. The document also shows that territorial revenues, including royalties, are down on the budgeted figure.

The Hon. D. O. TONKIN: The Leader of the Opposition demonstrates his immaturity to some extent by asking such a question. First, the revenues which come into the State vary from time to time, and as the member for Hartley well knows it is very dangerous indeed to make any sort of assessment on the figures as they come in month by month. The reasons vary: they relate to wage increases, when they apply and to the sending out of notices and the returns that come in. It depends entirely on whether or not it came into the figures for December. There is no question at all that the deficit—the target—that we have been predicting will vary to any great extent. There is some cause for optimism, in fact, but I do not intend to be overly optimistic. However, there is some cause for optimism, provided wage claims remain at a reasonable level and we do not have to entertain major claims like the 20 per cent claim put in by teachers late last year.

Members interjecting:

The Hon. D. O. TONKIN: Well, I am afraid that it is still listed that way, as a 20 per cent claim. If we have to deal with those, we probably will finish up with the deficit as has been predicted; if we do not and there is reasonable restraint, I am optimistic that that figure will be better. It is certainly not going to blow out (I think that was his term) as the Leader has suggested.

I would like to place on record the fact that at present a considerable sum of money has now been used. I do not have the figure with me, but I think in excess of $2 000 000 has been paid out in stamp duty rebates on the purchase of a first home. I am quite certain that the Leader of the Opposition and his colleagues are very pleased indeed that that scheme has been so successful and brought so much relief for first home buyers, for whom they profess to have a very great regard indeed. We have more than a professional regard for them; we take positive steps to help them.

HEALTH CENTRE

Mr RANDALL: Is the Minister of Health able to inform the House of the success, or otherwise, of the 'Healthy State Shopfront' which was opened in mid-November last year? On 13 November last year, together with the Minister of Health, I attended the opening of the new health centre located in the base of the Rundle Street Car Park. The Minister, together with schoolboy Adam Finlayson, opened the centre. The centre was designed to interest people in their health and to provide them with information on being healthy. Four major displays form part of the centre, namely, a pair of lungs, an artery, and two stress chambers. When I saw the stress chambers I thought it might be a good idea to install a couple of stress chambers outside this House. Maybe some members might benefit from that.

The Hon. JENNIFER ADAMSON: I am pleased to advise the House, and I was interested to learn myself, that as of last week 36 500 people have visited that centre since mid-November; that was a statistic that surprised me, because I would not have expected such a large number of people to visit a centre designed particularly for provision of information about health. I think the location of the centre was well chosen; it is at the foot of a well patronised car park; it opens before retail stores open, and it remains open after they close. It is open on Thursday nights during late-night shopping and also until 9.30 on Friday nights. The hours during which it is opened has demonstrated that there is a genuine demand for basic information about health.

The centre was visited by 17 school classes during the time between its opening in mid-November and the end of the school term last year. I was also interested to learn that there have been two inquiries from interstate to see whether the centre can be purchased and whether the models and equipment in it can be purchased and moved interstate. Last week, with the Chairman of the Health Commission and the Presidents of the Royal Colleges of Medicine and the Australian and Australasian Colleges of Medicine, I visited the centre, and the Presidents of the colleges were very impressed indeed with the general presentation, with the factual material, and with the Government's clearly demonstrated success in presenting to the community preventive medicine in an effective way. This underlines the efforts of health professionals and is warmly welcomed by the health profession. I am advised that on the slowest day at that centre 270 people have passed through, and on the busiest day 1 500 people passed through it. I urge all members who have not visited the centre to do so and to recommend to anyone in their electorates—health professionals, teachers and parents—to visit the centre, either as individuals or as part of a family, because I think the benefits gained from that information will do a great deal in terms of preventive health.

KANGAROO ISLAND STRUCTURE

The Hon. J. D. WRIGHT: Will the Premier ask the Attorney-General to investigate allegations that the Minister of Agriculture has attempted to frustrate inquiries by officers of the State Planning Authority about what is believed to be an illegal shack at Emu Bay, on Kangaroo Island? The Opposition has received a letter from a Kangaroo Island visitor, and I would like to quote from the letter, as follows:

As a regular visitor to Kangaroo Island for over 28 years I am disgusted at the events which are taking place at Emu Bay close to Kingscote. A local contractor, W. K. Zealand, some time ago placed a shack on the sandhills overlooking Emu Bay without obtaining permission from the council or the State Planning Authority. To circumvent the Act he built the structure on two truck chassis which have wheels and claimed it is a caravan. The State Planning Authority, as it is required to do, commenced legal proceedings against the owner to have it removed. However, it is being frustrated by the local member, Ted Chapman, who has resorted to intimidation of officers of the authority. Now the owner is boasting that the Premier, David Tonkin, stayed in the illegal structure over the New Year break, at no cost. What can be done about this disgraceful situation?

The allegations may well be unfounded. It is true that the Kangaroo Island—

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. WRIGHT: The allegations may well be unfounded. It is true that the Kangaroo Island newspaper, the *Islander*, reported last month that the Premier and his wife spent their holidays on the island. The *Islander* also reported, and I quote:

Part of their stay was spent at Western River, a place of legendary beauty, and part at the magnificent beachside holiday retreat of Bill and Wendy Zealand at Emu Bay.

It is also true that the State Planning Authority is currently prosecuting Mr Zealand about his beach-house on wheels, and a summons was issued last year. I understand that the case will be heard on 24 February. I am told that the State Planning Authority, as I am sure the Premier is well aware, has been asking Mr Zealand to remove the structure since 1980, without success. However, I am also told that at one stage last year the State Planning Authority, although in no doubt whatsoever about the illegal status of the structure, considered a compromise not involving prosecution.

If the Premier did stay at this structure, and he will be able to confirm or deny that in his answer, I am advised that it would have been unwise, if not improper, given the widespread knowledge about the State Planning Authority's prosecution. I am sure that the Premier will agree that the matter needs clearing up—

The SPEAKER: Order!

The Hon. J. D. WRIGHT: —because of the allegations about the Minister of Agriculture's meddling in the case—

The SPEAKER: Order!

The Hon. J. D. WRIGHT: —and the Premier's own stay at the structure when a prosecution was proceeding.

The SPEAKER: Order! I rule the question out of order.

Mr BANNON: Could you, Sir, please give the grounds for ruling the question out of order?

The SPEAKER: There are two reasons for ruling the question out of order. The Deputy Leader of the Opposition went on in great measure in relation to a legal action taking place at the present moment; therefore, the *sub judice* rule applies. Secondly, I took the action because the Deputy Leader defied the Chair when he was called to order and, as such, I believe that the action taken was advisable.

Mr BANNON (Leader of the Opposition): With respect, Mr Speaker, I would like to move dissent to your ruling in this matter.

The SPEAKER: Bring it up in writing.

The Hon. D. O. Tonkin: Would you like me to make a personal explanation?

Mr Hemmings: We protect—

The SPEAKER: Order!

Mr Hemmings: Ted—

The SPEAKER: Order! I warn the honourable member for Napier for naming members in this House on two occasions, once after having been formally warned, by their Christian names rather than by their electorate or office name. The honourable member has been warned often enough. He has had his final warning for the day.

The SPEAKER: I have received from the honourable Leader of the Opposition the following:

I move that the ruling of the Speaker be disagreed with.

It is normal that a reason for disagreement be part of a motion. However, I accept the motion as it is delivered to the Chair.

Mr BANNON: I appreciate your acceptance of the motion, Mr Speaker, and the spirit in which it is done. I could certainly have added a reason, and I am sorry that in the haste to write it down I omitted to do so. I do not intend to go on at length or to take unduly the time of the House but simply to say that, in ruling a question by the Deputy Leader out of order, you used two branches of reason. The first was that it was *sub judice* because it referred to an action allegedly before a court. Secondly, you ruled that it was out of order because the Deputy Leader had not heeded your call to order in the course of his explanation of the question.

As to the first point, I do not see that that is a relevant or proper matter because, in fact, the question concerned not the rights or wrongs of the case itself but the extent to which a Minister of the Crown, and, indeed, the Premier, was aware of there being such a case and whether or not they had sought to influence proceedings in relation to the State Planning Authority. In other words, it was not a question at issue as to whether or not this structure is to be found illegal or the nature of the proceedings before the State Planning Authority but rather whether, indeed, incidentally, the case referred to is one before a court in the terms of the *sub judice* rule. But, simply setting that aside, I would suggest that the question asked by the Deputy Leader which was, 'would the Attorney-General investigate allegations that the Minister of Agriculture had been involved in the inquiries of the State Planning Authority?', is not a matter pertinent to the court proceedings but is, in fact, a matter of public interest pertinent to this House and indeed in the Premier's knowledge. On that basis it is not *sub judice*.

Secondly, you, Sir, ruled the question out of order on the basis that the Deputy Leader had not resumed his seat. I suggest that, if your feeling was that your order had been transgressed or not obeyed as promptly as you wished, you had recourse to discipline the member. However, it is improper and certainly outside Standing Orders to rule the question out of order because of such transgression. The question, I would submit, is in order and must be answered. What action you, Sir, choose to take if you feel that your ruling has been flouted is a matter for you to decide, whether by way of demanding an apology, or whatever. I submit that it should not be caught up in the question of whether or not what the Deputy Leader was saying was in order.

On those two grounds, I suggest very strongly indeed that you, Sir, reconsider your ruling because I believe that your frustration perhaps at the Deputy Leader apparently ignoring what you were saying caused you to make it. An examination of Standing Orders would support the proposition that I am making.

The Hon. D. O. TONKIN (Premier and Treasurer): I regret that this has arisen in this particular way because I suspect that there is no reason at all. I am not fully aware of the facts of the case as to whether it is still, in fact—

Mr Millhouse: Come on!

The SPEAKER: Order! I would ask the honourable the Premier to come to the motion before the Chair, which is dissension to the ruling of the Chair and not the substance of the question that preceded it.

The Hon. D. O. TONKIN: I was referring to your ruling, Sir, that the case was *sub judice*. I am not certain whether that is the case because, without going into too much detail, I think it would be fair to say that the Minister of Agriculture and I were both able to obtain Mr Zealand's agreement to comply with the requirements of the State Planning Authority. Having said that—

Mr MILLHOUSE: On a point of order, you, Sir, gave as one of your reasons for your ruling the defiance of the Deputy Leader. Now the Premier is obviously defying your request to him to stick to the terms of the motion and not to debate the substantive issue. He went on to do it and started to talk about what Zealand has been persuaded to do by him and the Minister of Agriculture. I ask you, Sir, to direct the Premier to stick to the point or to shut up.

The SPEAKER: Order! A point of order having been taken, I accept that there is a right to answer it. I do not accept the manner in which the honourable member delivered it, more particularly the last phrase that he used. I again ask the Premier to stick to the motion that is currently before the Chair.

The Hon. D. O. TONKIN: Regardless of whether the case is *sub judice* or whether there is a case at all, I nevertheless believe, Sir, that your ruling must be upheld. It is rather unfortunate that this matter should have developed in this way. I simply suggest to the Leader of the Opposition that the Government will certainly support the Speaker's ruling under any circumstance, because we believe that it is his right and authority to pass judgment on matters like this. But, I suggest to the Leader of the Opposition that, if he wants an answer to the question which I acknowledge you, Sir, ruled out of order, I am quite happy to give it in another way.

The House divided on the motion:

Ayes (18)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, Payne, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (24)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Glazbrook, Gunn, Lewis, Mathwin, Millhouse, Olsen, Oswald, Peterson, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Pairs—Ayes—Messrs McRae and O'Neill. Noes—Messrs Evans and Goldsworthy.

Majority of 6 for the Noes.

Motion thus negatived.

Mr BECKER: I rise on a point of order. Will the words uttered by the Deputy Leader following your calling him to order, Mr Speaker, be recorded in *Hansard*? After you called the Deputy Leader to order, he continued to give his explanation to the House. You, Sir, continued on several occasions to call him to order, but the Deputy Leader still continued to read his explanation to the question that was put to the House. How do you, Sir, rule on that question?

The SPEAKER: The words that were uttered by the Deputy Leader will remain as part of the record. There is no power under the Standing Orders for those words to be withdrawn, notwithstanding that that practice is upheld by some other Parliaments. This would truly indicate the gravity with which the Chair views the type of action that has already been ruled against.

SMOKING

Mr GLAZBROOK: Will the Minister of Health say whether the Government intends to regulate to ensure that smoking is prohibited in shops in which food products are sold? I have received representations from some constituents who feel strongly about people who smoke in shops where food is sold. Particular reference has been made to delicatessens where sliced meats are sold, to butcher shops and to supermarkets. Those who object to this practice believe that the health hazards are just as great in these circum-

stances as in the case where smoking is banned on buses and trains.

The Hon. JENNIFER ADAMSON: As I indicated in a debate last year on a Bill dealing with the prohibition of advertising of tobacco, the Food and Drugs Advisory Committee is considering recommending amendments to the regulations under the Food and Drugs Act that prohibit smoking in premises where food is manufactured, prepared, packed, or stored. Those regulations do not apply to customers. I agree with the constituents of the member for Brighton that it is incongruous that one can walk into a delicatessen and find that people who serve food behind the counter cannot smoke, whereas customers can puff their vile fumes into yeast goods, butter, metwurst, or anything that might be displayed on the counter.

An honourable member interjecting:

The Hon. JENNIFER ADAMSON: I have been asked whether I support the Bill. We are not talking about advertising: we are talking about smoking on premises where food is sold. The Food and Drugs Advisory Committee is currently consulting with those people who would be affected by regulations that prohibit smoking on premises where food is sold.

Mr Millhouse: How long is that going to take?

The Hon. JENNIFER ADAMSON: I think it will take about six months, because there are a large number of people to be consulted. There would be exemptions to enable people who want to have a cup of tea and to smoke to do so in a place set aside in a delicatessen or a shop where food is sold, provided that that area was properly ventilated and seating accommodation was made available. There must be designated areas.

The consultation process is in train, and the Government has not yet received the recommendation, but it has been canvassed with me, and I would certainly give it support, because the law as it stands is inconsistent with good health practice and is becoming more and more offensive to more and more people.

MINISTERS' PERFORMANCE

Mr KENEALLY: Is the Premier now completely satisfied with the Ministerial performance and competence of the Chief Secretary and the Minister of Education and, if so, does he now rule out the proposed Cabinet reshuffle before the next election? The Premier, in a published interview in the *Advertiser*, told Grant Nihill that the reshuffle was a question not of if but when. From the Premier's reply to a no-confidence motion yesterday, it would appear that either the Premier has been persuaded to change his mind or that he believes that the talent of the two Ministers is such that a reshuffle is now totally unwarranted. I have asked this question because I understand from journalists that the member for Rocky River is extremely unhappy about what he believes to be a change in the Premier's credit.

The Hon. D. O. TONKIN: I think it is extraordinarily unfair of the member for Stuart not to have named the journalists concerned. I suppose he could pick almost anyone of them and he would be quite right. One thing I am certain of is that the member for Rocky River has made no such statement, and I think I can say that with great confidence. I repeat what I said yesterday: I do have confidence in the performance of all of my Ministers, and as to a reshuffle that is neither the media's nor the honourable member for Stuart's business.

WARRADALE ROADWORKS

Mr MATHWIN: Will the Minister of Transport inquire as to the progress of the roadworks programme of upgrading Morphett Road at Warradale? When is it expected that the work will commence? The Minister will be well aware of the concern shown by my friend, colleague and neighbour, the member for Morphett, John Oswald, and myself in relation to the urgency of this work. The Minister will remember that he advanced the work 12 months in priority, knowing full well the urgency of the reconstruction work. Although the starting time was moved to the beginning of February, to date there has been no action in the area, although there is a gang from the department working in the area of Oaklands Road, at Warradale. Will the Minister kindly investigate the situation, particularly because of the concern expressed by my friends and colleague the member for Morphett?

The Hon. M. M. WILSON: I well remember the representations made to me on this matter by the members for Glenelg and Morphett. Indeed, I would never forget them, because they were so persuasive.

The Hon. Peter Duncan: You probably reminded them a few minutes ago when you gave them the Dorothy Dixer.

The Hon. M. M. WILSON: I assure you, Mr Speaker, that I did not give them a Dorothy Dixer. I did promise that the works would be brought forward approximately 12 months, because they convinced me of the urgency of the situation. I will make investigations tomorrow morning as to why the work has not commenced. I understand that there is at present a dispute with the council on the question of drainage and that once this is resolved, which is expected to be within a very few weeks, the work will commence.

PERPETUAL LEASEHOLD TENURE

The Hon. D. J. HOPGOOD: Will the Minister of Lands give the House an assurance that neither he nor any of his colleagues, nor anyone else associated with this Government, is preparing, has prepared, or is intending to prepare legislation to grant perpetual leasehold tenure to the pastoralists in the arid areas of the State?

It is a matter of record that the pastoralists, some 400 families in the arid areas of this State, want freehold tenure to these lands. The Government, possibly in response to some pressure from those people, set up a report under Mr Vickery from the Department of Lands, and that committee reported in the middle of last year. The Minister then gave the South Australian public one month in which to comment on the contents of the report, which, briefly, recommended against either freehold or leasehold tenure and suggested that the present system of tenure should remain, but that over a five-year period a new system of continuous leasehold should be investigated with the possibility of some change at the end of that period. We have heard nothing whatsoever from the Government since the announcement that people had a month from the end of last June, I think it was, to react.

Within the past week or so I have been told on very good authority that, indeed, legislation is being prepared to grant perpetual leasehold title to these properties. The people who have spoken to me are very concerned about this development, and the Minister now has an opportunity to put their fears to rest.

The Hon. P. B. ARNOLD: Actually, this matter was raised by the member for Baudin some two or three weeks ago. Prior to the Christmas break, I recorded a television interview in which I spelt out quite clearly what action the Government was taking, and I said that the Government

was preparing legislation which would be presented to Parliament and which would provide for a new type of tenure, not a normal perpetual lease, but what is to be referred to as a pastoral perpetual lease. Such a lease would contain covenants by which, in the event of the pastoralists not adhering to those covenants, the lease would revert to a terminating lease. The principle involved in the proposal which will be put to Parliament in the very near future is that a pastoral perpetual lease will give an assurance to the lessee of the continuance of that lease as long as the lessee complies with the covenants. In the event of those covenants not being complied with, the lease will revert to a terminating lease.

The reason for doing this is that the pastoralists concerned, in the very vast majority of cases, have very considerable expertise in the management of that country, and I think that it is accepted that by and large the vast majority of those people are very well versed in the management of that country. The legislation that will be introduced will cover a number of aspects reported on in the so-called Vickery Report. It will deal with public access to the arid lands of South Australia and a number of other important matters that were covered in that report.

The Government is hiding nothing in this matter; it has been perfectly open about it, and, as I said, I recorded a television interview on the subject and made a statement prior to the Christmas break. It is just unfortunate that the member for Baudin has taken so long to catch up with that announcement.

STATE FLAG

Mr LEWIS: Can the Premier give any reason why State Government buildings and institutions do not fly the flag especially during days or weeks when we celebrate an important anniversary or event such as Australia Day? Wherever I have gone in the world I have noticed that the measure of patriotism that most people feel, especially as demonstrated by the way in which their public instrumentalities fly their flags on important occasions, is very much higher than that which I have noticed here in Australia.

Whilst I notice that some buildings did fly our flag at times during the recent celebration of Australia day, other State Government buildings and installations did not, and I am curious to understand the reasons for that.

The Hon. D. O. TONKIN: I do not regard that as a flippant or a frivolous question, as apparently Opposition members do. I think it a very serious one, and I am surprised that members opposite have not listened with greater care to the debate that has been carried on in public, in the press and in the media, as to whether or not we should be proud to fly the Australian flag. The question ties in very well with the decision recently arrived at by Cabinet that we will at all times encourage State Government department offices, where flagpoles exist, to fly the Australian and the State flag, not only on special occasions, but far more frequently than has been the case. We have indeed, as members would well know, supplied State flags to schools, and the Commonwealth Government has a programme of providing Australian flags to schools. The free issue of those flags so far, which has been extended to sporting bodies—

Mr Hamilton: Would you like to fly them on electorate offices?

The Hon. D. O. TONKIN: If the honourable member will be patient, I will get around to his electorate office.

Members interjecting:

The SPEAKER: Order!

An honourable member: Give him a photograph of the Premier.

The SPEAKER: Order!

The Hon. D. O. TONKIN: It is a nice thought and one that has some attraction. Seriously, however, the cost of that issue of flags to schools has been quite considerable. There is a problem that with electorate offices, where that has been suggested, the cost of installing flagpoles for the State flag is quite considerable. We have not yet made up our minds when it will be possible to afford to install flagpoles at electorate offices, but certainly we have not in any way discarded the idea. I believe it is a very sound one. When it comes to Australia day and Proclamation day, and incidentally I note that the public holiday for Proclamation day is put down in the publication of the afternoon *News* as 26 December, although it is 28 December, as I think everyone in this Chamber will recall—

Mr Bannon: You tried to change that date.

The Hon. D. O. TONKIN: Oh, stop being so silly.

Members interjecting:

The Hon. D. O. TONKIN: I think we will make absolutely certain that the State flag is flying on that occasion and on Australia day. It may involve some rearrangement of care-taking duties, and so on, but personally I think we have a flag that we can be proud of, on both the national and the State scenes, and I believe that we should take every opportunity of flying it and demonstrating publicly our faith and our confidence in our nation and our State.

MASLINS BEACH

Mr MILLHOUSE: Will the Premier say whether the Government will now reconsider its curt refusal, in the letters to me from the Deputy Premier which he did not date, and the letters of 21 and 28 January from the Premier, to extend the nude bathing area at Maslins Beach?

Members interjecting:

The SPEAKER: Order! The honourable member for Mitcham has the call.

Mr Trainer: Modesty is not one of your greatest attributes.

Mr MILLHOUSE: Quite right. Members may have observed that, at the beginning of the day, it was announced that I had presented a petition with 4 269 signatures on it praying that the area set aside for nude bathing at Maslins Beach be extended by about 400 metres. In the so-called allegations to the petition four reasons were set out for that: first, that it is too far now to have to walk 500m down the beach for families with small children; secondly, that that area of 500m is scarcely used at all by aonyone; thirdly, that there is plenty of beach left for those who wish to bathe clad; and, fourthly, that the unclad area is extraordinarily crowded on hot days. That is what the petition said, and I have been through this, because otherwise no-one would ever know what the allegations in the petition were, as it neither appears in *Hansard* nor is it announced in this House. On 11 January I wrote personally to the Premier a letter in which I said, in part:

> I write now to suggest that the area for unclad bathing be extended northwards to include the whole of the beach as far as Ochre Point, except perhaps (if the Government insists) 100 metres or so immediately in front of the car park. On a hot day . . . it is a shame to see thousands crowded into the nude area and the rest of the splendid beach comparatively deserted.

I went on at the end of the letter to say:

> I do not know if you visit Maslins Beach much. I shall be happy to take you there, with as many of your entourage as you wish, to explain the suggestions I have made in this letter. Of course, if the Minister of Tourism were to change her mind and come, too, I should be delighted.

That was addressed to the Premier, but I had an undated letter within a couple of days from the Deputy Premier in which he said:

> The Government is of the view that such an extension is unwarranted; it would make the area unattractive to those who wish to swim there without mixing with nudists and would be too near established houses.

Well, it is not. If he had ever been there he would know there that are no established houses there. He went on to suggest that Tunkalilla Beach might be proclaimed. We subsequently found out that Tunkalilla is dangerous, it is a long way away and one cannot get there except through private property. The Deputy Premier finished his letter to me as follows:

> Any inspections of the reserve at Maslins Beach by Ministers or Government officials would be undertaken discreetly at unpublicised times.

It is quite obvious that the honourable gentleman and I suspect—

The SPEAKER: Order! I ask the honourable member for Mitcham to remain within the explanation and not to comment.

Mr MILLHOUSE: No, I was not going to comment. I was only going to say that apparently the Minister regards nude bathing as something dirty which has to be hidden away where it cannot be seen. I replied to that letter on 18 January, as follows:

> Your reply shows that you have no idea of the situation there—

meaning Maslins Beach—

> and is quite unacceptable. I suspect that you replied so quickly to my letter simply because you enjoy acting as Premier.

I then had an indignant letter from the Premier himself in which he said that I had been rude (not nude) to the Deputy and ended up, rather timidly I thought, on the main point of the letter;

> The reply sent—

that is, the Deputy Leader's reply—

> has my endorsement.

That crossed with a letter I had written to him in which I set out the various suggestions I had had from members of the public as to other beaches that could be proclaimed amongst which were topless bathing at Seaford, West Beach, Glenelg North, Tennyson south of Escourt House, and North Haven. One medical practitioner who practises in the north-eastern suburbs and who is about a contemporary of the Premier and of mine wrote to me and said:

> My own opinion is that all the beaches should be made places where you could wear nothing if you wish.

Then he thought it might be charitable to reserve one or two. In that letter to the Premier I repeated my invitation to him to come down to Maslins and have a look but all he did was write back and say the same as the Deputy, who said that if he was going to go there it would be discreetly and at unpublicised times. I do not know what he is afraid of, but there it is.

I point out the large number of signatures collected very quickly to that petition. I do not know what it shows about honourable members; there has been a lot of giggling, and so on, while I have been giving this explanation, especially from the Minister of Health, and that is most extraordinary after her refusal to go anywhere near the place, even with me.

Members interjecting:

The SPEAKER: Order! I am sure the honourable member for Mitcham, like other members, would not want to deny other members the opportunity to question and obtain answers.

Mr MILLHOUSE: No, I have come almost to the end of my explanation, Sir. A number of letters appeared in the newspaper from people at Maslins Beach opposing the idea, and one was from a man who has a beach house there but who lives in my electorate, but when he found out that the suggestion was simply to extend the area by 400m he wrote to me as follows (and I use this because one or two people who live at Maslins Beach have complained about the suggestion):

> I do not have any objection to nude bathing nor do I object to slightly extending the existing area for this purpose, but I would like to see a goodly portion of Maslins Beach available to people who prefer conventiality.

In view of that, I ask the Premier, now that he is back from his holidays on Kangaroo Island, to reconsider the curt refusal, which I suspect was given without consultation with any other Minister, to the request and suggestion I have made that the area should be extended.

The Hon. D. O. TONKIN: The member for Mitcham said during his explanation that it is obvious on a number of occasions, and I suspect that it was more than the point he was making in this Chamber that it was obvious from time to time. He wrote to me about wanting an extension—a change at the Maslins Beach reserve for clad and unclad bathing. As he has said, during my absence on holidays the reply came from the Acting Premier. It is rather odd: I can recall other occasions, I think, when Mr Millhouse has complained bitterly about delays in replies to his letters, but on this occasion he wrote his further letter complaining, of course, that the reply had come too quickly and he expected the letter to await my attention. Subsequently again I wrote endorsing the reply given—I hope in an interval which was neither too long nor too short but just right. I am not certain that it satisfied the honourable gentleman, however. I have received a report on this matter, and I will read an extract from it. It was made to me by an officer of my department, and states:

> On Australia day holiday, 1 February 1982, my wife and I inspected Maslins Beach reserve for clad and unclad bathing, by walking (clothed in bathers) from the ordinary beach in front of the town car park along the foreshore and back at 2.45 p.m.

Mr Millhouse: Does he mention what the temperature was on that day?

The Hon. D. O. TONKIN: Yes, he does. The report continues:

> The town car park was full at 1 p.m. when we arrived and by the time we departed at 4.15 p.m. the car parking had also filled up both sides of the road leading down to the beach which is about 120-150 yards long and Oleander Road which runs at right angles for about the same distance. I assumed from this that the crowd was almost as large as it ever gets. There was a constant flow of people arriving and leaving. There were probably about 1 500-2 000 people on the beach in the reserved area and a great majority of them were congregated just over the border. Their possessions were laid out, in the usual beach fashion, about five paces apart in each direction on the dry sand area. The tide was out and there was a wide expanse of flat hard beach which was unpopulated except for those entering and leaving the water or walking along the foreshore.
>
> About 200 yards in from the border the crowd thinned off fairly quickly and in the mid-section of the reserve people were settled at distances of perhaps 20 or 30 yards apart and only one row deep. Towards the southern end numbers were greater, probably because there is a car park located on the top of the cliff, but this is obviously not so popular because of the climb down the path and back again. At this end people were perhaps 30 or 40 paces apart. There were about 15 people exploring the rocky cape area. I have therefore concluded that there is ample space available for seven or eight times the number that were there on that particular day, if they were spread evenly along the beach.
>
> Most people were either sunbaking, swimming or strolling. There was no shortage of hard beach for playing cricket or beach tennis, although that did not seem to be a popular past-time, as we saw only one game of cricket being played. Probably 10 per cent of the people were clad in bathers. There was a tendency for this to be a higher proportion amongst children. The cross-section of people using the beach was identical in age to that of any normal beach, except that we saw no adolescents, that, of course, probably being due to shyness at that stage. The local kiosk ran a four-

wheel-drive jeep into the area on two occasions to trade so that nudists did not have to go far for refreshments.

I conclude that the request for an extension stems almost entirely from having to cart gear along the beach for a distance that is about twice the length of Victoria Square. The clad area was populated with people about as thickly as the mid-area of the nude section, except in front of the car park, where numbers were higher. On the return journey we noted that Christies Beach carried about the same density of people as the clad section at Maslins. The temperature on that day was 26°C; it was a sunny day with no clouds, and a slight breeze which strengthened at 4 p.m.

I understand the honourable member's concern about this matter, and I am not in any way suggesting that the people who use the unclad area at Maslins Beach do not deserve consideration. If that is what they want to do, they should be able to do it. But, it is fairly clear to me from the investigations that have been made by my officer and from a number of observations forwarded to me by residents of the area and by people who use the clad portion of the beach that there is no justification for saying that there is not sufficient room for all the people who want to use that area, as with any other beach used by any other group of people. People will use the area that is closest to the car park first, and there will always be an area where people have to walk farther from the car park to use it and an area which is, therefore, not as heavily populated by bathers. I am satisfied that that is the present situation at Maslins Beach.

WARDANG ISLAND

Mr ABBOTT: In view of the Government's decision to close the Wardang Island project, can the Minister of Aboriginal Affairs say whether any negotiations are taking place with the Point Pearce Community Council to establish suitable alternatives for the island? Are the views of the Commonwealth Department of Aboriginal Affairs and the Aboriginal Lands Trust being canvassed? What attention is being given to suitable training schemes for the Point Pearce Aboriginal community, and have jobs been found for the island staff?

It is obvious that the Government has acted on the Public Accounts Committee report tabled in June last year. However, the D.F.E.'s acting senior lecturer on Wardang Island said that activities on the island had picked up over the past six months, and that the training side has worked very well. It is one of the best training programmes for Aborigines in the State. He also pointed out that the educational programme, run mainly for training Aboriginal people, was getting Aboriginal people into a responsible position to take management jobs off the island, and that they had been catering for groups of about 60 schoolchildren and teachers a week visiting the island for flora, fauna and ocean studies, and a wide range of other outdoor activities. The Education Department was finding that the island provided the best resources in the State for marine study and this had led to a drastic increase in its use.

The Public Accounts Committee recognised the need to provide training for Aboriginal people and declared that this should not be discarded. My question relates to the Public Accounts Committee recommendations, and I would like to hear from the Minister what the Government is doing about them, other than just closing the project and putting the island on a caretaker basis.

The Hon. H. ALLISON: A number of issues are involved in that question, as the House will recognise. The history goes back over two leases. I found myself in an unusual situation where, in spite of this Government and the former Government having addressed the problem over a number of years, one of the options that might have been available to me, namely, cancellation of the lease, was not available. I will have to bring down a more comprehensive report to the honourable member, in view of the time available to me. But, the jobs of Aborigines employed on the island are being protected, and offers will be made to them from the Government job transfer system.

The SPEAKER: In calling on the Premier for a personal explanation, I presume that it relates to a situation that occurred earlier this afternoon. I draw the honourable member's attention to the limitations of a personal explanation and also to the ruling given by the Chair that the subject is somewhat *sub judice* in a number of aspects.

PERSONAL EXPLANATION: KANGAROO ISLAND STRUCTURE

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

The SPEAKER: Is leave granted?

Mr Bannon: No.

The SPEAKER: Leave is not granted.

Mr BANNON: At this stage, am I to understand that the subject matter is that which you ruled out of order during Question Time? I take the point at this stage, because on other occasions, having risen when it is found that the matters involved seemed to be traversing matters that should not be considered, we are told that, leave having been granted, it is up to the Minister, Premier or whoever to answer as they think fit. I am trying to anticipate a situation.

The SPEAKER: I am afraid the Leader has anticipated a situation that will not arise. The statement that the Leader has just made relates to the giving of a Ministerial statement, whereas the limitations of a personal explanation are entirely different, and the decision as to whether the information being given by way of personal explanation is competent to be made is in the hands of the Chair. I indicated to the Premier, having regard to the fact that he wanted to make a personal explanation on a particular subject, that there were grave limitations to the area that he could canvass. The Chair will watch that very closely. The Premier has sought leave. There were a number of points of order relative to the matter. Is leave granted?

Leave granted.

The Hon. D. O. TONKIN: I thank my colleagues in the Chamber for their indulgence in this matter. I will try to steer a very careful course, but I will be guided, of course, by any comment that you might like to make, Mr Speaker. Early in January my wife and I stayed on Kangaroo Island for about a week in accommodation that was arranged just out of Kingscote by my colleague, the Minister of Agriculture, and the local member for Kangaroo Island, with Mr Zealand. On the evening that we arrived we had some discussions with Mr Zealand regarding the position of a trailer house that he had parked on other property owned by him at Emu Bay. The discussions were long, and after those discussions had taken place Mr Zealand informed the Minister and me that he would move his trailer in accordance with the requirements of the State Planning Authority. Indeed, he had been told by that authority that, should he do so, it would be quite satisfied.

The SPEAKER: Order! I ask the Premier not to proceed on that issue. The Premier has identified that he was on Kangaroo Island, as requested.

The Hon. D. O. TONKIN: Having obtained that undertaking from Mr Zealand that he intended to move his trailer, I was then pleased to enjoy his hospitality at Emu Bay, as well as that of the Minister of Agriculture on his farm during subsequent days. At no time have I been in touch with officers of the State Planning Authority about

this matter. It is my information that arrangements have already been made to move the trailer next week.

The SPEAKER: Order! I ask the honourable the Premier to desist from that line of debate.

At 3.20 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

LEAVE OF ABSENCE: Mr O'NEILL

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

That four weeks leave of absence be granted to the honourable member for Florey (Mr H. H. O'Neill) on account of ill health.

Motion carried.

RIVERLAND CO-OPERATIVES (EXEMPTION FROM STAMP DUTY) BILL

The Hon. D. C. BROWN (Minister of Industrial Affairs) obtained leave and introduced a Bill for an Act to confer an exemption from stamp duty in respect of the merger of Berri Co-operative Winery and Distillery Limited and Renmano Wines Co-operative Limited. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The shareholders of the two large Riverland co-operatives, as a result of a recommendation from their respective boards, have now agreed to proceed to merge. The wine industry at this point of time is in a difficult position in so far as there are over-supplies of wine in the market place. The two co-operatives representing in excess of 1 100 individual shareholding growers and directly employing in excess of 200 people in the Riverland need to ensure that they can survive in this extremely competitive market place.

The concept of merging the two co-operatives is predicted upon the assumptions that a sufficiently large and rationalised single entity will be better able to compete in the market place, first, by having some strength to resist the pricing pressures on their product and, secondly, by being able to rationalise their production and administration so as to reduce costs.

One possible major obstacle to the merger is the liability to stamp duty that it would entail. It would be possible to organise the new co-operative in such a way as to avoid the actual transfer of assets and shares and thus to avoid stamp duty, but the result would be a cumbersome arrangement of three interacting co-operative societies which would inevitably reduce the psychological effect of a single strong co-operative identity. The payment of stamp duty would totally negate the anticipated savings by rationalisation of the two co-operatives in the first two years of operation. These first two years of operation will be the vital years which may well dictate the success or otherwise of these industries in the Riverland.

The Government believes that an exemption from stamp duty is justified in the present case. The two co-operatives support a substantial proportion of the general business, work and job opportunities in the area and deserve the support and encouragement of the Government. The exemption from stamp duty will not in fact deprive the Government of any funds, as it is possible to structure the co-operatives so that these duties do not have to be paid. However, a statutory exemption from stamp duties will permit the co-operatives to merge in such a manner as to take full advantage of all the benefits which will flow from a complete merger of interests.

Clause 1 is formal. Clause 2 provides the necessary definitions. Clause 3 confers the exemption from stamp duty in respect of the amalgamation of the co-operatives.

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

HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 December. Page 2322.)

The Hon. D. J. HOPGOOD (Baudin): The Opposition supports this measure, but, as is not unknown in regard to Oppositions, with some reservations. As the Minister stated in the second reading explanation, the Bill does two things. First, it removes from the State Transport Authority the necessity to contribute to the Highways Fund which is something that I suppose dates from the days when the State Transport Authority's parent body, the Municipal Tramways Trust, was for ever wrecking the roads, putting down and pulling up rails, and that sort of thing. An additional reason is set out by the Minister apart from the somewhat anachronistic aspect of that part of the Bill, and that, of course, is set out in the second reading explanation and involves the additional burden of fuel tax that was imposed in 1979. As an isolated principle, we support that.

The other object of the Bill is to increase the amount which flows from this fund to the police and which is to be applied to the police budget for safety purposes. This is the second time in a fairly brief period that this Government has legislated in this respect. Bill No. 10 of 1980, which I have in front of me, indicates the date of assent of the Bill but not the date of introduction. At that time the Minister introduced a measure which amended section 32 of the principal Act by striking out the passage '6 per centum' and inserted in lieu thereof the passage '7½ per centum'. As the Minister stated in his second reading explanation, the 7½ per cent is to be increased to 9.8 per cent. So there has been quite a considerable subvention from this fund to the police for safety purposes during the period of this Government's administration. Again, we as an Opposition do not quarrel with that matter.

However, I make two points. The first is that, in legislating in this way, we are in small measure reducing the income that is available to people who look after the Highways Fund—indeed, the Minister. All right, that sum is fairly small in terms of total expenditure, considering that the fund involves many millions of dollars, but nevertheless there is a reduction. In addition, we are increasing the outgoings from the fund, although for a laudable purpose. Therefore, the residuum is marginally less than would otherwise have been available for the normal purposes of the fund. I am sure that the Minister would not want that process to continue, because it could only seriously disrupt his programmes.

The other point about which I will question the Minister at the appropriate time is whether we are doing anything more than allowing for inflation of costs in regard to the problems that the police have to face in mounting this sort of programme. A movement from 7½ per cent to 9.8 per cent is a reasonable sort of movement in terms of the sum involved. As I recall, it was spelt out in the second reading explanation that an additional $1 000 000 was involved. Are

we doing more than simply trying to cover escalating costs? Will the police be able to do more than they have been able to do in the past because of these additional resources?

They are the two problems that we see in regard to this measure, although those two points are non-controversial. On the one hand, the Minister is denying himself some revenue for the normal roads programme; on the other hand, he is spending more from the programme in the general safety area, which may or may not improve things. Of course, if the Minister was not spending that money, I suppose things would deteriorate, considering the ongoing costs that apply.

The other point I make is that we are really just moving around pots of money between different aspects of public administration. I am not too sure, unless there are certain glaring anomalies that arise, that any Opposition should ever take strenuous objection to that. A Government is elected to govern: this Government believes that, in proceeding in this way, in slightly downgrading one priority for another, it is doing the right thing. I do not believe that Oppositions should oppose that sort of action, although they can quite rightly ask the sorts of questions that I have asked. The Minister may intend to refer to these matters in his summation at the end of the second reading stage, but in any event I guess that I can raise these matters at the appropriate time in Committee. I do not believe that this Bill should unduly delay the House. The Opposition supports the Bill. I simply make the two points to which I have referred.

The Hon. M. M. WILSON: I thank the honourable member for Baudin and the Opposition for supporting this small piece of legislation. It is an extremely important Bill, and the points taken by the honourable member for Baudin are correct ones to take in this instance. Certainly, it is a matter of moving money from one pot to another. On the other hand, I do not think the honourable member for Baudin would gainsay the right of the Government by this method of allocating moneys for road safety from money collected from motorists. In fact, this is what it does, because it is a percentage of motor registration receipts that is being allocated to the police for the maintenance of road safety. It is really as simple as that. As a matter of principle and as a matter of philosophy, I do not think there can be any argument against that. In fact, motorists are paying for the maintenance of road safety and the maintenance of the rules of the road.

I will deal in Committee in a little more detail with the questions to which the honourable member referred. This increase represents the allocation of funds to the police for that purpose. The member for Baudin can ask me in Committee about more particular matters. I will just refer to the second half of the Bill, which refers to the responsibility being removed from State Transport Authority to make payments in lieu of road maintenance charges which have been abolished. The second reading speech makes that quite plain. I agree with the member for Baudin that that situation should not have been allowed to continue.

Finally, I wish now to deal with the other point that the honourable member mentioned, namely, a reduction in road funds. In fact, the honourable member is quite correct, because this means a reduction of money available for roads. The honourable member for Baudin has in his area many roads that need upgrading—

Dr Billard: So do I.

The Hon. M. M. WILSON: —as indeed, as has the honourable member for Newland.

Mr Blacker: And Flinders.

The Hon. M. M. WILSON: Well, we could go right through the House, because, if there is one thing that is common to all members of this place, it is they all have roads that need upgrading, intersections that need traffic lights, and schools that need safety crossings; in fact, the list is endless. Therefore, the Highways Department has a very obvious presence in the honourable members' electorates.

I am not particularly pleased, as Minister, that we must in this case accept less funding for roads. But, of course, that is one of the problems of having a dedicated fund, because at the moment the only money available for roads, other than special allocations from the Treasury by way of loan or revenue, is from motor vehicle registration receipts and from the collection of State fuel franchise levies, which also go into roads and are earmarked for roads.

It does not matter how much honourable members complain about the lack of money for roads: there is really only one way to obtain it other than from the Commonwealth, and that is by an increase in fuel franchise tax, or in motor registration fees and licence fees. That is the only way in which we can apply more State funds to roads, that is, by increasing those fees. This is a problem; there is a dichotomy.

If we want more funds for roads, there is really no other way to get it, other than the Commonwealth Government's giving us more for roads. After my experience in the past two years in negotiating with the Commonwealth Government, I do not hold great hopes for financial funds for roads in the future, especially as the Commonwealth Government has already announced its road funding for the next three years. Obviously, the period was five years two years ago.

When one considers that the Commonwealth has allowed for the next financial year an inflation rate of 7 per cent in their road funding, it means that the amount of money that we are receiving from the Commonwealth each year is declining in real terms. I probably have gone on a little longer than I should on that particular point, but the honourable member for Baudin did mention it and I thought that it should be answered.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Highways Fund.'

Mr HAMILTON: I would like to ask the Minister a question regarding the allocation of this money from the Highways Fund to the Police Department. The Minister would be aware of my criticisms of on-the-spot fines, and I understand that this money is put into Consolidated Revenue. Can the Minister say why a portion of this money collected from on-the-spot fines could not be used for road safety and educational purposes?

The Hon. M. M. WILSON: If I understood the honourable member correctly, he asked why a portion of the money received by the Government from the traffic expiation scheme should not be allocated in the way that he described. It may well be so. In the past, it has been the practice, when there has been a shortage of road funds from general revenue, to allocate funds to the Highways Fund, either by way of loan or grant. That money has generally been repaid in the case of loans by the Highways Fund. In fact, I believe that when we took office over two years ago the former Government had lent the Highways Department some $2 000 000. That money has been repaid over the past couple of years or is in the process of being repaid now.

I am not sure what the estimated receipts from the traffic expiation scheme amount to. That matter is being handled by the police and by the Attorney-General, as it deals mainly with the courts. I understand that the main saving will be in the cost of administering the system. The honourable member has made much play of the fact that a lot of extra offences will be detected because of the expiation

scheme. I think that was one of the points that the honourable member mentioned. I would like to get some more details for him regarding the exact costs. I was looking at my file to see whether I had them here because, in response to the honourable member's queries about it, I did ask for a report on the matter. However, I do not seem to have it. I would like to get the honourable member some more details on that. That would be a matter of Government policy. If the Government said, 'Right, you desperately need more money for roads,' that would be an allocation from general revenue and would have to be a Government decision.

In that case, of course, the money would have to come from somewhere else. Where does the honourable member suggest that the money come from? Does he suggest from education, health or community welfare? It is a very difficult decision for Government to take. Certainly, we want more money for roads, but it must be kept in balance with the other demands in the community as represented by the Government.

Clause passed.

Clause 4—'Highways Fund.'

The Hon. D. J. HOPGOOD: This is the clause which increases the subvention from the fund. I have done some quick calculations here, and it would appear that under Bill 10 of 1980 we in fact increased the subvention by about 25 per cent, and we are now being asked to increase it by a further 30 per cent. That only happened close to two years ago. The Minister has just indicated to us the problems that all States have in relation to road moneys, and that has been the case for quite some time, the impression being that Commonwealth Ministers for Transport are fairly hard nuts to crack, and my own colleagues used to weep similar tears about the problems they had in getting money out of the Commonwealth for roads. In view of the problems we have (and I just want to take the opportunity again to reiterate the concern that here are some additional outgoings from the fund), does the Minister see that this is likely to be perhaps a biennial invitation to the Parliament to continue to increase the subvention in this way? I notice that there is a sort of escalating factor involved—25 per cent in 1980, and a 30 per cent increase this time. Also, perhaps while he is on his feet, he could answer the question I posed during the second reading debate in relation to whether we are really doing much more than keeping pace with the costs that the police are unfortunately meeting all the time.

The Hon. M. M. WILSON: I cannot give the honourable member an assurance that it will or will not be a biennial event. It will depend, of course, on what the Government receives from motor vehicles taxation. If there is an enormous increase in the number of vehicles registered in this State, that of course will help the Highways Fund, and if it were found that the cost of administering the roads by the police was to be subsidised more, I imagine that another Bill would be quite likely in a couple of years. I cannot say nor do I believe that the honourable member would expect me to know.

The member for Baudin asked, 'Does the $1 000 000 extra (I think we can put it in those terms) mean that inflation is covered as far as the increase in the police contribution is concerned?' The contribution to the police will now be $4 200 000, as against approximately $3 200 000 as it is at present, in any one year. The cost of administering the Road Traffic Act as far as the police are concerned (in other words, the cost of providing road safety) in 1980-81 was $7 100 000, and in 1981-82 it is estimated that it will be $7 600 000. I have been given to understand that the indirect costs are $14 300 000 and $14 700 000 respectively for those two financial years. Therefore, with a police contribution of 4.2 per cent, we are certainly not anywhere near covering the costs incurred by the police in administering road safety. The Government is maintaining a balance between funds for roads and funds for policing road safety.

The member for Baudin also said that it was not very long ago that we introduced a similar Bill (in fact, 18 months ago) which increased the contribution, and that this is the second Bill. If I remember rightly (the member for Baudin may remember this from his Cabinet days), I am almost certain that the previous Bill—I should have checked this today—was to increase the police contribution by $1 000 000 as a result of a statement by the honourable member's Government at that time that it wished to allocate an extra $1 000 000 to the police for road safety purposes.

The honourable member will recall that in about May before the last State election the then Premier (the member for Hartley), the then Minister of Transport (the Hon. G. T. Virgo), and I think the Police Commissioner and maybe one or two other Ministers met in a high-powered session, as I believe it was described, to see what could be done for road safety. If I remember correctly, the decision that came from that conference was that the police should be provided with an extra $1 000 000. We applauded that decision and in fact stated in our transport policy before the last State election that we would uphold it. In fact, the Bill that the member for Baudin referred to was carrying out that promise. So, we were carrying out the promise of the former Government and the present Government.

Finally, some of this extra $1 000 000 (I estimate between $300 000 and $400 000) will go towards setting up the random breath test operations of the Police Force. That is a particular purpose. I do not know whether the member for Baudin has seen the latest figures, but I would be glad to let him have a copy. However, the number of road deaths for January was 18 less than last January, and the number of road deaths since the introduction of random breath testing on 15 October is also significantly down. It is very heartening to see that the operation is working and, although we should not be too complacent (because there is a very grave danger of complacency in this matter, especially if publicity lessens) it has been an excellent start for this calendar year.

Mr HAMILTON: Can the Minister give me a breakdown on the way in which this money will be spent by the Police Department on road safety, the amount of money spent last year on advertising in respect of road safety and the amount that will be spent this year on advertising?

The Hon. M. M. WILSON: Between $300 000 and $400 000 has already been spent in advance on setting up the police random breath testing operation. The rest will be spent on the maintenance of extra road patrols (as indeed was the $1 000 000 promised by the former Government), a very important facet in bringing about road safety. The honourable member also asked for details of money spent on advertising in connection with road safety: I think he will remember from the Budget committee hearings that money is allocated to the road safety fund, which is a dedicated fund for road safety purposes, in the amount of $1 from each driver's licence, or a percentage of each driver's licence now that we have three-year drivers' licences. That money is normally all used for advertising.

Mr HAMILTON: Will the Minister give publicity to on-the-spot fines and the explanation of how fines can be imposed? Perhaps I have not made myself clear. Will the Government be spending money on informing the public what constitutes a fine, and will it explain in those clauses of the regulations what is involved? It has been put to me by numerous people that they are unaware in many instances of what constitutes an on-the-spot fine and that clarification of something between 180 and 200 different clauses in the regulations is required. I hope that the Government will consider the matter. It is my view that, unless the Govern-

ment does so, it will incur the wrath of many constituents in the electorates throughout South Australia.

The Hon. M. M. WILSON: I appreciate the political advice of the honourable member in this matter, but, with the greatest respect, I think the matter of traffic expiation fines has nothing to do with the Highways Act, but is a matter for the Road Traffic Act and the Motor Vehicles Act. After I have discussed the matter with the Attorney-General, I will get a considered reply for the honourable member. I expect that the answer to his question will be 'Yes', but I will provide him with that. However, it is not strictly connected with this debate.

Clause passed.

Clause 5 and title passed.

Bill read a third time and passed.

LAND SETTLEMENT ACT REPEAL BILL

Adjourned debate on second reading.

(Continued from 19 November. Page 2096.)

The Hon. D. J. HOPGOOD (Baudin): This Bill is designed to do away with the Land Settlement Committee, something which has been a feature of Parliamentary life for many years. I have never had the rare privilege of serving on that committee, which is perhaps a good thing, because it enables me to address my remarks to the Chamber without any taint of accusation of having a vested interest in the outcome of the legislation before us. The history of South Australia is in a sense the history of alienation of land, and alienation of land, in whatever form it has been alienated, has always been a matter of controversy. I need only draw the attention of the House to the question I directed to the Minister this afternoon, which of course is in relation to a suggestion by this Government that a further form of alienation should take place.

Given the controversy that has always surrounded alienation, it has been quite proper that there should be Parliamentary supervision of the whole process. Indeed, in the early days of the Province of South Australia, to use the original designation, there was a good deal of money in it. The principal means of the raising of Government revenue from the beginning of settlement in this State was by flogging off the public estate in the form of Crown lands, and eventually that process had to come to an end. We are now in a position where in effect the whole of the agricultural lands of the State have been alienated. Sure, there are significant tracts of land which are still in public ownership within that area—national parks, recreation reserves, and areas set aside for particular purposes, be they to do with water catchment or reticulation, etc.

The coastline is, of course, public and not private property. Setting aside for a moment those qualifications, substantially the State south of Goyder's line is now in private ownership, and there is little further that can happen in that area to intensify that process. Land settlement and alienation has also been historically associated with schemes of soldier settlement, particularly as they related to irrigation, and of course we have to say that those schemes were not always very happy ones. They were entered into with rather more optimism than thought, and the result often was a good deal of human suffering. I once read the typescript memoirs of a man called Whitford, who was Chief Secretary in a Labor Government, and also, I imagine, from what I am about to say, Minister of Irrigation. When, as part of the Hill Government, he came to office in 1930, one of the first things he did was go to the Riverland and talk to the people on the blocks about the amount of money they owed the Government. It was obvious that they could not pay, that they had been placed in a sub-economic position by Governments immediately after the First World War.

He makes the point that in a strange way the Second World War was their economic salvation, but nevertheless there was a good deal of human suffering associated with what had been in origin a humanitarian programme. Again, of course, we have seen in the last few years some of the unfortunate washup of the attempt to place the returned men from the Second World War on Kangaroo Island, and we have seen the successes but also the hardships that those people had to experience. I do not doubt that there are those who would look back and say that, in respect of some of those people, probably the Government of the day in the immediate post Second World War period did not do them a favour by enabling them to go on the land.

The Hon. P. B. Arnold: By putting them on the land?

The Hon. D. J. HOPGOOD: Yes. That is not a statement about which I want to generalise, but we know that now, to our cost (and blame cannot be apportioned this far from the event) that there were those people who by being so 'assisted' were not done a favour. In any event, it was necessary to have some form of Parliamentary oversight and some sort of machinery here, hence the Act we are discussing, and in particular the Parliamentary committee to which this Bill refers.

It is implicit within my remarks that the original reason for the committee has gone, and the Government is right in proceeding to wind it up in its present form with its present charter, but I believe it is also implicit in the potted history that I have presented to the House that there is an ongoing problem in relation to the use of land.

If the oversight of the alienation of land is no longer such a problem that it requires a Parliamentary committee, the oversight as to the management of the land, particularly from an environmental point of view, is something which I believe becomes more urgent as time goes on. I believe that there is a case for a standing Parliamentary committee which would look at environmental resource and land management measures. One can think of various issues that are about the place at present, and the one that I raised in Question Time is a pretty obvious one. The whole future of our arid lands and the fragile ecology of that part of the State is something with which we have to come to grips.

It has been suggested to me by people who are experts in the field (I guess I have a thicker file on this than on any other single environmental matter, and as members may know I collect a lot of files) that at no stage in the past under any Government have the encumbrances which are placed on the present form of tenure in the arid lands of the State been properly policed, and that is the problem that the Minister has in front of him in suggesting a different form of tenure there. Then, of course, we have this Government's continual agonising over the future of the Marginal Lands Act and what is to happen there; the marginal lands throw up a whole different, though related, set of problems compared with the arid lands. Let us go to the other extreme and look at one of the two best-watered areas of the State, the South-East (the other, of course, being the Mount Lofty Range), and let us look also at the impact on land use and the environment of what I would see as the wastage of ground waters from the South-East.

There is no doubt that the South-East drainage scheme, which of course is a matter that has been pertinent to the continued activities of this committee, has had qute a considerable impact on the historic water associations of the South-East, extending possibly as far as the Coorong, which in itself is a further problem that neither the Government of which I was a part formally from 1973 to 1979 nor this Government has really taken up, I believe, in full measure. In any event, whether the problems of the Coorong

are linked with the problems of the gradual desiccation of the South-East or whether they are an entirely different set of problems, problems they are, nonetheless. Then we have the continuing problems—

The Hon. P. B. Arnold: Evidence would suggest that they are separate problems.

The Hon. D. J. HOPGOOD: I would be interested if the Minister could provide me with some information on that, because I have tried to keep a close interest in the future of the Coorong. I have from time to time had the privilege of travelling along it, not in any boat I own but in other people's boats, which is the best way to travel, and I can assure the Minister that I am concerned about the continuing problems of that area. I have assumed that in fact there is very little data available from which any Government can draw conclusions. If the Minister has data, and I understand that he is now offering to provide me with some data on that, I will be pleased indeed to receive it and I would offer the co-operation of my colleagues as to whatever the Government feels should properly be done to overcome some of the problems.

I was going to talk about that other area of high rainfall in South Australia, the Mount Lofty Range, and the continuing problems of land use which are of course urban or peri-urban land usage in that part of the State, an area that is highly valued by South Australians, particularly in relation to environmental qualities. Although I said earlier, and I do not resile from that, that my file on the arid lands is bigger than any other, the amount of correspondence I get in relation to environmental matters is very much greater in respect of the Mount Lofty Range than any other part of the State. No doubt that partly arises from the fact that there is some sort of urban development there and so people come into continual contact with these sorts of problems.

Without really having to take the House on too much of an excursion, I think I have been able to indicate that there is considerable scope for a great deal of activity on the part of a standing committee of the Parliament which would have the responsibility of, say, inquiring into and reporting to the Parliament on any question in connection with the management and protection of the environmental resources of the State. Following the sort of verbiage that one gets in the legislation which covers the activities of the Joint Parliamentary Committee on Public Accounts, it could of course undertake these inquiries on its own initiative or as referred to it by a resolution of either House of the Parliament or referred to it by the Governor or a Minister of the Crown. I have considered whether it is possible or reasonable to attempt to amend this Bill so that the present committee, rather than being wound up, could be reconstituted in the form that I have just outlined. I decided that it is probably not, and that as it stands it would be a fairly clumsy legislative manoeuvre. It would be necessary for us to suspend Standing Orders to consider additional clauses in Committee, and in any event I doubt very much whether the Minister would accept it.

That being the case, the Opposition intends to oppose the second reading. That, I suppose, seems to be a rather unusual procedure. What we would want to do, with the concurrence of the Government, is to give the Government an opportunity to go away and prepare a proper legislative scheme that would allow the present committee to continue, but in the new form. I believe that such a standing committee on environment and land resource management would attract a great deal of interest from people particularly concerned with the future of the environment and land resource management generally in this State. They would see the committee as being a body to which they could turn from time to time.

It is not always easy to get information from Governments, although sometimes there is no ill will on the part of the Government or sections of Government as to the giving out of information. The Minister referred earlier this afternoon, in response to my question, to a statement he had made over the television. I did not see that. I think there is a bit of a tendency for politicians to assume that whatever is in print is news and what is on the electronic media is a piece of ephemera. In any event, you can pick up the *Advertiser* the next day and read it. It is a bit more difficult to get a transcript or some record of what has come over the television news. I make the point that my informant in this case who is a person who takes a great deal of interest in arid lands also obviously missed the Minister's statement in this case.

Again, there are various other environmental issues that I have been raising for quite some time where certain of the Minister's colleagues have not been quite as forthcoming as obviously he has been. The whole point of my new year message to the Minister and his colleague the Minister of Environment and Planning was to remind them of some of these matters, and again the Gosse Crown lands, in which (and I have to choose my words carefully, again, because the Minister of Agriculture was upset last time I used this verbiage) the Minister of Agriculture has such an interest as the local member—not a financial interest as he interpreted my words—a matter about which the Government continues to be very quiet.

A body such as this is one to which the Nature Conservation Society, the Conservation Council, Friends of the Earth, the District Council of wherever, individual citizens, academics, and so on, could take these concerns. So, I would urge this course of action on the Government. It is, of course, something that can happen even if this Bill proceeds. But it seems to me to be sensible, given that we have such a committee, that we keep it in operation and that whilst it is there its charter is appropriately modified. By allowing it to disappear and then attempting to revive something like it in this different form later on, we possibly run into some problems. We may also run into financial difficulties. No doubt the Minister sees this as a means of saving the Government some money. Of course, so it is.

My proposition simply keeps the committee in operation. The Government is not spending any more money by keeping the committee in operation than it would otherwise spend. By letting it lapse and then bringing in some new sort of measure, I would have a very quiet bet that any new committee would want emoluments rather greater than those received by the present members of the Land Settlement Committee. It might turn out to be a rather more expensive proposition than the proposition that I am placing before members. There it is. Lest there be any confusion about what my proposition is, it is that at this stage we should oppose this measure. Having opposed it, there is an opportunity for either the Minister or one of his colleagues, or indeed for a private member, possibly me, to go away and come back with a measure which will allow the charter of this committee to be modified in the way I propose.

Again, I urge this course of action on the Government. I believe that the whole concept of a standing committee of the Parliament dealing with environmental matters is something which is entirely appropriate, and would be very well received by the public. I remind the Minister that it is only nine years since this State was the first in Australia to have a Minister of Environment. Every State in the Commonwealth now has such a Ministry. I am not aware of this form of committee existing in other States. Again, here is an opportunity for South Australia to take the lead.

Dr BILLARD (Newland): I wish to speak in favour of the Bill, both as the member for Newland and as current

Chairman of that committee. I am rather surprised by some of the comments made by the speaker who has just resumed his seat. In fact, his comments tie in well with some prognostications which were made in the press earlier this week when the question was raised as to whether members of Parliament would really have the tenacity to stick with a proposal to discontinue a committee which no longer had a reason to exist, at least the same reason for which it was started, where it would directly disadvantage members of Parliament as far as their remuneration was concerned.

This new suggestion made by the member for Baudin gives some meaning to the comments in the media earlier this week. I shall give my comments and feelings on his suggestion that the committee should not discontinue but simply change its nature. He himself made the comment that such a suggestion would be untidy. The role he suggests for this committee is not altogether dissimilar from the role of advisory committees to Ministers. The difference now is that it would be, in effect, an advisory committee to the Parliament rather than to the Minister. I foresee that if we could justify setting up an advisory committee to the Parliament on this subject we could also justify setting up an advisory committee to the Parliament on any of at least a dozen other subjects which are all very important to our State, such as education standards, water resources, the Murray River, litter or any other subject.

The honourable member's argument has not been clearly delineated. He has not established why we should set up such a standing committee in this case on this subject rather than on a number of other subjects, and I think that the timing is rather too fortuitous. I would oppose any such move. If the Parliament at some stage in the future wants to set up a committee on any subject, it should argue the merits separately in an isolated environment and not simply seek to use the opportunity of the discontinuance of an existing committee to ensure that members continue to receive some small pay for serving on a committee.

I believe that the repeal of this Act is a good example of what this Government is all about. It is an example of good management and, in the best tradition of good managers, good management starts at home. I have no hesitation in supporting the Bill, even though I will lose money if it passes.

Some members may choose to give away half their salary increase for six months, but others of us who do not pursue such lines nevertheless can take the opportunity to show that, when the occasion arises, we do exercise some degree of responsibility.

The committee was established in 1944, assent being given to the original Bill on 14 December of that year. The committee had a very heavy work load during the first years of its operation. The Land Settlement Act, which established the committee, was modified 17 times throughout its history. From 1948 to 1978, amendments were moved. But, as I have indicated, the work load has declined drastically. I have researched the way in which the work load came before the committee: 44 reports of the committee were produced between 1945 and 1949 and, of those 44, 18 were in the first year, 1945.

In the following five years from 1950 to 1954, there were 16 references to the committee; in the following five years from 1955 to 1959, there were 12 references; from 1960 to 1964 there were three references; from 1965 to 1969 there were three references; there was one reference in 1971-72; and the final formal reference, in 1975, produced a report on Kangaroo Island soldier settlement land in 1976.

One can see that from a quite heavy work load in the early years, the land settlement aspect has dwindled away to almost nothing. That does not mean that the committee has been doing absolutely nothing; the committee has responsibilities under the Rural Advances Guarantee Act. Those references have continued on an irregular basis to the present time. The nature of the committee's work load is such that it has not required formal meetings.

When I was appointed as Chairman of the committee, I saw my first task as researching the role of the committee and trying to estimate its future work load. In the course of that research, I discussed the situation with many departmental officers in the Department of Lands and in the Department of Agriculture who were qualified and experienced in the previous operation of the committee, as a result of which I suggested to the Minister that consideration should be given to discontinuing this committee if it does not have a significant work load to perform. I believe that that is the appropriate action.

If we are to be responsible in cutting back (as has been suggested) on a number of statutory authorities that have long since ceased to perform a significant task, we must also follow through in areas where we are directly involved and where we get some remuneration for service on such a committee. Regarding the future options, it was suggested in the second reading explanation that the work that was previously carried out under the Rural Advances Guarantee Act can be handled appropriately by the Industries Development Committee, which suggestion I accept.

May I say in conclusion that I believe that the committee has had a noble history in South Australia. The fact that its usefulness has now almost come to an end in no way diminishes the role that that committee has had in the history of South Australia. Although the member for Baudin raised a question about some of the settlements that were made immediately after the Second World War, nevertheless the great majority of those settlements that were made through the good offices of the committee have benefited South Australians. A great many South Australians can be grateful for the operations of the Land Settlement Act and the land settlement schemes. I believe that it is far better that the committee go out with its head held high in a noble fashion rather than linger around forever and gather another reputation.

Mr HEMMINGS (Napier): I did not intend originally to participate in this debate but, after listening to the contribution by the member for Newland, I felt I had to make a few corrections to what he said. The member for Baudin, in his opening remarks, stated that he had never been a member of the Land Settlement Committee and, therefore, could speak on the motion with no vested interest. As a current member, possibly until a quarter to five tonight, I do not speak because of a vested interest but because of what the Land Settlement Committee has done in the past.

The Hon. W. E. Chapman: Do you regard yourself as being experienced?

Mr HEMMINGS: I speak as one who is experienced, and I will pay a tribute to the Minister of Agriculture in a few moments, so I suggest that he remain very quiet. I believe that the Minister of Agriculture, when he was a member of the Land Settlement Committee, performed in a manner which reflected exactly what the Land Settlement Committee was all about. The member for Newland, the current Chairman, has suddenly, with all his research, become very expert on what the Land Settlement Committee is all about. He cited the number of times that the committee has met, what it has had to talk about, its references, and so on.

However, I believe that the member for Newland is not really aware of what the Land Settlement Committee has been doing possibly since the early 1970s. I recall at the change of Government, when we met for the first time, it was thought by Government members that that committee was a waste of time. The Chairman had invited a member

of the Department of Lands to explain exactly what the committee was all about, and subsequently advice was received. I believe that the member for Mallee moved that, in effect, the committee be wound up.

Members interjecting:

Mr HEMMINGS: Yes, he did, and the minutes will prove me right. Opposition members, not because they wanted to retain their $600 a year, stated that it was the Government's responsibility to decide whether or not the Land Settlement Committee should continue, and that was the correct decision. The matter went back to the Government and, obviously, our current Chairman, the member for Newland, has convinced the Government that the committee is no longer a viable proposition, that it is a cumbersome organisation, and that it does not really do anything but give some members of Parliament $600 a year.

However, the member for Newland is not really aware of what the committee has done in the past. There was the exercise on Kangaroo Island, and I now pay a tribute to the Minister of Agriculture for trying to unravel the mess that was experienced on Kangaroo Island. The member for Baudin said previously that the soldier settlement was not really a good idea, but that is not what we are talking about this afternoon.

The Hon. P. B. Arnold: I don't think he meant that at all. He said that certain—

Mr HEMMINGS: The Minister will have his chance when he replies. Every time that the Land Settlement Committee has met since I have been a member (and members opposite can be frivolous if they like), it has involved a case where the State Bank intended to foreclose on a person, especially in the Riverland. The Minister of Agriculture will bear me out, and that is how the Land Settlement Committee gave people another chance. Usually that person came good.

The Hon. W. E. Chapman: That is the important thing.

Mr HEMMINGS: That is right. We are told in the second reading explanation that the Rural Advances Guarantee Act will cover those problems. Will that be the case? I do not think that it will be. I do not think there is the expertise, or groundwork undertaken by the Lands Settlement Committee. In many cases, the committee, when the Labor Government was in office, bent over backwards. In one case, a gentleman who could not pay his mortgage was in the Royal Adelaide Hospital, and, on the advice of the Minister of Agriculture (who was just a member of the committee), we interviewed that gentleman in the hospital and gave him a second chance. In another case, a widow was struggling to meet her debts. Her husband had died in unfortunate circumstances. The State Bank was advising that we should agree to winding up the mortgage. The committee dug its heels in and said that that lady should have a second chance. As far as I know, she succeeded.

Now, our clinical Chairman, the person who at the first meeting decided that it was a waste of time and it was a part of the Government's sunset legislation to get rid of all these committees which were not worth while—

An honourable member: And all the perks.

Mr HEMMINGS: All right, all the persons involved—six hundred lousy dollars a year. I will be perfectly prepared to serve on that committee, or any subsequent committee that my colleague the member for Baudin has suggested, in an unpaid honorary position because that is not what the Lands Settlement Committee is all about. It is not fifty lousy dollars a month; it is looking after people who are making their living in the Riverland and on Kangaroo Island. Our current Chairman, in his clinical and scientific way, says that it is a waste of time, that there has only been so much research over the last 20 years, and that that justifies the winding down of the committee. If he is saying that I am defending that committee merely because I am getting $600 a year, he is a hypocrite and he insults my intelligence.

I can survive quite easily on my Parliamentary salary; I do not need that $50 a month. I will not be hypocritical like the member for Mitcham, and say that I will donate it to charity, but I will serve in an honorary position. That committee needs to be there, to look after those people, because the State Bank does not view people's personal experiences and personal difficulties in the way that the Land Settlement Committee did.

I am proud to say that, in the time that I have served from 1977 until this Government winds down that committee, I, along with my colleagues, helped quite a number of people who were being faced with closure by the State Bank. I did not do it for $50 a month; I did it because I was a member of this Parliament. I hope that our clinical Chairman understands that, although I very much doubt it.

There is a lot of value in what the member for Baudin says. Perhaps if the Government heeds the point that he has made—and to appease our little friends opposite who believe that good management should be a part of good housekeeping—I think the Opposition would support that committee and would hold office in an honorary capacity and not on $50 a month or $600 a year. We do not mind that. We are perfectly aware that the Government needs to save money. It is squandering money elsewhere, so we realise that we all need to make our contribution.

I am saying that the Land Settlement Committee has worked, but not in the least way as it was portrayed by the member for Newland, who came in on the first meeting and wanted to wind the thing up completely—the person who had to have someone from the Department of Lands come and explain exactly what the committee did and who obviously had the Department of Lands research all the information that he has given to the House. I am going back now from my own experience—

The Hon. W. E. Chapman: Don't be too unfair. Every previous Chairman of that committee has consulted with the officers of the department.

Mr HEMMINGS: Of course, but no previous Chairman has come into his first meeting and suggested that we wind up the committee without finding out exactly what the committee does.

The Hon. R. G. Payne interjecting:

Mr HEMMINGS: That is right. I would like to say, in a tribute to the previous Chairman, the member for Whyalla, that he worked very well with the members of the previous committee, and there was no animosity and no Party politics in that at all.

Mr Randall interjecting:

Mr HEMMINGS: Yes, we have already had those statistics. We did meet very rarely, but that is not the point, because when we did meet we discussed the problems that were facing those people. The only time that the Land Settlement Committee met, in my experience, after the Kangaroo Island incident, which resulted in a fiasco, I must say, was that—

The Hon. W. E. Chapman: Resolved a fiasco, not resulted in one.

Mr HEMMINGS: It resulted in a fiasco. Every time we met we helped people, and there was not one instance where we overturned a recommendation from the State Bank or the Department of Lands which resulted in the failure of a person who was working a block in the Riverland or on Kangaroo Island. That is a pretty good record. That was not just in my term: that was the case in the previous committees before I entered this Parliament.

Our current Chairman, who is very new, has come in since 1979. Since then, we may have had three or four meetings, which could add ammunition to the suggestion that we should abolish this committee. I have yet to know where the Chairman has called a meeting. He has been prepared to let someone from the Parliamentary office circularise the members and say, 'What do you think?' Only once has he called a meeting, yet he stands up here and gives all the statistics, says that this committee is too cumbersome, that it is not worth while, and that its abolition will result in the Government's saving money. What saving is involved? The sum is roughly $5 500. That is going to be very good, and our worthy Treasurer will pat him on the back and possibly promote him to the Ministry over the Minister of Education because he saved the Government $5 500. However, he has never called one meeting, apart from that which he called when the officer from the Department of Lands came in to tell him what the Land Settlement Committee did.

One should compare that with the performance of the previous Chairman, who, immediately upon being informed that there were problems with some soldier settlers, called a committee meeting. The Minister of Agriculture looks up, but that is true. Every time that there was a problem, a committee meeting was called and the problem resolved. However, since 1979 we have had only the initial meeting and one meeting called by the Chairman, and that was the meeting to inform us of exactly what we had to do.

We now have the chief spokesman for the Government, apart from the Minister, telling us that this committee is no longer necessary, that it will result in savings to the Government of $5 500, and that seven of us will no longer receive that princely sum of $50 a month. It is on those grounds that the member justified disbanding the committee. With regard to future problems of soldier settlers on Kangaroo Island or in the Riverland who may be faced with closure by the State Bank, if there is no Parliamentary body to look sympathetically at such problems, that will be on the shoulders of the member for Newland, because he has championed the cause to wind down this committee.

The Opposition offers the alternative, that is, to embrace the whole problem of land resource management. It is in the hands of the Government whether it wants to take up that challenge. As I say, I would be perfectly prepared, if my Parliamentary colleagues wish to elect me to this new committee, to serve in an honorary capacity. I think that a lot of people in rural areas of South Australia will rue the day that the Land Settlement Committee finishes.

The Hon. P. B. ARNOLD (Minister of Lands): I have been interested in the wide-ranging comments made, particularly by the member for Napier and also by the member for Baudin. As far as Parliamentary machinery is concerned, the committee's largest responsibility since the development of land settlement in South Australia has been completed has been the handling of references to it under the Rural Advances Guarantee Act. Members should take note of what was said during the second reading explanation of this Bill. It stated quite clearly that the responsibility for the Rural Advances Guarantee Act will be transferred to the Industries Development Committee.

At the moment we have two committees in Parliament quite capable of doing exactly the same job, and the work load is not what one would call very great as far as the Land Settlement Committee is concerned. The Government believes that the current responsibilities of the Land Settlement Committee can be very adequately handled by the Industries Development Committee. Any references or approaches that a settler wishes to make in the future can be made to that committee. In no way is it cutting off from settlers the opportunity to make an approach to the committee.

I refer to some of the comments made by the member for Baudin. Although I do not think they come within the scope of this Bill, I will refer to them, his having raised them. First, the honourable member referred to a dilemma in relation to the Marginal Lands Act and the Government's decision to repeal that legislation once the necessary legislative arrangements have been made to protect South Australia's marginal lands. I must point out for the benefit of the member for Baudin that in fact only approximately 10 per cent of the land in South Australia that should be classified and considered under the Marginal Lands Act is controlled by that piece of legislation; 90 per cent of South Australia's marginal lands is controlled under the Crown Lands Act, completely controlled by the provisions of that Act.

The Hon. J. D. Corcoran: And the Pastoral Act.

The Hon. P. B. ARNOLD: Marginal lands are controlled under the Crown Lands Act. With regard to that 90 per cent of marginal land in South Australia that does not currently have protection of the Marginal Lands Act the action that the Government will take in due course will extend many of the management measures currently contained within the Marginal Lands Act to other legislation, which will give a wider protection to the total marginal lands of South Australia. At the moment that piece of legislation covers only 10 per cent of land that should be properly considered or regarded as marginal lands in South Australia.

The honourable member mentioned South-Eastern drainage, the Coorong and the tie-up between the drainage of the South-East and the effects on the Coorong. Extensive reports and research findings are available at the E. & W.S., of which I am quite sure the member for Hartley is aware, and which I am quite happy to make available to the member for Baudin. Over a period of years the E. & W.S. has made extensive studies of this area, and it has found little evidence that the actual drainage of the South-East has any influence whatsoever on the Coorong. I am more than happy to make those documents, which will clarify that matter, available to the honourable member.

I think it is somewhat a misconception of many people in South Australia that the drainage of the South-East has had a drastic effect on the Coorong. There are certainly arguments to suggest that in many instances the water table in the South-East has been affected by the level of drainage there, and that is why there has been a programme within the E. & W.S. to construct a series of weirs on the major drains in the South-East in an endeavour to prove one way or the other whether increasing the level of water in the main drains will have the effect of retaining a higher water table within the South-East, with particular effect on specific crops that are now being produced in that area. That work is proceeding, and a significant amount of money is allocated each year to the South-Eastern Drainage Board for capital works in the form of variable adjustable weirs that can control the height of the water. It is hoped that that will have the effect of controlling the level of groundwater in the South-East.

That work is well under way. I think it is a programme which is receiving widespread support from farmers in the South-East and which will do quite a bit in the long term to control what could be regarded in some areas in the South-East as over-drainage. From an environmental point of view, the member for Baudin might be interested to know that I created a committee in the South-East (the South-East Wet Lands Committee) to examine the possibility of re-establishing and recreating certain areas in the South-East and to return them to their former wet land status.

This committee will make recommendations to me as a result of its studies and consultations with landowners in the South-East. I have been concerned for a long time that much of the wildlife and water fowl habitat in the South-East has disappeared as a result of the draining of the area. I believe that, in certain instances, the committee will be able to make recommendations to me about where it is possible to recreate some of the former wet lands without necessarily upsetting the activities of primary production in the area.

This approach has been well borne out in the United States, where migratory water fowl come from Canada to the breeding grounds through the States, and return after the breeding season. The damage and loss of species in that country as a result of overdevelopment of farm land and the loss of natural water environment and natural habitat did far more to destroy and reduce many of the water fowl species than did hunting.

Organisations in the United States have raised significant sums of money to buy back some of the former wet lands, presently farm lands, to hand them back to the Government for the recreation of wet lands to try to create that cycle. Basically, on a small scale that is what we are endeavouring to do through the Wet Lands Committee in the South-East, chaired by the Chairman of the South-Eastern Drainage Board.

That board has a very real input with the additional role given to certain members of the board through the Wet Lands Committee, and I think those people are in the right position, because they are managing the drainage of the South-East. They are in close contact with what is going on in the area with the landholders, and I believe the committee will be in a position to make recommendations shortly as to the likely areas to be redeveloped as wet lands for the benefit of wildlife, particularly in the South-East. Some of the migratory birds—the Japanese snipe, for example—are under a certain amount of threat in the South-East, more because of the loss of habitat than for any other reason.

The member for Baudin has put forward a proposal that amounts virtually to trying to find a job for the Land Settlement Committee that it does not have except as a matter of history and time, but I do not consider that that is well founded at this stage. If a committee, as suggested by the honourable member, is to be created in future, then it must be created as a result of much close consideration. The creation, for instance, of the Public Accounts Committee was considered by Parliament for a long time before the committee was eventually established.

The Hon. D. J. Hopgood: It was a hardy annual.

The Hon. P. B. ARNOLD: That is right, and much consideration went into it. To suggest at this stage that we should be looking to amend a Bill of this nature to give the committee a totally new role is a very poor way of approaching the matter. I commend the Bill to the House. I assure honourable members that the Rural Finance Guarantee Act will be considered and dealt with in the same way as has been the case with the Land Settlement Committee in the past. I am sure that the farmers concerned will receive from the Industries Development Committee the same good treatment as they have received in the past from the Land Settlement Committee.

The House divided on the second reading:

Ayes (22)—Mrs Adamson, Messrs Allison, P. B. Arnold (teller), Ashenden, Billard, Blacker, D. C. Brown, Chapman, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (19)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood (teller), Keneally, Langley, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pairs—Ayes—Messrs Becker and Evans. Noes—Messrs McRae and O'Neill.

Majority of 3 for the Ayes.

Second reading thus carried.

Bill read a third time and passed.

LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT AMENDMENT BILL

In Committee.

(Continued from 9 February. Page 2706.)

Clause 2 passed.

Clause 3—'Definitions.'

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

Page 2, after line 15—Insert subparagraphs as follows:

(vi) roadworks, railways, airfields or other works intended to facilitate the carriage or movement of persons, animals or goods;

(vii) breakwaters, docks, jetties, piers, wharves or works for the improvement or alteration of any harbour, river or watercourse for the purposes of navigation;

(viii) drilling rigs or gas holders;

(ix) pipelines or works for the drainage or irrigation of lands;

(x) navigational lights, beacons or markers;

(xi) works for the storage of liquids other than water, or for the storage of gases;

(xii) works for transmission of electricity or wireless or telegraphic communications;

I said originally in the second reading debate that the Opposition did not have any great quarrel with this legislation and that I would be moving amendments although generally supporting the Minister's amendments. It has been put to me that the definitions and the application of the definitions will be weakened greatly by the removal of a section on employers. I believe the only solution to this will be to reinsert my amendment, which I believe will ensure that the coverage that is now given to workers in certain industries will be maintained.

I suppose it can be argued that there have been few, if any, occasions where it has been necessary to use all of the particular prescribed industries, but, with new industries such as Stony Point and others starting up in South Australia, it may be that some people would be jeopardised from receiving long service leave. I do not believe that that is the Government's intention and it is certainly not my intention. I want to ensure, if anything, that these amendments mean that more workers are qualified, not fewer. I think the Minister is in agreement with what I am saying. He may not agree with the way we have framed our amendment but I believe this is at least a starting and discussion point.

The Hon. D. C. BROWN: I mentioned during the second reading debate that considerable consultation had taken place between all the parties involved in this Bill. Those negotiations took place last year and they proceeded for almost 12 months. I appreciate the way the parties have co-operated. Yesterday morning the secretary of the United Trades and Labor Council (Mr Gregory) came to seem me because a couple of matters had come up late and this was one of them. I do not criticise him for that, because in legislation like this matters do come up. A Bill can be gone through three or four times and it can be thought that all matters have been covered, yet some matters will still have to be discussed.

Mr Gregory asked the Government to look at about four amendments. Late last night we went through the amendments and that is why we did not proceed with the Committee stage last night but deferred it until today. Because

of the complex nature and the number of these amendments, the Government is not in a position today to give a reply to the proposals put forward by Mr Gregory.

I would like to stress that we have not consulted with all the other parties on the proposed amendments and it would be quite wrong for the Government, having received a submission from one party, to accept that submission without further consultation. Because of that, the Government is going to oppose, in this Chamber, all the proposed amendments as put forward by the United Trades and Labor Council. I telephoned Mr Gregory earlier today and told him that the Government would require the next few days to hold those negotiations with the other parties and that, if we are in agreement with the amendments, we will move them in another place when this Bill is debated there.

In opposing these amendments (and from what I can see the amendments put forward by the Deputy Leader are in fact the same as those proposed to me yesterday by the Secretary of the United Trades and Labor Council) we do so on the basis that the Government is considering them. We require at least three or four days to consider them and we will give our response to them in another place. Because we are opposing them here does not necessarily mean that we are not going to move them in another place or that we are opposed to them.

I do believe, in the interests of consultation and in the interests of all the other parties involved, that it is only reasonable, before the Government agrees to anything, that it have further discussions, particularly as some of the amendments, particularly this one, are fundamental amendments that affect the whole scope of the legislation and the type of employer brought in under it. I stress that we are going to oppose all the Deputy Leader's amendments that I have seen because of that inability at this stage to determine exactly the Government's stand, although already we have had some consultations with other parties.

Amendment negatived.

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

Page 2, lines 34 to 39—Leave out 'or' and paragraph (i).

I want to delete the present provision that has been reinserted into the amendments. The clause really affects an employee who works for an employer whose full-time occupation or calling is not that of the building industry employer. The current situation is that the employer may have as his main source of business a cleaning contract or some other industry of that kind. He then decides to launch into the building industry, and his employees find that if they continue working in the building industry after leaving that employer they are entitled to receive the benefit of long service leave. However, in cases where an employee does not actively follow the building industry, he does not get credit for it.

I have been told that this has occurred, thus depriving members of a continuing credit for long service leave. This seems wrong. If the employer is actively engaged in the building industry, it is only proper that the employee should have the right to continue the service. This was inserted when I was Minister, so I am as responsible as anyone else for it, I suppose. As the Minister pointed out in his second reading speech, it takes some time to find difficulties and anomalies, and it has been put to me that this is an anomaly.

I thank the Minister for his warning at this stage that the amendments will be opposed but that he is closely examining all the matters I will raise. He is right in saying that they are consistent with matters that Bob Gregory has put to him. This will be useful in further debate in the Legislative Council. I do not mistrust the Minister in any circumstances. He may or may not accept all these amendments. I still think it important that we move these amendments at this stage to show where we stand, and so that they can go before the Legislative Council.

The Hon. D. C. BROWN: I am pleased that the honourable member is to move the amendments here, because it will give me a chance to comment on one or two. This amendment, particularly, is one that I would like to comment on. The member should go away and rethink his stand on this. If this amendment was passed, we understand that every single employer in this State that employed any carpenter, builder's labourer, bricklayer or whatever, would be brought under this legislation, so, there would be an incredible situation of, say, Myers employing a maintenance carpenter or carpenter to do a certain amount of work in the shop front, or a fitter, or something like that, and they might have only two or three building type trades in a staff of 3 000 to 4 000 people. That entire company, with all its staff, would be brought under this legislation. I do not think that that is the honourable member's intention, but that is our reading and legal assessment of the problem in deleting the words 'or' and paragraph (i).

We are talking here of exclusions, because earlier it says, 'but does not include'. Therefore, I am sure the honourable member appreciates that, if Myers had one maintenance carpenter, all of the staff of Myers would be brought under this legislation. In that case, one would find that, instead of just covering building trades, which might cover 5 per cent of this State's work force, suddenly, one is covering 70 to 80 per cent of the work force. I do not think that that has ever been the intention of this legislation. It would be unfortunate, because many of those other people are satisfactorily covered by the present Long Service Leave Act.

There are certain benefits there that they perhaps do not get here, and I am sure that they would not want to be brought under this Act in the same way as it was agreed by the United Trades and Labor Council that it did not want Government employees brought under this Act. For that reason, we oppose the amendment. The intent of the first amendment can be achieved partly without even pursuing the second proposed amendment. Whereas the first amendment touches on certain classes of work, the second amendment is a broader net over the whole of the State's work force, which would destroy the whole intent of the legislation.

The Hon. J. D. WRIGHT: I thank the Minister for his advice. He obviously has had the opportunity to get legal input, which I do not have these days. The Minister is perfectly correct. It was not my intention to cast the net as widely as that, but simply as I put it to prevent people from being disadvantaged when working for an employer whose main industry was not the building industry. I will continue with this amendment and seek advice over the weekend while the Minister considers amendments that will go before the Legislative Council.

Amendment negatived.

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

Page 3, line 7—Leave out 'base'.

It has been put to me that leaving out the base rate there could mean that an employee would not receive benefits of receiving his long service leave and the extra remuneration that building workers particularly receive. Most of us would be aware that the building industry has a fully-paid rates award, which means that almost all components, as I understand, are embodied into the fully-paid rates amount, which would be the highest rate being received by the employee, whereas if the word 'base' is left in it could be interpreted, and in all probability would be, as the actual base rate without any extras that the employee would be normally entitled to receive for most of his working week. The effect

of the amendment is to ensure that any employee taking long service leave in these circumstances is not deprived of his ordinary weekly earnings.

The Hon. D. C. BROWN: Again, this is one of those amendments that the Government would like to look at as a package. There is some terminology here that needs to be cleaned up. It has never been the intention to come back to what would be called the base rate of pay and exclude what traditionally has been a special allowance or over-award payment for the building industry. I think there is a building industry special allowance of about $40 a week, which is basically an over-award payment and a fundamental part of their pay.

It is intended here to exclude what we would describe as those special payments connected with a site and a particular job, such as the overtime part, which has never been paid, and any special site allowances. At present, a site allowance may be awarded by the Industrial Commission for a particular site because it is classed as dangerous or muddy or has particularly adverse conditions for a construction site.

It is not intended to include that provision, but it has always been the intention to pay what is called the normal pay for the week. We would like to have time to consider appropriate wording for the amendment. The amendment proposed by the honourable member states 'the weekly rate of pay for ordinary hours prescribed by award . . .' I do not believe that that would be acceptable, because special site allowances may be included that are not paid at present under the Act but are prescribed under the award. I understand that the Industrial Commission, as part of a variation to the award, may grant a special site allowance in regard to a particular site or because of a certain reason. We will consider appropriate wording. I believe that there was general understanding of this matter, and I have discussed with Mr Gregory what is currently paid. I understand that we intend to maintain that.

Amendment negatived.

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

Page 3, lines 30 and 31—Leave out paragraph *(g)*.

I understand this amendment is consequential on the previous amendment.

The Hon. D. C. BROWN: We will oppose this amendment, but again I put it in the same package as previously. The amendment strikes out paragraph *(g)*. That is part of the amendment we were considering previously. I stress that we may have to consider the type of work that will be involved. It is extremely difficult (and I believe that the Deputy Leader of the Opposition realises that, because he chaired a Select Committee on this Act when it was first introduced) to draw a line around the people involved and the trades and groups of people that should be included without dragging in other outside groups. We will have real trouble in being quite specific. Until now the board has used its discretion, at times, I believe, beyond the power of the Act, in trying to work out whether or not an employer should be involved or whether or not an employee should receive the benefits of this Act. We will oppose the amendment here, but we will consider other ways of defining particular people.

The Hon. J. D. WRIGHT: This amendment has been put to me quite strongly by the building trade unions regarding the bridge and wharf carpenters, particularly in regard to the Stony Point venture. In that case, there may be a demand for these classifications. I do not have the facilities at my disposal to see what the classifications will be. However, if what has been put is the case, quite obviously I do not believe that anyone here would want to deprive of the benefits anyone who is so classified. I would have thought that the attitude that should be taken would be quite simple; that is, it is very easy to provide a useful coverage to people rather than delete something merely because to this stage a certain provision has not been used. The amendment seeks to take out a line in a Bill, and certainly that would not worry anyone very much.

I believe it is incumbent on us to assure workers in industry who may be involved in the calling. The calling may not be used, but I believe that the facility should be there at all times, particularly in the light of the fact that the Stony Point operation is to commence in the very near future and it is believed by those people who work in the industry that both of these classifications will certainly be required. I am cognisant of the fact that the Minister is opposing the amendment and will look at the matter over the weekend.

Amendment negatived.

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

Page 3, lines 40 to 46—Leave out subsection (3).

The Hon. D. C. BROWN: It is appropriate that I read out subsection (3), as follows:

(3) For the purposes of this Act, in determining whether particular activities are subsidiary to other activities, regard shall be had to the number of persons engaged exclusively in the firstmentioned activities and to the number of persons engaged in the other activities (disregarding in both cases persons who are engaged wholly or principally in work of an administrative or clerical nature).

If we delete this and the other provision, it quite clearly spells out that we are including clerks as well. I highlight to the Deputy Leader that it is even worse, because at present, within the building companies, office staff are excluded from this Act. As the Deputy Leader would appreciate, that has always been the case and the intention. With his amendment he will be bringing clerks and the office staff of building companies under the ambit of this Act. I do not think that that is his intention. It is a much more difficult amendment than just a matter of saying 'Yes' or 'No', because there are so many consequential effects. We will be carefully looking at those effects, including this one. We oppose it at this stage.

Amendment negatived; clause passed.

Clauses 4 to 6 passed.

Clause 7—'Loans for approved purposes.'

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

Page 4, lines 7 to 14—Leave out section 17a and insert section as follows:

17a. (1) The board may, with the approval of the Minister and Treasurer, lend moneys forming part of the fund to an industrial organisation for the purpose of establishing or operating any group training scheme for the building industry approved by the Industrial and Commercial Training Commission.

(2) A loan under subsection (1) shall be subject to such terms and conditions as the Minister and the Treasurer think appropriate and may be made free of interest.

This is the point that I raised last night; it was covered by the Deputy Leader of the Opposition in his second reading explanation. I explained to him the reason why this amendment is being made; I agreed with the point that he raised, which was rather general and broad and should be tightened up. I stress again that what we are looking at here specifically is the group apprenticeship training scheme, which is to the benefit of the entire industry and which both the trade unions involved and the employers in the industry fully support.

The people involved are not linked with a specific company: they train throughout the industry. We are trying to broaden the scope of that group apprenticeship training scheme so that it may include other special trades. For example, the Master Plumbers Association has requested some form of group apprenticeship training scheme. I think I am also right in saying that the Electrical Contractors Association has requested it, as well as other specialist

contractors in the building industry. Last year some 90 first-year apprentices were taken up under the M.B.A. group apprenticeship training scheme. We need to be a little careful that we do not set up a myriad of group apprenticeship training schemes which are not carefully monitored and supported by the State Government and the Federal Government.

For those who do not realise it, group apprenticeship training schemes can receive from the State Government a subsidy of up to, I think, $25 000 a year cash grant per 100 apprentices and an equal cash grant from the Commonwealth Government. That specifically is to cover the administrative costs of that group apprenticeship scheme. What I would like to see is the M.B.A. scheme broadened to include some of those specialist subcontractors who have also requested to set up a group apprenticeship scheme. To make sure that the scheme is viable and to cover the very substantial costs of running such a scheme, the Government has made a loan of $100 000 interest free available to the M.B.A. for that scheme.

We have made it interest free because, even though it is being administered by the M.B.A., it is a scheme for the benefit of the entire industry. The money has been made available so that they have a pool of funds from which to pay the apprentices. The big problem with the group apprenticeship training scheme is that they are paid and, if you like, employed by the M.B.A. under an indenture, they are lent out to a range of different companies, and those companies pay the M.B.A. the salaries at the end of their period. It might be on a fortnightly basis. What you need is funds available to the M.B.A. to pay those lads before they have received the appropriate moneys from the employers.

You certainly cannot put the lads in the position of waiting until the money comes through from the employer or the M.B.A. and is then passed on to them, because normally they do not get paid for several weeks. It is for that reason that we have made the $100 000 available, and so it is, if you like, working capital to cover the immediate wage costs for these apprentices. What we are proposing, and what the old board agreed to, is that a sum of money (in terms of the total funds, a very small sum) should be made available interest free to cover the immediate wages of those lads and is therefore working capital.

I stress that it must have the approval of the Industrial and Commercial Training Commission. I think it needs to be a recognised training scheme. I have put in 'group scheme', because we are not looking at training people for the M.B.A., the A.F.C.C. or any particular trade union; it is a group scheme for the benefit of the entire industry. I want to stress that, because I would not support setting up specialist training schemes where the funds of this board under this Act should go to help just one part of the industry and not the entire building and construction industry. I think that it would be an abuse of the funds if that was done to help just one or two sections of the industry.

There is hardly an employer in the industry that could not now benefit from our group apprenticeship training scheme once it is somewhat modified to cover the specialist subcontractors. I think that one can truly say that every employee and every trade union and building company, whether it be a master builder or a specialist subcontractor, has the potential to equally share in this group apprenticeship training scheme, and is there as a result of that entire industry.

This amendment is fairly necessary. It gives the safeguards we are looking for. Also, I think it is appropriate that there be approval of the Treasurer. After all, the Treasurer must approve the placement of funds for investment from the rest of the fund. I also bring to the attention of the House the fairly sizeable amounts of money in that fund at present. Over $7 000 000 has been accumulating in the fund.

The Hon. J. D. Wright: It must have accumulated very quickly since you gave your second reading explanation. It was $6 500 000.

The Hon. D. C. BROWN: I think it is now over $7 000 000. I gave the second reading explanation last year, and I tabled (I hope the honourable member had a chance to look at it) the actuarial assessment of the status of that fund. I urge any person interested in how the scheme is administered to look at that actuarial assessment. The original legislation required an assessment every three years; this is the first one that I have tabled in Parliament, as I am required to do. It gives a clear indication that we are accumulating funds faster than we are likely to use them. The importance of that is that this Act affects the rate at which there will be accumulation, because employers in the future will be paying their contribution (I think it is 2½ per cent) based on the award pay, which does not include overtime. Therefore, the contributions from employers will be marginally reduced as a result of that. I urge the House to support this amendment.

The Hon. J. D. WRIGHT: I am delighted that the Minister has taken notice of my complaint about the broadness of the original proposition, and particularly concerning the use of the term 'any person', which, as I said during my second reading speech, I objected to. I now find no objection at all to the clause. It spells out clearly that the board 'may' grant a loan; it does not have to do so. I suppose that the board can initiate on its own behalf the training authority, the commercial training commission. It must go to an industrial organisation. It is to be controlled by the Minister and the Treasurer and it is specifically for the purpose of group training.

Therefore, I believe that all the protections that I would want are there. I would be the last person to object to any form of training; I believe that it is essential and that group training in particular has been of tremendous benefit. There is no opposition from the Opposition to the way in which the Bill is now framed. In the first instance the Opposition was opposed because it was so broad. The provision indicates to me that it could go to any person, to which I objected very strongly. I think that the amendment will serve a good purpose in the future.

Amendment carried; clause as amended passed.

Clauses 8 to 12 passed.

Clause 13—'Effective service before commencement of Long Service Leave (Building Industry) Act Amendment Act, 1981.'

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

Page 7, lines 23 to 25—Leave out ', within the period of 12 months after the commencement of the Long Service Leave (Building Industry) Act, Amendment Act, 1981,'.

The purpose of the provision in this clause concerns the restriction of registration to a period of 12 months. That means that, if an employee who for some reason or other is overlooked and not included in the fund by the employer, and that if this situation is not realised within 12 months, such an employee loses whatever practical service he has had in the industry. I cannot come to terms with that; I do not think that it is right. I do not believe that there should be any maximum period of time imposed at all.

If an employer has been neglectful by not paying into the fund on behalf of an employee or employees whom he has working for him, why should an employee be restricted once the provisions of the Act are understood and he goes along to have himself registered, but finds that he can go back only 12 months? That does not seem to me to be a proper course. There should not be any time limit whatsoever;

otherwise an employee may be deprived of what I believe are his inherent rights to receive long service leave.

Surely the provisions of this Bill and the amending Bill, from the experience we have after 5½ years of operation of the Bill, is for the purpose of extending better liberties and privileges to those people working in the industry. It seems to me that if we continue with this 12-monthly period there will be occasions (and I am not prepared to say how many) where the employer will not honour his obligations. I am told by people working in the industry at the moment that quite latterly new employers have been picked up from time to time by the inspectors from within the department, an attempt having been made to dodge their obligations and not pay for those employees. I do not believe that that is a proper course to follow, and I believe that there should be no maximum at all in that area.

The Hon. D. C. BROWN: I will explain the exact way in which this part of the Bill will operate. As at 1 July 1982, using the computer system that is available, we will do a complete assessment of the entitlement of each of the workers who come under this Act. This will involve 4 200 people, all of whom will receive a slip of paper stating that they have so much service, their entitlement for long service leave, and other details. That will be sent out to those people for them to confirm. In other words, it is a complete check. We have the information and believe it to be correct, but it is a final check to ensure that the information about these people on our computer files is correct.

I think that it is responsible action by the Government in terms of making information available. We are not trying to hide anything. Indeed, just the opposite: we are inviting people to tell us whether or not that information is correct. One reason for doing this is that one or two unfortunate instances have occurred, where someone has come along having done his calculations in his head, thinking that he was entitled to long service leave in, say, 1983, only to find when he has come along that his calculations were wrong and that he is not entitled to long service leave until 1984.

To overcome that uncertainty and to help spell out to the workers involved the correct figures we are sending out this information and giving them 12 months within which to come back and tell us whether or not that information is correct. We must do that, we must have a cut off point. Otherwise, we would be open for ever to claims under this section. I think that no-one would want to see a system operating on that basis. The workers involved will have 12 months within which to come back after receiving that written notice and to say whether or not the information is correct. I do not think anyone would dispute that it will not take them 12 months to check that information and send it back. If they do not change it in the first six months, I doubt that there is any chance of their wanting to change it.

A period of even six months would allow someone who had changed his address several times to receive the information and send it back. This is an attempt to upgrade the check, once again, on available information. There have been some problems with the computer programme involved in terms of making sure that it is the most efficient system. I understand that the operators are close to writing a new programme and putting this information into the system.

I also stress the fact that it is fairly expensive to produce a run-off of those 4 200 participants and what their entitlements are. We are trying to minimise the number of occasions on which that list is printed, simply because of the cost involved. Our assessment at this stage is that this amendment is not necessary. We are sending out this information as a favour to the people involved, but we must have some sort of cut-off point from which we can make our assessment.

Amendment negatived; clause passed.

Clause 14 passed.

Clause 15—'Notices issued by board setting out effective service.'

The Hon. D. C. BROWN: I wish to highlight the fact that ordinary pay, which was referred to in an earlier amendment, is picked up in this clause. The Deputy Leader should realise that, as it was a definition, that is the part which could be affected. Ordinary pay does not mean base pay in this clause.

Clause passed.

Remaining clauses (16 to 21) and title passed.

Bill read a third time.

TECHNOLOGY PARK ADELAIDE BILL

Adjourned debate on second reading.

(Continued from 10 December. Page 2633.)

Mr BANNON (Leader of the Opposition): The Opposition will support this project and, in broad terms, will support the Bill. The exact nature of the Opposition's support and the attitude we take will be revealed during the course of the debate. I would like to start the debate on that basis. This is an important project. It has potential, and it is something that I believe is worthy of support on a bipartisan basis. I suppose there is an air of irony about the Opposition's attitude in relation to this project and the way in which the Government is supporting it. For example, as part of a Ministerial statement made today the Minister said in relation to this project and on a more general basis the following:

> Governments have to be prepared to invest in the future development of our economy, otherwise we will be overtaken by change and our economy will stagnate.

Those remarks were made in the course of a comment on the Public Works Standing Committee report which had looked at the economic ramifications of this project. In fact, that report made some findings that could be seen as being critical of the financial basis of the project. The Minister's response was, first, to correct an apparent error of fact in those findings (whether that is actually so or not I am not too clear). In any case, he corrected that. In other words, he put in proportion the statement made by the Public Works Standing Committee.

He went on to explain that this project was not intended to be a revenue-making exercise for the Government, and that such parks were a mechanism to stimulate economic growth and diversification of the economic base. He also said that the benefits to the State could not simply be measured in terms of the return on land sales. Later in his statement he referred to the fact that in the long run we must be prepared to take the risk that some of the development costs might not be recovered because this was an investment in the future of the State. He said that the benefits would be wider than the mere attraction of firms to locate in South Australia.

I agree with that statement as a general guide to the way in which a Government, particularly in a State such as South Australia, which is economically vulnerable and does have a small economic base, must be prepared, on occasion, to show that kind of entrepreneurial approach and be prepared to take a risk with public money in the interests of the public.

The irony comes from remembering the way in which the Minister, in Opposition, approached similar activities by previous Governments. I am quite sure that if those statements were being made and that Public Works Standing Committee report had been delivered on a project of the previous Government, the first person to his feet criticising

and denouncing it would have been the Minister. His record is clear in that respect.

It is a good thing that, faced with the realities of government, he has also come to this perception of the way in which the public sector must, on occasions, mobilise capital and resources for the good of the State. If nothing else good flows from this Technology Park, at least that discovery by the Minister and his preparedness to place that on record is a good thing.

The second aspect that one might call slightly ironic is the way in which this project is to be advanced is by means of a statutory corporation. We have had a barrage of denunciations of statutory corporations, that, according to the Government, they are so often unnecessary or superfluous, that all of them should be reviewed and many of them could be done away with. Again, we are at one on the question of keeping any statutory body or, indeed, Government department or function under review as to its relevance and purpose. I suggest that the attitude of the Liberal Party, both in Opposition and in Government to statutory corporations, in its rhetoric and public statements, has been to suggest that more odium attaches to them than is in fact the case. The fact of life is that, for very many practical reasons, statutory authorities and corporations are the best way of advancing public sector projects or, indeed, projects that involve the combined resources of the public and private sectors, of which this is one such project.

On this general question it will be interesting to take a count. I am sure that the Government was intent on abolishing as many of these statutory corporations as it could. It has found it necessary in the past few weeks to create two more, one by means of this Bill and the other by the establishment of the Parks Community Centre. I hope in a sense that that will help to dispel the general odium in which statutory authorities have been cast by this Government. Again, this is a dose of realism about their important function in public administration and in public and private sector projects.

The Technology Park project is obviously seen by the Government as being very important, and again I would say that the Opposition supports it; it has great potential. It is a project which has been announced on a number of occasions. Going through newspaper files, one would find that last year alone on eight separate occasions the Government announced its plans for Technology Park. I have not been able to track down the initial announcement by the Minister towards the end of 1980, but there was certainly something picked up at the end of January in *Australian Business*, where reference was made to an aspect of Technology Park, that is, the role it could play in the establishment of biotechnology industries in this State.

It was that reference which, amongst other things, prompted my interest in the matter of biotechnology, on which I have had occasion to speak often over the past two years. It is important to note in this respect that Technology Park may be a risk, but its potential may, on the other hand, be absolutely enormous. We have had many announcements stemming usually from the Minister, but the Premier occasionally has got in on the act. He announced it at a dinner on 13 March at the Festival Theatre celebration of the 20th anniversary of Amdel. He said that the Government had plans to set up a technology development estate next to the institute. That had already been announced, but he announced it again.

In April, the Minister unveiled plans to establish the nation's first scientific research institution which would lure high technology industry and boost job opportunities, and that went right through until October 1981, when the Minister announced that the Government would spend $4 000 000 in the next two years establishing the first technology park in South Australia. There has been a big build-up to this whole operation, as well as a number of announcements. Ironies abound. I already referred to two of them at the beginning of my speech, and here is another. The Government claims that it will not announce anything until it is an actual reality, yet it has been announcing and reannouncing this project for a considerable time.

The Hon. D. C. Brown: Which project?

Mr BANNON: The Technology Park estate project. The concept is not new. The idea of industrial estates devoted to high technology industries in close association with universities or research institutes is not unique to South Australia. Certainly, it is a well-known concept in the United States. When I was in Canada last year, I had discussions with the Saskatchewan Economic Development Corporation, which has established an 'innovation place research park' at Saskatoon, linked with the Saskatchewan University. That is a Canadian example.

In his second reading explanation, the Minister gave a number of examples of similar estates. Interestingly, even the brochure produced for Technology Park Adelaide, has some photographs, at least one of which comes from a similar exercise in California. Not only have such estates been established but there are certainly a number of Governments and countries actively looking at them. The success of moves to establish such technology parks in Australia has been much less and, in this respect, it is fair to say that we are getting off the ground ahead of the rest of Australia, which is a good thing.

The high technology estate concept was familiar to the previous Government. In fact, what the Minister has now put before the House is the result of a number of proposals, refined and developed, which were drawn up under the previous Labor Government. In the report of the Public Works Committee, reference is made to the evidence of Professor Sydenham, who had been involved with the beginnings of the technology park concept at New England University in Armidale, New South Wales. He referred to the fact that in the early 1970s (about 1971) the South Australian Institute of Technology proposed to the then Government a similar plan—a research park—but history shows that there was no real perception of the idea then, and the institute went ahead and attempted to formulate something itself.

For various reasons that I have not delved into, the idea at that stage was not taken up by the Government. What Professor Sydenham does not refer to is that, like most ideas, eventually its time did come and, before the previous Government had left office, it was already in receipt of a number of submissions, one in fact from Professor Sydenham prepared in June 1979 and forwarded to the department in July, and that was the embryo of the development that is now before us.

[Sitting suspended from 6 to 7.30 p.m.]

Mr BANNON: Before the adjournment, I referred to the way in which the previous Government had looked at this project and drew the attention of the House to a submission that was made by Professor Sydenham, who is now playing a major role in the development of the Technology Park for the South Australian Institute of Technology. Attention was drawn to a report that was prepared by Professor Sydenham when he was working at the University of New England in Armidale in June 1979. He urged the South Australian Government to establish such a venture. In that context, I said that the time had come for this idea. The proposal had been considered in the past but not really taken up in a major way. However, the previous Government was finally moving in that direction. Of course, that is

another reason why the Opposition is pleased to support the Bill.

At the time of the last election, the Department of Economic Development (as it was then called) had done considerable preliminary work on a proposal for an industrial estate that would be exclusively devoted to high technology industry. Those investigations included the study of a number of overseas facilities by an officer of the department. Things were moving. The then Government saw that this was a project that had to be pursued, and if we had continued in office I am sure that the project would have been given some sort of priority.

I certainly appreciate that the Minister, in introducing this Bill, has advanced the project a lot further down the track. Whether or not his eagerness at times about the project has been to its advantage, I will explore in a moment. There are always two sides to any discussion, and this instance is no exception. It is certainly true that at the time we left office our investigations had not been concluded. We knew that a number of problems associated with the concept and, more particularly, with the site, still had to be worked out. Obviously, in an initiative of this nature the site is of great importance. The fact remains that, when the Minister took over the Department of Economic Development (as it was then restructured), he was able to walk in and pick up the idea. He has certainly given the project priority and has advanced the concept.

I mentioned earlier that, in developing this concept, South Australia is probably in the lead in Australia. I understand, for instance, that the New England project in which Professor Sydenham was involved has not really advanced, despite some interest from the New South Wales Government. Other factors have tended to work against that project. We are certainly fortunate that Professor Sydenham is now living in this State, and that he sees this State as a place in which a concept which he has developed and in which he has been involved can be advanced appropriately.

Up to this point I think it is fair to say that I have not only identified the Opposition with this project but also congratulated the Minister and the Government for taking it up and advancing it. I will now comment on the way in which the Minister has handled negotiations and in particular the way in which he has tried to score points off the Premier. This is part of the underlying tension in the Government's economic development administration between the State development area under the Premier's command and the Department of Trade and Industry under the Minister of Industrial Relations. It has made very apparent that there have been tension and problems in relation to the negotiations on the project.

Indeed, those tensions and that desire of the Minister to take the project on, particularly as his own rather than the Premier's or that of some other section of the Government, could have at times jeopardised the project. It is certainly common knowledge around the Public Service that the negotiations and works surrounding Technology Park have been characterised by squabbles between the Department of Trade and Industry and the Office of State Development. For two years now in the Estimates Committees we have questioned this problem of dual responsibility of the Government.

We have suggested, I believe quite strongly, to the Government that it must co-ordinate the State and economic development functions of the Government. It just is not co-ordinated at the moment. That tension which stems from the Ministerial level obviously filters down to the Public Service itself. It is a great pity that the Government has constantly refused (and I think the Premier obviously, being in charge of administrative arrangements, should take chief responsibility) to face the fact that this is a source of confusion to people outside the Government who are seeking to understand where they are to go or what they are to do. Within the Government it is a source of administrative tension which is not productive to enterprises such as this.

I guess the tension I have described is partly responsible for the way in which the Minister announced the proposed site for the park before the Government had finalised the purchase price from Elders, which owns the land that is the subject of this Bill. The result, not surprisingly, was that Elders was placed in a fairly powerful bargaining position. The clear indication from the Government was that this was where it wanted to put Technology Park. The public commitment that the Minister had made to it obviously increased the company's bargaining power for a price for the land. In the end I would suggest that not only was its asking price way beyond valuation (and no doubt the Government has beaten the company down to some extent during the course of negotiations) but also the actual price obtained has resulted in a very substantial and unjustified profit to the landowners.

As I understand it, currently the land has not yet formally transferred to the Government but the purchase price of $2 400 000 has been agreed—a substantial amount of money for a site of 85 hectares, 30 hectares of which will be developed as a recreation area or park land and 55 hectares of which will be the Technology Park building core—the developed estate. The Public Works Standing Committee has referred to the drainage problems and the fairly substantial amount of money that will need to be spent in that respect. The general cost of developing industrial land, providing the services and infrastructure, becomes quite relevant when one looks at the price paid by the Government for the land. At the moment it is simply undeveloped paddock land. It is land which is currently under section 61 of the Planning Act. Indeed, on the basis of a valuation, a transfer of ownership or a sale while it is still subject to that section, it would be worth about $500 000 and not $2 400 000.

Obviously, with the publication of a supplementary development plan, which of course was generated by this Technology Park proposal, the value of the land increases: indeed, if Elders were to remain in possession and were to develop the land and were to be given the planning permission, if you like, that a supplementary development plan embodies, the company could expect to get a higher price as a developed estate. The company could set a value on it which could be equated with other industrial land in the area. Values rise and fall; it is a little hard to strike a fair or reasonable valuation on that basis; nonetheless, if one looks at the current proposal I think it is still fair to suggest that the Government has paid probably in excess of 100 per cent more than it needed to pay and than the market would have demanded for the land.

Here we come upon another of the ironies I was talking about before the adjournment. There are a number of them in this Bill. If that had occurred under the previous Government there would have been all sorts of criticism and opposition and denunciations of the Government. The facts are that the Government's desire to have this project, particularly the Minister's desire to have this project and therefore to have this land, has resulted in the owners of the land making a very substantial profit indeed. As I understand it, on transfer, the valuation, for rates and taxation purposes (which under the current arrangements will be a market value valuation, and that is quite appropriate), will be about $1 000 000. Indeed, if one looks at comparable land on the other side of Main North Road and around that area, that seems to be a fair sort of valuation. This Government paid $2 400 000 for it, not $1 000 000—a very tidy profit, indeed. Of course, the other

benefit that Elders has enjoyed is that, because of the supplementary development plan and because of the development of the Technology Park estate, other land that the company owns in the surrounding area has obviously increased in value quite substantially. In any other development project one would have thought that that was a fairly strong bargaining point to be used by the purchaser in negotiating a price. In fact, what you are saying to Elders in this situation is, 'You have undeveloped land, rough paddock land, subject to a very restrictive planning clause, which does not allow you to do very much with it. We will take it off your hands. We will not only do that but we will pay you a price which recognises the use to which we are going to be putting this land and further than that by so doing we will be substantially increasing the value of the holdings that you will retain for whatever purpose you wish to use them, whether for your own development purposes or whether you wish to sell them off in an undeveloped state. As part of the project we will be substantially upgrading the whole area. The drainage scheme and various ancillary works that will be part of this Technology Park development will all combine and provide value for your holdings.' That is a pretty good bargaining point to go into with any company or any group. For the Government to be taken to the cleaners, when it holds such high cards in its hat seems to me to be quite extraordinary. The Minister has been unable to negotiate a deal which took all these things into consideration. In his eagerness to get hold of the land he not only abandoned part of the bargaining power by stipulating very early just where the Government wanted to establish this Technology Park, but, in fact, he caved in in the course of negotiations and took a price which was way above the valuation that the land is going to command after the transaction has taken place.

That is quite an extraordinary situation for the Government to be in. If the boot was on the other foot, that would be yet another of the denunciations that this programme and this project would be subject to. Ironically, incidentally, it seems that Cabinet caved in to Elders on the very day that Elders decided to lower its price. My information is that Elders decided that the bargain might not go through if it stuck out for its $2 400 000 and was about to amend its offer to a lower figure when the news came through from Cabinet that the Government was going to pay up. It is really quite an extraordinary saga of incompetence, if you like, which stems from the Cabinet level, and one that makes the remarks about the actual costs of the project made by the Parliamentary Standing Committee on Public Works somewhat more relevant.

Referring to the Bill itself, there is just one area that I think requires some attention, and that is the nature of the holdings that the various participants in the Technology Park will have. Clause 21 provides the Governor with a fairly wide-ranging regulatory power. The provisions allow him to make regulations in relation to construction of buildings, design, siting, landscaping, and so on, all of which we would support as being quite proper; but in paragraph *(h)* of subclause (2) reference is made to the Governor being able to make regulations to—

> . . . prohibit the ownership or occupation by any person of land situated in the Park without the authority of the Corporation.

So, the corporation has a reserve power, if you like, concerning who actually owns land or, indeed, occupies land as part of the Technology Park project. We favour very strongly the concept of a lease power, because a lease, of course, embodies all those things. Why one must have this kind of regulation when, in fact, it could all be overcome by simply giving the corporation the ownership and control of the land, allowing it freedom to lease under what terms and conditions it likes, I do not know. I would have thought those companies that will be interested and that want to establish there could be given the sort of assurance and support to encourage them, without the need to have ownership of the particular piece of land they might be on. The provision seems to me to be against the whole concept of developing the Technology Park under the aegis of a statutory body, to then allow that statutory body in this instance to sell off bits and pieces of that land. Having done that, even though all these controls and all these regulations may apply, there will be problems. There will be problems based on the terms under which the ownership was transferred. If some subsequent development requires a reassessment of that, one is then dealing with someone who has freehold rather than someone with a lease, and that makes the whole transaction very difficult indeed. It seems to me that this cuts right across the concept of the Technology Park. At this stage of proceedings (as distinct from in Committee) the Opposition does not intend to move an amendment. However, the provision really seems anomalous and it might well be something that could be looked at in another place, but I will be interested to hear the Minister's response about this point. I am sure that long-term premium leases would be quite acceptable to industry. They would certainly be consistent with the way in which these developments are handled overseas and would enable the corporation to maintain that overall control that is obviously essential for the proper development of Technology Park. There is a qualification, of course, to the regulatory power, which incidentally, on the face of it, would cut across all the other planning and other legislation that might apply.

The qualification is contained in subclause (3), which provides that regulations made under subsection (2) shall apply in addition to and not in derogation of any other law. That is rather a clumsy way of handling what is really a quite simple problem if it is under a leasehold situation. Once you get rid of leasehold and confer freehold ownership, then obviously you move into a fairly cumbersome regulatory process and you need all sorts of qualifications, checks and balances. All of those things would be unnecessary if the Government had been prepared to accept leasehold. I admit to being puzzled by that clause, the way it is worded, and the decision of the Government that there should be freehold in what is essentially an integrated development.

Having said all that, I conclude by saying that we certainly hope this venture is a success. I have inspected the site and had discussions with the people at the Institute of Technology about the project quite recently. I must admit that their vision and excitement about it can be readily communicated. If that communication extends to other Australians and, indeed, international groups, companies and individuals who are interested in this area of high technology, the whole project is going to be very successful.

There is no doubt that we have many of the natural advantages that such a project demands. There is no doubt that, despite the cost of developing the particular site, it has a number of things in its favour. However, I am critical of the way in which the Government has gone about acquiring the site, the price it has paid for it, and the way it intends to administer it. It is a pity that, in its eagerness to get the project off the ground, some of these very important factors have been overlooked. Also, there is the wastage (and that is all I call it) of about $1 500 000 of public money on the purchase price and that must be added to the findings of the Public Works Committee.

I turn, finally, to the statement made by the Minister that we must be prepared to take some risk, the risk that some of the development costs may not be recovered, because this is an investment in the future of the State. We agree with that. We wish that the investment had been managed a little more carefully by the Government. However, provided

that the right people are appointed to the statutory corporation that is to be established, and provided that that area of enthusiasm and innovative creativity that I have suggested one can pick up when looking at the site and talking about it are maintained, the project will be a success and whatever Government there is in South Australia over the rest of the 1980s will be picking up this project enthusiastically and trying to make a real go of it, because this is one of the ways, one of the paths upon which South Australia must very much go if we are going to ensure our economic viability and the development of our State.

Mr RUSSACK (Goyder): I support this Bill. I would like to congratulate the Government for displaying imagination and outstanding foresight in this matter and for its courage in presenting this proposal for the establishment of a technology park. We do live in a technological age, and this project is unique in Australia. As the Leader has said, there was an endeavour in New South Wales to establish a project of a similar nature, but it did not come to fruition. However, I am sure that, through the preparation that has been done and the planning that has been carried out, this venture will, no doubt, be a success.

As Chairman of the Public Works Committee, I have valued the opportunity to examine many proposals. Of course, this particular proposal came before the committee and we had an opportunity to examine it in detail. It was quite evident that all witnesses who appeared before the committee were in favour of the proposal. Some witnesses were very keen and others were very enthusiastic. Overall, many witnesses expressed excitement for this particular project.

When examining a project these days one frequently considers whether it will be viable. The evidence of an officer of the Treasury was sought by the committee. While the remarks made and the detail presented by that officer could be termed cautious, I will read the section of the report concerning that aspect of the proposal. It sets out the management, marketing and maintenance for the project over the years from 1982-83 to 1984-85. The report then states:

> The foregoing assumptions show, in present values (discounted), the following net operating results over the 15-year period (that is to say, before making any contribution towards servicing the estimated capital debt of $5 000 000)...

Looking at it in a pessimistic view, there could be a loss of $500 000. Viewing it optimistically there could be a surplus of $1 200 000, and there was a hopeful view that it would break even. Therefore, the committee went into every possible detail and examined this proposal from every viewpoint. It would appear that all witnesses came forward with a positive viewpoint of approval as far as Technology Park is concerned.

Of course, much has been said about the site, and the Leader also spoke about it. I suggest that the site could have been and would have been greatly influenced by the fact that it is adjacent to the South Australian Institute of Technology. The institute has volunteered every co-operation with and every assistance to Technology Park. The South Australian Institute of Technology ranks very highly as an institution in its own right, not only in Australia but also internationally, and because of that the institute will be a major advantage and will prove to be of major assistance to Technology Park and to those people and organisations that will be attracted there. As a matter of fact, Amdel is very interested in this proposal. It would not surprise me in the least if Amdel was one of the first occupiers of Technology Park, simply because of the assistance that can be given and the close association of the South Australian Institute of Technology and the other organisations within that institute.

The Public Works Standing Committee has a supreme responsibility in whatever proposal comes before it to examine that proposal from every aspect, and this occasion was no exception. The Public Works Standing Committee examined every aspect of this proposal for any influence that might have an effect on the establishment, functioning, site, etc.

Mr Mathwin: A very good committee, isn't it?

Mr RUSSACK: We would like to think that it is. The member for Glenelg, being a member of that committee, I am glad to say accepts the committee as a very useful and highly regarded committee. The committee also examines a matter on the basis of its present situation and of what would be needed to establish an organisation such as Technology Park and, of course, it must look to the future, the potential that it offers and what will be needed as far as management is concerned. Taking all these factors into account, the committee has made the recommendation that this proposal go ahead.

The committee would be failing in its responsibility if it did not bring to the notice of the Government all the aspects where there must be consultation and consideration. In this report that is exactly what the Public Works Standing Committee has done. It has recommended the project and, at the same time, has said to the Government, 'Please, as you establish this Technology Park, take note of these particular points.' In so doing, the committee has carried out its function in the way that it considers is correct. It has accepted and discharged its responsibility in a proper manner and has submitted its report and findings as the committee considers is correct. Parliament now has the duty to consider that report and the Bill before it.

I felt compelled to speak, to compliment the Government and to say that the committee has examined the proposal in every aspect and has come forward with the recommendation and its findings, assured that the project will be successful, although not perhaps financially in the first instance. It will introduce an undertaking in this nation and attract advancement in technology which will be of advantage not only to South Australia but to Australia generally and, we would hope, internationally. I support the measure.

Dr BILLARD secured the adjournment of the debate.

CORRECTIONAL SERVICES BILL

The Hon. W. A. RODDA (Chief Secretary) obtained leave and introduced a Bill for an Act to provide for the establishment and management of prisons and other correctional institutions; to regulate the manner in which persons in correctional institutions are to be treated by those responsible for their detention and care; to repeal the Prisons Act, 1936-1981; and for other purposes. Read a first time.

The Hon. W. A. RODDA: I move:

That this Bill be now read a second time.

It is the foundation on which my Government will build a restructured correctional system. It has been pointed out by many people over many years that the present Prisons Act and regulations are outdated and do not reflect current practices, philosophies and attitudes within the Department of Correctional Services. Indeed, Her Honour Justice Mitchell, back in 1973, in the First Report of the Criminal Law and Penal Methods Reform Committee, recommended that 'the Prisons Act and regulations made thereunder be repealed and re-enacted in revised form to reflect accurately the actual state of affairs in the South Australian prison system'.

The Royal Commissioner, in his recent report, also recommended that the Act and regulations be rewritten. I should point out to members that the Opposition had 10 years to introduce such legislation and the opportunity was there for six years after Justice Mitchell had reported. In contrast, this Government has taken the first opportunity available to introduce such reforms. A Bill to amend the Prisons Act was passed in this place last February.

At that time an undertaking was given to introduce a new Correctional Services Bill dealing with all aspects of correctional services, when the Royal Commission had completed its findings. That time has now come, and the majority of the recommendations contained in the Royal Commissioner's report have been incorporated in the Bill now before us or will be dealt with by regulation.

This legislative reform, coupled with the action we have taken to date and the recently announced restructuring of the department, will rejuvenate the department and pave the way for modern correctional practices and effective planning in the next decade and beyond. Let us not forget the progress this Government has already made in a portfolio which was sorely neglected by previous Governments because 'there were no votes in prisons'.

Sophisticated television monitoring and surveillance equipment has been installed at the Adelaide Gaol and Yatala Labour Prison and a radio communication system also has been installed. A full-time Dog Squad has been established to increase activity in the detection of drugs, and staffing has been increased by almost 50 at a time when staffing levels were being contained in other departments.

The industries complex at Yatala will be completed by April this year, a site for a remand centre has been chosen and the approvals for work given. As I announced yesterday, a start will be made on that project next August, and the work is expected to be completed in 1984. A new remand wing at Port Augusta Gaol is under construction, and a new super maximum security unit will be built. These are just some of the programmes that have been initiated by this Government.

There are also others to which we can look forward. For the first time, the Government will have developed a staffing and capital plan within which the department can operate. As I recently announced, the Government will implement the recommendations of the Touche Ross report in relation to the head office structure of the department. It will also implement the majority of the recommendations contained in a Public Service Board report which dealt with custodial staff, and will appoint a legal officer, as recommended by the Royal Commissioner.

This is the most substantial package of staffing restructuring approvals that any Government has ever announced in the correctional services portfolio. It involves the appointment of 31 additional personnel over a five-year period. In the first year of our staffing plan, an Executive Director will be appointed. He will be the permanent head of the department, and have primary responsibility for the development of long-range plans and management strategies. A Director of Operations will have the responsibility for the day-to-day operations of all South Australian penal institutions.

It is anticipated that in the second year a legal officer will be appointed as well as a marketing officer and a planning officer in the Prison Industries Division. Several custodial positions will also be created. This staff creation plan will continue over five years. A capital works programme for future projects will be developed by a task force whose job will be to advise the Government on departmental needs. The Government recognises that decisions in these vital areas can be made only after proper research is undertaken. Indeed, our actions to date show that the Government is making a determined effort to provide the department with the resources that it has lacked for the past decade.

This Bill before us deals with all aspects of the correctional system and reflects modern correctional thinking. It provides for certain new initiatives which the Government strongly believes are vital to the better functioning of the correctional system. There are several matters that should be highlighted. First, the Bill provides for the establishment of the Correctional Services Advisory Council that was provided for in the 1981 amending Bill. The recommendation for such an advisory body originally came from the Criminal Law and Penal Methods Reform Committee, chaired by Justice Mitchell, and the Government strongly endorses the recommendations of that committee that the correctional system as a whole ought to be kept under regular review by a permanent body.

The Bill also seeks to clarify, strengthen and generally improve the system for dealing with offences committed by prisoners while in prison. Under the present procedures, offences of a disciplinary nature are either heard by the Superintendent of the correctional institution or by visiting justices. Prisoners are not entitled to legal representation and there is no right of appeal. The Bill proposes that offences committed in prison may be dealt with at three alternative levels, namely:

1. The superintendent of the institution.
2. A visiting tribunal comprising either a magistrate or two justices of the peace.
3. The outside courts.

Breaches of the regulations will be dealt with either by the Superintendent or a visiting tribunal, and offences against the general law will be dealt with by the courts in the usual manner. Where a matter is heard before a Superintendent, there will be no right of legal representation. However, appeals against orders made by the Superintendent can be made to the visiting tribunal. The Superintendent's powers are limited to ordering the forfeiture of privileges or indulgences for a period not exceeding 28 days, ordering the forfeiture of up to 10 conditional release days, and ordering exclusion from work for up to 14 days. Prisoners will have a right to legal representation when appearing before a visiting tribunal. Furthermore, a limited right of appeal is available.

Where a person pleads 'not guilty' to a charge that is to be heard before a visiting tribunal, the visiting tribunal must be comprised of a magistrate. Where a magistrate is acting as the visiting tribunal, he will be empowered to impose an additional term of imprisonment of up to 90 days where the charge is proved. Where two justices are acting as the visiting tribunal, they will be empowered to impose an additional term of imprisonment of up to 28 days where the charge is proved.

In addition, the visiting tribunal is empowered to order loss of up to 30 days of conditional release, to order forfeiture of privileges or indulgences, to order forfeiture of past or future earnings to an amount not exceeding $50, to order exclusion from work for up to 28 days, and to order payment of compensation for any damage caused by the prisoner, either out of the prisoner's accumulated funds or out of future earnings. This revamped system is fair and just. The system allows for greater flexibility in dealing with prisoners, in that a wide range of options is available in this sensitive area of discipline.

Another new initiative is the provision for the introduction of an independent investigatory process upon the receipt of complaints from prisoners. Provision has been made for prisoners to have access to a visiting tribunal if they wish to make complaints. The visiting tribunal will have the

authority to seek the assistance of an investigator independent of the Department of Correctional Services to assist in investigating any matter. A report from the visiting tribunal containing its findings and recommending action to be taken will then be required to be sent to both the Attorney-General and the Chief Secretary. This is a step forward in dealing with grievances of prisoners and is consistent with the recommendation of the Royal Commissioner on this subject. These new procedures, however, will not restrict the Ombudsman from investigating administrative acts in accordance with the Ombudsman's Act.

The Bill also provides for the establishment of a Prisoner's Assessment Committee. An assessment committee already operates within the prison system but only on an administrative basis. The function of the assessment committee is to make a recommendation to the permanent head as to the institution in which a prisoner should serve his or her sentence if the sentence exceeds six months. This is reviewed at regular intervals.

A provision is also made in the Bill for the permanent head of the department to arrange for prisoners to attend courses of education and instruction. Prisoners are encouraged to attend various education programmes already operating within our institutions, and trained teachers are also available. The Government recognises the importance of such training as a means of improving prisoners' literacy and numeracy skills, thereby improving their chances of gaining employment upon leaving the institution. The participation of prisoners at such classes is encouraging, and this Government will continue to accord high priority to these programmes.

The Bill also specifies clearly and in detail the degree to which prisoners' mail may be examined. This is necessary to ensure that appropriate steps are taken to prevent the introduction of contraband and other prohibited articles, and at the same time to protect the privacy of prisoners' mail. To this end, all mail will be opened to check for contraband, but detailed examination and perusal will be carried out only on a random basis, except in the case of prisoners who are security risks.

The Act also includes those changes which were made to the parole system, and passed in this place last February. The newly restructured Parole Board is maintained. The release on parole of prisoners who are serving indeterminate sentences will continue to be given upon the consent of His Excellency the Governor in Executive Council, and non-parole periods will continue to be fixed by the courts for all sentences of more than three months.

The system of conditional release, where a prisoner must earn his early release on a monthly basis, is also maintained in the Act. This replaces the previous system in which remission of one-third of a prisoner's sentence was automatically credited to him when he was first admitted to prison. It also means that he is liable to serve the unexpired balance of his sentence if he re-offends while on conditional release, whereas a prisoner released from prison upon remission under the present Act is completely free of his sentence by reason of the fact that remission is in effect an actual reduction of sentence.

The Act also seeks to clarify the circumstances in which a prisoner may be held in separate confinement. The present system of separate confinement was criticised by the Royal Commissioner, and various checks and balances are built into the system by this Bill. For example, the Superintendent can only direct that a prisoner, who is alleged to have committed an offence, be confined separately from other prisoners for a period not exceeding seven days. The same applies where the Superintendent believes that it is in the interests of the prisoner's welfare or that he is likely to injure another person. In the latter case, the permanent head may, with the approval of the visiting tribunal, extend such period of separate confinement from time to time for a period of one month.

These are several of the significant reforms contained in this Bill. Other changes are referred to in the detailed explanations of the clauses. There is no doubt that the Bill will significantly improve the prison system in this State. I apologise to the House for the delay that has occurred with this Bill. We had some problems with the printing, and hence it is being read to the House for the first time tonight. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the Act. Different provisions of the new Act may be brought into operation at different times. Clause 3 sets out the arrangement of the Act. Clause 4 provides the necessary definitions.

Clause 5 repeals the Prisons Act. Clause 6 contains various transitional provisions necessary upon the repeal of the Prisons Act. Clause 7 provides the Minister and the permanent head of the department with a power of delegation. Clause 8 directs the Minister to use volunteers in the administration of the Act to the extent he thinks appropriate.

Clause 9 requires the permanent head to report annually in writing to the Minister on the work of the department during the year. Clause 10 provides for the establishment of the Correctional Services Advisory Council. Clauses 11 to 16 set out the powers, functions and duties of the advisory council. These provisions are the same as those contained in the 1981 amendment.

Clause 17 provides for the establishment of visiting tribunals for each correctional institution. There must be at least one such tribunal for each prison and police prison. Where more than one is to be established for a prison, a tribunal may be appointed comprised of two justices of the peace, but otherwise a visiting tribunal will be comprised of a magistrate appointed by the Governor. Clause 18 empowers the Governor to declare premises to be either a prison or a police prison for the purposes of the Act. Clause 19 places all correctional institutions under the control of the Minister.

Clause 20 provides for the regular inspection of all correctional institutions by visiting tribunals for the purpose of ascertaining whether the Act and the regulations relating to the treatment of prisoners are being complied with. A tribunal will have the power to receive and investigate complaints from any person with the correctional institution. A tribunal may be assisted by persons authorised by the Attorney-General. Where a complaint has been investigated, a report on that matter must be furnished by the tribunal to both the Minister and the Attorney-General. Monthly reports must also be furnished to the Minister on all matters inquired into by the visiting tribunal during the month as a result of its weekly inspections.

Clause 21 provides for the day on which sentences of imprisonment shall commence. This provision largely follows the present Prisons Act, but makes it clearer that a court can backdate sentences. Clause 22 gives the permanent head the sole right to determine which correctional institution a person sentenced to imprisonment is to be imprisoned in. Where a sentence does not exceed 15 days, the person can be detained in a police prison.

Clause 23 provides for the establishment of a Prisoners Assessment Committee to assist and advise the permanent head on the appropriate institution for each prisoner. The

committee must look at the case of each prisoner as soon as practicable after his initial detention, and thereafter at regular intervals. The committee must always have regard to the best interests of the prisoner and is required to consider a wide range of relevant material and issues. Clause 24 places all prisoners in the legal custody of the permanent head. Clause 25 empowers the permanent head to transfer prisoners from one correctional institution to another.

Clause 26 caters for the temporary holding of a prisoner in a place that is not a correctional institution while he is being transferred to or from a correctional institution. Clause 27 gives the permanent head the power to grant leave of absence to a prisoner for medical, educational, recreational or compassionate purposes, and for purposes related to criminal investigation. Leave of absence may be granted subject to conditions. Leave of absence may be revoked at any time. Prisoners at large after revocation or expiry of their leave of absence may be apprehended by police officers or prison officers.

Clause 28 provides for the removal of a prisoner for the purposes of various court appearances. Clause 29 places an obligation on a prisoner to perform work at the direction of the Superintendent of the prison. Prisoners on remand are not required to work, but may work if there is work available.

Clause 30 directs the permanent head to arrange courses of instruction or training for the benefit of prisoners. Clause 31 gives each prisoner an entitlement to a basic weekly allowance. A further allowance will be paid to a prisoner as recompense for the work he performs. Clause 32 directs Superintendents to make certain items available for purchase by prisoners. These items will be set out in the regulations, but a Superintendent has a discretion to make further items available if he thinks fit.

Clause 33 sets out a complete code for the way in which prisoners' mail is to be dealt with. All parcels may be opened, and incoming letters may be opened, for the purpose for checking whether prohibited items are present. The censor may open and peruse all incoming and outgoing letters of prisoners who are believed to be security risks, who have previously written letters that contravene the Act or whose letters are in a foreign language. Other letters may be opened and perused on a random basis. Letters sent to the Ombudsman, a member of Parliament, a visiting tribunal or a legal practitioner are privileged. A wide range of options is provided for dealing with letters or parcels that are found to contravene the Act. A prisoner must be advised of any action that is taken by the Superintendent over any letter or parcel sent to or by the prisoner.

Clause 34 sets out a prisoner's right to be visited while in prison. His basic entitlement is to be visited once a fortnight, but this entitlement may be increased by regulation. Remand prisoners may be visited on three occasions each week, and this entitlement may also be increased by regulation. A Superintendent may allow extra visits for a prisoner, and is also permitted to bar a particular person from visiting a prisoner. Clause 35 provides that a prisoner is not to be debarred access to legal services. A visit from a lawyer rendering legal services does not constitute a visit for the purposes of the previous clause.

Clause 36 sets out the circumstances in which a prisoner may be confined separately from all other prisoners. Where it is alleged that a prisoner has committed an offence, he may be separately confined for up to a week while the allegation is being investigated. Where a prisoner is likely to injure or unduly harass another person, or where it is in his interests to be protected from the other prisoners, he may be confined separately for up to a week. After one week, the permanent head, with the sanction of a visiting tribunal, may extend such a prisoners separate confinement for a month. This power may be exercised from month to month. A prisoner separately confined for these latter reasons is entitled to make representations to the visiting tribunal.

Clause 37 authorises the search of a prisoner upon his entering a correctional institution, or where the Superintendent believes that he may have a prohibited item in his possession. Only reasonable force may be used, and inspections of a body orifice may only be conducted by a doctor. Clause 38 provides for the release of a prisoner from prison when his sentence expires (if he has not been earlier released on parole or conditional release).

Clause 39. A prisoner can be released early if the day of his release would fall on a public holiday or Sunday. Money held to the credit of a prisoner must be paid to him on his release, but may be paid to him in instalments where he is released on parole subject to supervision. Clause 40 sets out the jurisdiction of visiting tribunals. A plea of 'not guilty' must be heard by a visiting tribunal comprised of a magistrate. Where a prisoner pleads guilty, he may request that the question of penalty be heard and determined by a visiting tribunal comprised of justices of the peace. However, a visiting tribunal comprised of justices of the peace may always refer a question of penalty to a visiting tribunal comprised of a magistrate if a greater penalty is thought to be appropriate.

Clause 41 vests a visiting tribunal with the usual powers to issue summonses, etc. Clause 42 gives immunity from liability to members of visiting tribunals. Clause 43 provides that a Superintendent may conduct an inquiry where he has charged a prisoner with a breach of the regulations. The Superintendent may, if he finds the charge proved, impose certain penalties upon the prisoner, or he may merely caution and reprimand the prisoner.

Clause 44 empowers a Superintendent to refer an alleged case of breach of the regulations to a visiting tribunal for hearing and determination. A visiting tribunal is empowered to impose up to 90 days imprisonment if comprised of a magistrate, or 28 days if comprised of two justices of the peace. Other penalties may be imposed, or the prisoner may be cautioned and reprimanded. A sentence of imprisonment must be served forthwith and all other sentences are suspended until that sentence has been served. A visiting tribunal may order the prisoner to pay up to $200 in compensation for loss of, or damage to, property.

Clause 45 sets out various procedural matters for cases of breach of regulations. The rights of a prisoner to hear or view all evidence, to call, examine and cross-examine witnesses and to make and hear submissions as to penalty, are set out in detail. A conviction is not to be recorded for a breach of the regulations. Clause 46 gives a prisoner the right to appeal to a visiting tribunal against a penalty imposed by a Superintendent. Clause 47 gives a prisoner the right to appeal to a district court against an order of a visiting tribunal under this division, if the proceedings in which the order was made were not conducted in accordance with the Act.

Clause 48 provides that the Justices Act does not apply to proceedings for breaches of regulations. Clause 49 provides that offences committed by a prisoner (not including breaches of the regulations) are to be dealt with in all respects as if he were not a prisoner. Clause 50 makes it an indictable offence for a prisoner to escape or to be otherwise unlawfully at large. The penalty is imprisonment for a term not exceeding five years.

Clause 51 makes it an offence for a person to communicate with a prisoner in a manner prohibited by the regulation, to deliver a prohibited item to a prisoner, or to loiter outside a prison for an unlawful purpose. The penalty is imprisonment for a term not exceeding six months. Clause 52 gives a prison officer the right to apprehend a person whom he

believes has committed, is committing or is about to commit an offence under either of the two previous clauses.

Clause 53 makes it an offence for a person to harbour a prisoner who is unlawfully at large, or to employ him or assist him to stay at large. The penalty is imprisonment for a term not exceeding two years. Clause 54 provides that all offences under this Part (other than an indictable offence) are to be dealt with summarily.

Clauses 55 to 64 (inclusive) continue in existence the Parole Board established under the repealed Act, with substantially the same powers as were provided by the repealed Act. Clause 65 provides for the mandatory fixing of non-parole periods for all persons who are sentenced to more than three months imprisonment. This clause is identical to the provision inserted in the repealed Act by the 1981 amendment.

Clauses 66 to 78 (inclusive) provide for the release of a prisoner upon parole. These provisions are identical to the provisions passed by Parliament in the recent 1981 amendment, and therefore do not require detailed explanations. Clauses 79 to 82 (inclusive) provide for the earning of conditional release at the rate of 10 days for each month served by a prisoner in prison. These provisions are also identical to the new Part IVB that was inserted in the repealed Act by the 1981 amendment but not yet brought into operation. The remission system is therefore still in existence and will continue to apply to all sentences of imprisonment imposed before the new Act comes into force.

Clause 83 empowers a Superintendent to make rules for the management of the correctional institution. Rules may only be made or varied with the approval of the permanent head. These rules are not to be subject to the Subordinate Legislation Act. Clause 84 requires the Superintendent of a correctional institution to furnish a prisoner, upon entering the institution, with a written statement of the rights, duties and liabilities of the prisoner under the Act, the regulations and the rules of the institution.

Clause 85 gives a prison officer or a police officer the power to use such force as may be reasonably necessary in exercising his powers or discharging his duties under the Act. Clause 86 empowers all judges and magistrates to enter and inspect any correctional institution. Clause 87 empowers the Minister to acquire land compulsorily for the purposes of the Act.

Clause 88 is the regulation-making power. Regulations may be made (amongst others) regulating the treatment of prisoners, the conduct of prisoners, the duties of persons employed in correctional institutions and the directions that parole officers can give to prisoners released on parole subject to supervision.

Mr KENEALLY secured the adjournment of the debate.

LAND AND BUSINESS AGENTS ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill effects a number of amendments to the principal Act that have become necessary since the last full-scale review of the Act in 1975. The amendments are largely technical, although several new provisions have been inserted dealing with such matters as letting officers and providing for the introduction of continuous licences. The Bill has been prepared after detailed consultation over a period of two years with the real estate industry, the legal profession and other interested parties.

The constitution of the Land and Business Agents Board is altered by providing for the appointment of five members, rather than the present four, to allow an extra nominee of the Real Estate Institute on the board. The structure of the board has been altered to bring it more into line with other boards administered by the Department of Public and Consumer Affairs. Provision is made for the appointment of standing deputies to ensure that groups on the board will not be left unrepresented through sudden illness or absences. At the same time, the responsibility of members to attend board meetings is clarified and a new quorum requirement is inserted. A similar amendment has been made relating to the terms and conditions of office members of the Land Brokers Board.

Section 16 of the Act, which deals with the entitlement of a corporation to hold a licence, is amended to enable the board to exempt from the requirement to be licensed or registered, a director of a proprietary company who takes no active part in the business provided the other directors who are actively involved are licensed or registered. It is also proposed that the exemption be unconditional and for no fixed period, although it will be revocable by the board if it becomes apparent that the exempted director is taking part in the business. These provisions will remove possible hardship in cases where directors would otherwise be required to obtain qualifications as agents, because of company law requirements dealing with minimum numbers of directors, but where they take no active part in the business.

The Bill inserts a new provision dealing with letting officers employed by agents. At present all land agency employees who act solely as letting officers must be registered as salesmen under the Act and comply with the requisite educational qualifications. With the advent of the Residential Tenancies Act, 1978-1981, an increasing proportion of agents are concentrating solely on the letting and management of residential premises owned by client landlords. However, at present, these persons must obtain qualifications which really over-qualify them for the work that they are performing. Therefore, the Government has decided to deregulate these persons by exempting them from the requirement to be registered under the Act if they are in the employment of a licensed agent and engaged solely as a letting officer arranging leaseholds other than business leaseholds. The amendment does not affect those who carry on business as letting officers other than as employees of licensed agents who are still required to be licensed as agents.

Several sections of the principal Act have been redrawn and clarified. Section 45, which deals with an agent's authority to act and his commission, has been clarified to apply only to commission.

The new provision makes it clear that an agent is not to receive commission if the contract to effect the transaction is rescinded or avoided pursuant to the Act. Further provision is made that if a prospective purchaser cools off pursuant to section 88 of the Act and the same purchaser and vendor enter into a subsequent contract, commission is to be payable to the agent if it would otherwise have been payable, for example, pursuant to the terms of the agency agreement. In all other cases the question of entitlement to commission is to rest on common law principles.

Sections 88 and 90, which provide for the two-day cooling-off period and for the disclosure of information to the purchaser of land, have been largely redrafted with a view

to clarifying their operation. Agents are assisted in furnishing section 90 statements by placing on relevant authorities (including local councils) a duty to provide to agents the information agents are obliged to obtain. Section 88 has been clarified, in particular, in relation to the time within which a purchaser may cool off under the contract for the sale of land.

In addition, the amount of the permitted deposit that may be retained by the vendor if a purchaser does exercise his cooling-off rights has been increased from $25 to $50 in line with inflation. Future increases in this amount may be made by regulation. The position with regard to the making of option payments has also been clarified.

The Bill alters the Act to provide that the licences for agents and brokers and the registration of salesmen and managers are continuous, rather than renewable, upon payment of an annual fee and lodgment of an annual return containing prescribed information. If the fee or return is not lodged, the board may require the agent or broker to comply within a specified period, otherwise the licence is suspended. If the licensee pays the fee and lodges the return by 30 June in the year required the licence is automatically renewed, otherwise it will lapse. This provision has the effect of deregulating licensees to some extent by deleting the requirement of seeking licence renewals and avoids problems which may occur if a licensee forgets to apply for a licence renewal and then has to reapply for his licence.

The Bill inserts a new section 98a which prohibits the auction of land or business on Sundays. This provision replaces a similar prohibition which occurs in the Auctioneers Act, 1934-1961. The Bill which repeals the Auctioneers Act will come into operation at the same time as section 98a. Several other minor amendments have been made by this Bill. Section 41 of the Act has been amended to set out exhaustively those descriptive names a licensed agent may adopt when advertising.

The trust account provisions of the Act have been amended in two respects. First, section 63 deals with an agent's responsibility to keep moneys received as an agent in a trust account and prohibits him from withdrawing those moneys except to complete a transaction. An amendment has been made to allow such moneys to be paid into court where a dispute has arisen between the vendor and purchaser and legal action has been instituted. This is in line with provisions in other legislation whereby money may be paid into an appropriate court. Secondly, section 66 has been amended to provide that any interest paid or credited in respect of an agent's trust account must be paid to the board including any interest paid directly on trust accounts by banks. Section 78 has been made more flexible by permitting the Land and Business Agents and Land Brokers Boards to suspend, as well as cancel, licences and registrations and by increasing the power to fine to $1 000. Finally, the Bill increases, by way of schedule, all penalties under the Act which have not been increased since 1973.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 amends the definition section, section 6. The clause amends the definition of 'salesman' so that the term does not include a person who negotiates for the acquisition or disposal of a leasehold other than a leasehold in respect of land to be used for the purposes of a business.

Clause 4 amends section 7 of the principal Act which provides for the constitution of the Land and Business Agents Board. The board is presently comprised of four persons, one appointed on the nomination of the Real Estate Institute, and the remaining three (one of whom must be a legal practitioner) being chosen by the Minister. The clause amends this section so that it provides for a board of five, comprising a Chairman who must be a legal practitioner, two persons nominated by the Real Estate Institute and two who have, in the opinion of the Minister, appropriate knowledge of the interests of purchasers of land or businesses. Clause 5 amends section 8 of the principal Act which relates to the terms and conditions of office of members of the Land and Business Agents Board. Under the clause provision is made for the appointment of standing deputies rather than, as is the present position, separate appointments each time the need arises. The clause also provides that the office of a member of the board shall become vacant if the member is absent from three meetings of the board in any period of 12 months without the leave of the Minister.

Clause 6 amends section 9 by making consequential amendments relating to the quorum for meetings of the board. Clause 7 amends section 16 of the principal Act which requires the directors and other officers of any corporation licensed as an agent to be licensed or registered as managers. Since 1979 proprietary companies have been required by the Companies Act to have at least two directors and difficulties experienced by licensed corporations in finding a second licensed or registered director have prompted the board to grant exemptions under subsection (3) of section 16. This clause amends subsection (4) of the section so that it provides that the board shall grant an exemption to any such proprietary company where the unlicensed and unregistered director does not actively participate in the business of the company conducted pursuant to the land agent licence.

Clause 8 repeals sections 17 and 18 of the principal Act and substitutes new sections providing for the initial grant of an agent's licence and, instead of the present licence renewal procedure, a procedure under which the licence continues in force unless the holder of the licence fails to pay an annual licence fee and lodge an annual return. Clauses 9, 10 and 15 make corresponding amendments in relation to the grant and renewal of registration of salesmen, registration of managers and licences of land brokers, respectively. Clause 11 amends section 41 of the principal Act which provides that any advertisement by an agent must contain a statement that the agent is a licensed agent. The clause amends the section by listing the expressions that may be used to state the fact that the agent is a licensed agent. 'Licensed real estate agent' is included amongst the expressions listed.

Clause 12 amends section 45 of the principal Act relating to the payment of commission to agents. The amendment is designed to clarify the original purpose of subsection (3), namely, that commission is not payable where a contract for the disposal of any land or business is rescinded or avoided under a provision of this Act, as opposed to rescission or avoidance under the common law. The effect of this would be that where rescission or avoidance is effected under the common law, the question of whether commission is payable would be determined according to the common law rules. The clause goes on to provide that rescission under section 88 does not prevent the agent claiming commission if the parties to the contract subsequently enter into another contract in respect of which commission would, apart from the section, have been payable to the agent.

Clause 13 amends section 46 of the principal Act which, at subsection (2), prohibits an employee of an agent from having an interest in the purchase of land that the agent has been commissioned to sell. The clause empowers the board to grant an exemption from subsection (2) for an employee of an agent other than an employee who is a registered manager or salesman. Clause 14 amends section 50 of the principal Act which deals with the terms and conditions of office of members of the Land Brokers Licensing Board. The clause proposes amendments to this section which correspond to those proposed by clause 5 in relation

to the Land and Business Agents Board. Clause 15 has been explained in conjunction with the explanation of clause 9.

Clause 16 amends section 63 of the principal Act which regulates the keeping of trust accounts by agents. The clause inserts a new provision designed to make it clear that an agent may withdraw moneys from his trust account and pay the moneys into court in any action to which the person or persons entitled to the money are parties.

Clause 17 amends section 66 of the principal Act which requires each agent on or before the last day of February in each year to pay interest earned during the preceding year on interest-bearing trust securities to the board. The clause amends the section by providing that only interest that has been actually paid or credited in respect of the securities is required to be paid to the board, thereby avoiding the need for a special accounting exercise to be undertaken for the purpose of this annual payment. The clause also requires interest earned on the agent's trust accounts to be paid to the board for the Consolidated Interest Fund. This latter requirement is not to apply to interest earned in respect of a trust account that has been maintained as a separate account on the instructions of the agent's principal.

Clause 18 amends section 77 which sets out definitions of terms used in Part IX relating to the conduct of investigations, inquiries and appeals. The clause inserts a provision designed to enable disciplinary action to be taken by the board (the Land and Business Agents Board or the Land Brokers Licensing Board, as the case may be) in respect of a person who has been guilty of misconduct but has ceased to be licensed or registered.

Clause 19 amends section 78 of the principal Act which provides for the disciplinary powers of the Land and Business Agents Board or Land Brokers Licensing Board in relation to licensees or registered persons. Under the clause the maximum fine which either board may impose upon a licensee or registered person guilty of misconduct is increased from $100 to $1 000. Each board is also empowered under the clause to suspend a licence or registration as an alternative to the exercise of its present power of cancelling a licence or registration and to order disqualification where cancellation is not possible because a licence or registration has lapsed, been surrendered or otherwise terminated.

Clause 20 amends section 88 of the principal Act which provides a cooling-off period for certain purchasers of land. Under the clause a purchaser would be entitled to rescind a contract for the sale of land before 'the prescribed time'. The prescribed time is defined in paragraph *(d)* of the clause as being the expiration of two clear business days after the day on which the contract is made in any case where section 90 statements are properly served upon the prospective purchaser before the making of the contract, or the expiration of two clear business days after the service of the section 90 statements in any case where the section 90 statements are properly served after the contract is made and before the time before which the section 90 statements are under section 90 required to be served upon the purchaser, or, finally, the time at which settlement takes place in any case where section 90 statements are not served upon the purchaser in compliance with section 90. The clause amends the section by increasing the amount of any deposit that a vendor may retain in the event of the contract of sale being rescinded from $25 to $50 or such greater amount as may be prescribed by regulation. The clause amends subsections (1b) and (3) in order to make it clear that a vendor may in the event of the contract of sale being rescinded retain any moneys paid in consideration of an option to purchase the land the subject of the sale. The clause amends subsection (4) which sets out those persons who are not entitled to the benefit of the cooling-off period.

The clause provides for the deletion of paragraph *(a)* of subsection (4) the effect of which would be to entitle any agent, registered manager, registered salesman, licensed land broker or legal practitioner to the benefit of the cooling-off period and inserts new paragraphs *(a)* and *(b)* the effect of which would be to deny the benefit of the 'cooling-off period' to any purchaser that is a body corporate or any purchaser who exercises an option to purchase the land not less than seven days after the grant of the option and not less than two clear business days after section 90 statements are properly served upon him. Finally, the clause makes amendments to the definition of 'section 90 statements' that are consequential to amendments proposed in respect of section 90.

Clause 21 amends section 89 of the principal Act which prohibits sales by instalments but permits the payment of a deposit by not more than two instalments. Under the clause a deposit would be payable by not more than three instalments. Clause 22 amends section 90 of the principal Act which requires the vendor of any land or business and his agent to provide to any purchaser or prospective purchaser certain information relating to the land or business. The clause amends the section so that the information will not be required in respect of the sale of businesses, the purchasers of businesses never having had, under section 88, the benefit of the statutory cooling-off period. The clause amends the section so that notices of purchasers' rights under section 88 would be required to form part of the statements required to be served upon purchasers under section 90, that is, the 'section 90 statements'.

Under the present provisions, such a notice is a separate document and under section 88 in its present form the time of its service upon the purchaser constitutes one of the determinants of the expiration of the cooling-off period. The clause amends the section by providing that a statement provided under the section by the vendor of a unit, within the meaning of section 223m of the Real Property Act, 1886-1980, must include information prescribed by regulation. The clause inserts new subsections (2aa) and (4b) which would require the vendor or agent, respectively, to provide a further statement or statements to the purchaser setting out any variation or further variation in the particulars set out in a statement that is served before the execution of the contract of sale where the variation or further variation comes to the knowledge of the vendor or agent before the execution of the contract.

The clause amends the definition in subsection (9) of the encumbrances which are to be included in section 90 statements by deleting the exclusion from that definition of any interest in, or affecting, land that exists by virtue of an instrument registrable under the Real Property Act. The clause inserts a new subsection requiring any council or statutory authority that has imposed or has the benefit of any charge or encumbrance over any land or business to provide any person who is required by section 90 to give particulars of such charge or encumbrance with such information as he reasonably requires in order to comply with that requirement.

Finally, the clause inserts new subsections (12) and (13) which are designed to ensure that no common law liability (as opposed to the statutory liability provided by subsections (6) and (7)) may be incurred by reason of any omission, mis-statement or variation in the particulars given under the section or any failure to comply with the section.

Clause 23 amends section 91 of the principal Act which requires that a purchaser of a small business be provided with certain information in relation to the business and provides certain remedies for the purchaser if the information

is not supplied or is inaccurate. A small business is presently defined as any business that is sold for a total consideration of less than $30 000. The clause amends this definition by increasing that limit to $70 000 and by providing that, where land is sold as a part of the business, the total consideration shall not include the value of the land.

Clause 24 inserts a provision prohibiting the conduct of an auction for the sale of land or a business on any Sunday. Clause 25 amends section 107, the regulation-making section of the principal Act, by empowering the making of regulations providing for a refund of fees in certain circumstances or at the discretion of the board. Clause 26 sets out a schedule increasing the amounts of the penalties for the various offences contained in the Act.

Mr McRAE secured the adjournment of the debate.

TECHNOLOGY PARK ADELAIDE BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 2756.)

Dr BILLARD (Newland): I support the Bill. I note that the previous speakers have also supported it and expressed the fact that there is in turn a great deal of general support within the community for the concept of this Bill and what it sets out to do. In fact, there are so many grounds on which we could support the Bill that we could speak for a long time on the subject. I wish briefly to dwell on a few important areas.

One of the major benefits that I see arising from this Bill and the Technology Park that will be created as a result is that it seeks to draw into a close association industries which can benefit by that close association. One of the problems that has occurred in the past in high technology areas, which rely very heavily on people's ideas and the developments from those ideas, is that, if ideas are pursued in isolation, they often fail for want of tenacity or of being co-ordinated with other skills in other areas. So high technology industries have perhaps a greater potential than have other industries for benefiting from being located in the one area, where there is an opportunity for cross-fertilisation between the different parts and different industries. That does not mean that other industries cannot also benefit from similar parks.

I note that one of the philosophies being pursued by the Marine and Harbors Department at Port Adelaide follows the same sort of principle, whereby similar industries and similar areas are associated so that they can benefit through that close association. Also, I note that this development follows the successful operation overseas of other high technology parks. In his second reading explanation, the Minister referred to the Stanford Industrial Park, which is part of the Silicon Valley. However, I note also that in no way could we hope or presume that we are creating another Silicon Valley here. I think that would be quite unrealistic to assume we were doing anything of the sort.

Nevertheless, the essential element is that high technology industries benefit from the cross-fertilisation of ideas, and this is the close association that we are seeking to establish. In addition, one of the major benefits for South Australia is that high technology generally is less dependent on being close to markets and other resources. Obviously, high technology products have a greater dollar value per weight, and transport costs are less important. Within the Australian context most people would consider a city such as Adelaide a far more attractive place in which to live than the huge metropolis of Sydney or Melbourne. Therefore, we have the potential to attract to Adelaide highly skilled people to work in Technology Park who could not otherwise be induced to work in Sydney or Melbourne without fairly high remuneration.

In addition, I note that in South Australia we already have a tradition of pursuing industries that are associated with high technology skills. I was involved in one of those industries at the Defence Research Centre at Salisbury which has served South Australia well since the early 1950s. In fact, I believe that the Weapons Research Establishment, as it was known for a great many years, was generally under-recognised in the contribution that it made to the economy in South Australia. At its peak, it employed over 6 500 people and, although that figure has now declined to less than half, it is still quite a significant employer. A large proportion of those employees were highly qualified technicians, engineers and scientists. Of course, other industries fed off that industry, and those industries have retained those scientific and engineering skills in South Australia and have the potential to contribute a great deal to any technology park, especially one situated in the northern suburbs of Adelaide. I believe that the Technology Park concept has a lot going for it in Adelaide, factors which other States do not necessarily have, and that, conversely, South Australia has a lot to benefit from this proposal.

I want to pay tribute to the way in which the Minister of Industrial Affairs has pursued, sponsored and encouraged this concept. I note that the Leader of the Opposition in his speech claimed that it was similar to initiatives of the previous Government.

Mr Bannon: It was being developed.

Dr BILLARD: Maybe the Leader was referring to particular aspects of it, but certainly I am not aware of initiatives of the previous Government in this area. I rather question what the Leader was referring to; perhaps he could elucidate later on. Also, the member for Stuart interjected in the same vein. Certainly, I believe that a great deal of credit is due to the Minister of Industrial Affairs who has correctly seen the opportunities that await South Australia through the pursuit of this course of action, which he has pushed fairly energetically. It has been said by some that there are risks associated with this proposal. I would have to agree: there are risks in any entrepreneurial venture, as this is. Of course there will be risks and, if we are assessing financial viability, as was discussed by the Public Works Standing Committee, that assessment would have to include some allowance for the financial risks involved. No-one can be certain precisely how successful it will be, if indeed it will be successful, because we can never be certain about what the results will be.

Nevertheless, I think, for the reasons that I outlined before, that there are a lot of forces operating in favour of the Technology Park. I believe it has a lot going for it. We can look, then, at some of the benefits that it will bring to South Australia. I see these, basically, in three areas. First, there has been a great deal of community discussion about the growth of automation and the electronics industry in association with that automation and computerisation. Obviously, any high technology park would be well placed to capitalise on that growth, even if it did not seek to play a central role in it.

It is my personal view that if we tried to take on the international giants at their own game we would end up falling on our faces, but we can still capitalise on this growth of high technology without tackling those international giants head on. I believe that there are innumerable areas where we can exploit high technology and apply it in ways which will benefit other areas of Australian industry, whether it be in agricultural, manufacturing or service industries. Also, we can exploit these new opportunities in ways which will bring us some share of the high technology

market without tackling the international giants head on. I believe that we can benefit in that way.

The attraction to South Australia of the American computer firm Raytheon is one example of the way in which we can, nevertheless, attract some large international firms here. There may be other firms which will follow suit in coming years. Secondly, I foresee that there is potential in the near future for firms wishing to expand in high technology and particularly in electronic areas to benefit from defence contract offsets. In this area a subject for discussion has been a replacement fighter for the Royal Australian Air Force which will have in association with it a large value in defence contract offsets which have the potential to benefit Australian firms. There is, therefore, an opportunity for South Australian firms or, indeed, for Australian firms generally, to grab these defence offsets and use them as bread and butter work while they work to establish markets in other areas.

Finally, there is potential with this development to foster and support the development of local inventions from the concept stage to the eventual marketing and promotion on an international scale. At the ceremony early in October last year during which the Federal Minister for Science and Technology opened the park it was pointed out that at present a great number of Australian inventions get left on the shelf for want of finding a favourable developmental climate within which they can be pursued. I believe that this park concept will go a great way towards allowing that development to take place. I note that clause 12 of the Bill sets out the functions of the corporation and that in that clause this is specifically encouraged.

The clause provides for the promotion of scientific and technological research and development; attracting to the park from Australia and overseas individuals and companies undertaking scientific and technological research and development, using high technology in industry or producing goods or providing services involving high technology. These aims will surely encourage South Australians to develop their inventions beyond the invention stage to the research and development stage, and eventually their successful marketing.

When I attended that function and spoke to many of the people there, there was an ambivalent attitude towards this last aspect on the part of many of the industrialists present. There were those who believed that, when South Australians attempt to pursue their inventions, inevitably they spend all their resources and their money trying to develop their inventions to the marketing stage; they suffer all the pitfalls and setbacks that inevitably occur in the development of all projects; and, finally, when they have pushed their product through all the risky stages of development and they reach a point where they can pursue it no further they sell out to an overseas company. The overseas company then takes the product away and makes a great profit from the invention. It was their view that it was rather futile for South Australians to attempt to do this on a grand scale; that it was really beyond us to do that, even with the encouragement of Technology Park.

However, there were others who did not hold that view. There were others who were equally skilled and qualified within the electronics industry, for example, who did not take that pessimistic view and who could see that, through the operation of Technology Park, there would be opportunities for people to take their inventions through to the marketing stage. We can see that, potentially, Technology Park will assist large firms as well as small entrepreneurs. I think it is important that we should do both things at Technology Park.

It is not sufficient that we simply look to encourage the small inventors, worthy though they may be. I think it is essential that we involve large international firms, because they, at least, can provide a training ground for Australians and give them high technology skills. If, having acquired those skills, they decide to go off and join a small firm or branch out on their own, all well and good, and good luck to them. I believe that the more success they have the better it will be for us as a State. However, I believe that the presence of the large firms is necessary to provide an underpinning of support for training in high technology skills.

We have some support at present from the Defence Research Centre, but the presence of large firms (and I think Raytheon has the potential to supply high level skills to South Australia) at Technology Park will greatly add to the level of skills of South Australians.

What are the general economic consequences of this development? Of course, any jobs created by Technology Park will be greatly valued and are greatly needed in South Australia. I believe that the value in creating those jobs will to some extent negative any criticism of any implied subsidy there may be on the part of the Government in establishing this park. More importantly, I believe that high technology industry is important to South Australia, simply because a great deal of our manufacturing industry is susceptible to recession at the moment.

If a general nation-wide or international recession sets in, people may delay the purchase of white goods or cars, which have formed a large part of our employment base and manufacturing industry. However, there is much argument to say that the converse may be true with high technology industry, that if recession hits an industry and an industry is forced to economise, it may choose to try to use more high technology in order to survive. For this reason, the addition of a high technology component to the South Australian industrial base could be very important and could counter-balance some of the effects that the one-sidedness of our present manufacturing base has on our South Australian economy.

Finally, I believe that Technology Park will be of great benefit to the northern regions of Adelaide. I represent an electorate located in the northern regions and I can foresee great benefits coming to those regions. For that reason, I applaud this proposal. It has been said that there are risks with this venture. I admit that this is so, but if we are to get this State moving again, as we are attempting to do, we have to be prepared to take intelligent risks, but risks nevertheless, if we are to attempt to move forward and to give our State an industrial base which will be resilient and strong and which will therefore provide the base that South Australia needs.

Mr SCHMIDT (Mawson): I wish to speak briefly on this Bill. In so doing I commend the Bill and the initiative of the South Australian Government in introducing it. It is a pity that the park will not be set up in the southern suburbs; that is my one regret. More importantly, though, this project is for the benefit of South Australia as a whole; we must see it in that context. Those people who are pessimistic about the whole project should keep in mind the old proverb, 'From small grains of mustard seed do grow large trees.'

Surely here we have the potential for South Australian industry to expand and hone in on some of the other industries we have within this State, so that we can make sure that we do not allow ourselves to regress into the situation that we see, particularly with the American motor industry, where they have not updated and are regressing to such an extent where hundreds of people are retrenched from industry. During my recent trips over there I sensed the trauma that they are now experiencing because they realise that they have let the matter go for too long. The

American motor industry faces huge problems in trying to rejuvenate itself.

In looking at Technology Park we need to understand a few facts mentioned in the report of the Public Works Committee. One of the important factors is that the park is capable of housing a mixture of small and medium-size manufacturing units and that such a park is associated closely with a technology-oriented university or some other form of college. When I was travelling through Colorado the Governor of that State introduced a Budget for this year and in his address to the State he homed in strongly in the same concept. They see Colorado as being the main growth State in central and western America and are concentrating heavily on setting up a technology park in conjunction with the Colorado university.

That university will be housing one of the largest computers in America shortly, as part of its venture to branch out into this high technology area. The Governor of that State made strong points in relation to the fact that, if they are to succeed as a State, and particularly if their economy is to succeed, they must concentrate heavily on future technology, especially high technology.

In that regard we are following a sound basis, as we are tending to take the same initiative. In contrast is Washington State, which relies heavily on industry—the Boeing aircraft industry and the timber industry—and that State is facing huge deficits and has now an unemployment rate of about 14 per cent. The Legislature in that State is very concerned. Another point to note is that too often we have heard people claim that South Australia has not a basis upon which to expand because we are too far removed from other centres in Australia and do not have the transport corridors that we require. The report states:

> As a result the industry is little constrained by transport costs for its location decision and is therefore an industry where South Australia's distance from the main population centres is not a significant location disincentive. For these reasons high technology industry has a potential to strengthen South Australia's economic base and generate future employment opportunities.

I refer to the proverb that I quoted earlier because, if we look at this industry as the centre of the future growth rate of South Australia and, more importantly, if industry that already exists here makes use of Technology Park to ensure that it updates its requirements at all times and looks to the future through high technology, then South Australia, like Colorado, can look forward to a strengthened economic base, unlike many of the other States, which are too reliant on pure industry.

Mr LYNN ARNOLD (Salisbury): Along with my Leader, I indicate a general support for this Bill and the entire concept of a technology park in South Australia. In the course of my comments tonight I will raise one or two questions, and cautionary notes about the development at Technology Park. I will be interested to hear the Minister's response, although I believe this development will be of great advantage not only to my district, which is adjacent to Technology Park, but to South Australia as a whole.

After the site was launched, I had the opportunity to visit the area. I thank the officers of the department who made available their time so that I could visit and inspect the site in its early stages to see what a beautiful area it was and how it could be enhanced with proper industrial building development. A number of elements of the site make it particularly important. Of course, it is not just an ordinary industrial park of the type we are used to seeing in previous development, which merely provides roads, kerbing and sewerage plus a location near transport facilities. It goes further than that.

First, it offers the connection to academic institution support by virtue of the location of the South Australian Institute of Technology's campus at the Levels next door. I am pleased to see in the brochure being distributed to publicise the site the support that is given by that institution. The support is clearly spelt out so that there can be no doubt in the minds of either potential investors or the institute itself about exactly the vital role to be played.

As I understand, a distinct organisation has been set up by the institute, namely, Techsearch, which is designed to co-ordinate and provide or programme the way in which the services of the institution can be used by industries or enterprises that go into Technology Park.

Another feature is the manner in which that site is to be developed, because it will be strictly controlled.

It is not simply a matter of selling a block of land to industrialists or even an enterprise saying, 'You do what you want provided you meet the building regulations.' There are certain other constraints that will ultimately add to that park and ultimately contribute to the State at large. I refer to such things as environmental constraints that are placed upon developers who go to Technology Park. They will be required to meet a number of standards.

Some of the performance standards listed in one of the sheets in the publicity brochure refer to constraints on noise and vibration, smoke and particular matter, toxic acids, fumes, odours, vapours, liquid effluents and matter, radiation explosion hazards, and dangerous substances, glare and lighting. Furthermore, permission is not being given merely to erect the proverbial corrugated iron shed: the requirement will be to develop buildings on the site of a standard that will enhance the local amenity. Those features will contribute substantially to the area.

On one occasion I had an opportunity to see an industrial area that has been given constraints that differ from those in the city or nation around them, and it has been found that they can work very successfully. I had an opportunity to visit the industrial complex in Sines in mid-southern Portugal, where part of the country around that city has, by legislation, been enabled to put encumbrances on developers in that area that are quite different from the constraints that appear on industrial lists in all other parts of the country. Environmental standards in that area are much stricter than they are in other areas, as are the design and building standards. One may ask why developers would choose to go to an area where standards are higher and more costly to meet. Of course, there are returns to the enterprise that chooses to go to such an area. In the case of Sines there are major transport facilities and base industry facilities nearby.

In the case of Technology Park, there are such things as the nearby academic institution plus the ultimate proximity to a large number of enterprises of the same sort, so that those enterprises can develop a compound, in which they can interrelate. I take the point made by the member for Newland that ultimately that complex of enterprises will be a mix of large and small enterprises, mixing together in a way that satisfies their mutual benefit.

Unlike industrial parks of past experience, this park will have a management structure that will oversight the entire management of the area. One assumes that management covers ongoing development. As Technology Park will not be completed in two or three years (indeed, I understand that it is a 15-year plan), there will be a responsibility to oversight the way in which that development is being fulfilled over the next 1½ decades, if not longer than that. However, I will have some comments to make about the proposed management structure and ask some questions about who it is envisaged will be appointed to the corporation board.

Having made those comments about the development and indicating my very firm support for the concept of Technology Park, I want to raise some cautionary notes,

and I would appreciate the Minister's response. I have consulted with a number of people in the local area about the concept, and I have asked for their opinion of the way in which the development will impact on the northern area. Before continuing on that point, I point out that Technology Park is not actually within my district; it abuts it.

One of the comments I received was from Alderman Keith Alderson of the Corporation of the City of Salisbury. I wrote to him about this matter and about the general question of the supplementary development plan which had been introduced and which in a sense was the enabling planning tool that has permitted Technology Park to go ahead. His reply reads, in part:

> I was rather an unwilling supporter of the supplementary development plan because it was hurriedly drawn up to promote the Technology Park proposal, which was in my view a means to get Amdel out of Frewville and Thebarton. I am sure Amdel and Western Mining are the only interested parties in Technology Park at present. Council has spent a lot of time debating this issue, and I believe has acted in the best interests of Salisbury, taking into account the control the State has over us in this matter.

He enclosed correspondence outlining particular concerns of the council, and I will touch on those later.

The Hon. D. C. Brown: What was the name of the councillor?

Mr LYNN ARNOLD: Alderman Keith Alderson. He continues:

> Council is most concerned about preserving as much open space as possible and existing trees. It is concerned about buffer zones or strips between the interface of industrial to residential zoning, and it is concerned about uranium processing (core samples).

The Salisbury Council, which did have before it a resolution that it be declared a nuclear-free zone, did not vote for such a resolution, because it did not see that it was legally applicable to its own corporation area, but nevertheless the councillors did indicate that they were very concerned about any development in their locality which may be ultimately involved in such an industry. They clearly want to be involved in any future development so that they know exactly where they stand. Alderman Alderson goes on to say:

> The proposal for a stock-holding facility adjacent to Technology Park astounds me as the proposal was a cheap and nasty proposal capable of covering most of Salisbury with dust, with minimal attempts to buffer screen or filter the air with tree planting.

That last point needs the Minister's response. We have outlined in the developmental considerations of the park the fact that it will have a minimum of environmental pollution. Smoke and particulate matter will be kept to a mimimum, yet next door we have a continuation of the existence of the stock paddocks—not only a continuation of their existence but, from recent information from Elders, we know that they will upgrade and intensify the use of those stock paddocks. From information I was given today, the stock paddock companies will increase their holding capacity from about 50 000 up to 200 000. That is of great concern not only to residents in the local area but also, I would imagine, to potential investors in Technology Park. Those who live in that locality (like myself) know that a great deal of dust pollution is raised in summer, and if it can get into air-conditioning systems of factories and enterprises that require clean air they would indeed be in serious trouble. So, there seems to be a conflict and a contradiction between those two development trends indicated by the supplementary development plan.

I draw attention to the point made in Alderman Alderson's letter about the problem of the potential processing of uranium in that area. I would like some clear undertakings from the Minister as to what direction it is anticipated that Technology Park will go. I accept the fact that a number of other companies have been mentioned in the debates tonight beyond the two mentioned in the letter. I accept that the project is perhaps more of a goer than indicted by the alderman.

Another point which I know is of great concern to the local council and local residents is the degree to which they as residents have participated or will in the future be able to participate in the development of that site. I asked a Question on Notice in the second session of this Parliament as to whether local residents were going to be given the opportunity to comment on the proposals to develop Technology Park. The answer I received from the Minister was that it would be considered in due course whether or not such a course of action was appropriate. Of course, in the final analysis it was not considered appropriate, because this Bill as such did not lie on the table for a significant time for the local community to comment. The only opportunity the local community had to comment on the development proposals for the whole zone was the supplementary development plan itself. That plan did give the opportunity to the local community to comment but in itself it does not touch upon the manner in which Technology Park may be developed.

The Hon. D. C. Brown: The Bill has been lying on the table for two months.

Mr LYNN ARNOLD: But it has not been around and publicised in the local community for people to give their comments on it. My next comment is a question, and the Minister may be able to answer it quickly. What is the manner in which the local community, through local government, namely, Salisbury council, will be able to participate in the development and administration of Technology Park? I know that the Bill provides for the corporation to consist of six members, five of whom shall be appointed by the Governor on the nomination of the Minister and a further one on the nomination of the appropriate Commonwealth Minister. I know, furthermore, that the brochure distributed indicates that that corporation structure will consist of Government representatives, academic institution representatives and private sector representatives.

I cannot see any clear specification that, amongst the Government representatives, there will indeed be representatives from Salisbury council. I ask the Minister to give an undertaking to me that one of those nominees will be a nominee of the Salisbury council. I believe that this is very important, because they are the voice of local residents who can protect and represent the interests of local residents in terms of the future development of that site. I believe that, by including them in that and joining these people with the Tenants Association that will exist at Technology Park, we have the opportunity for a corporation that will develop in the best interests of the entire locality and with a minimum of controversy.

A further point that I wish to make relates to any approaches that the Minister might have made to the Federal Government on the subject of tariff protection to those industries involved in technological developments of an advanced nature. This may seem somewhat of an anomaly, because we have had the Industries Assistance Commission advise us that any industry that requires tariff protection must, by definition, be inefficient and backward. Yet, a very interesting paper written by one of the partners of Codan, a very progressive South Australian company in the field of high technology, indicates the value of tariff protection to certain types of high technology companies. It is value in the sense that it enables the development of technology to be kept on shore, rather than to be transferred to much larger countries. That is something that will enable Technology Park to progress. If we do not try somehow to give those sorts of protection, the type of high technology development that we get at Technology Park may well be very limited.

When first hearing the Technology Park concept, I asked a number of people why the Defence Research Centre was not used as an alternative site. It seemed to me that that had all the advantages that could be used: it had the site, the land, technicians, buildings, and the research history behind it. However, I must say that I have been impressed with the answers that I have received, namely, that this site is the superior one because it is located next to the Institute of Technology and provides greater access to technology and academic learning than the other site may have done. Yet, it is still close enough to the Defence Research Centre to draw on whatever expertise may be available there. Of course, considerable expertise is available at that institution.

By means of another comment of a positive nature on the development of high technology in South Australia, I indicate that it is a sector that we could well consider because of its lack of dependence on proximity to major markets or population centres. As was pointed out earlier this evening, it is quite correct that we can have development of high technology some distance away from major population centres, and yet not be at a serious cost disadvantage.

I can cite an example that I came across overseas, namely, in Austria, where I saw this working, although in this situation it was not so much private enterprise operating but Government enterprise operating by means of the Austrian Federal Ministry of Science and Development. They in that country have been able to foster technological development, high technology in many cases. They are leaders throughout Europe, yet they are clearly on the very edge of the western European population base. They are clearly outside the main stream of the western European population. They have been doing that for many years and have proved that it can work. I think that their example, albeit a public enterprise one rather than a private enterprise one, can be of considerable advantage to us.

I had wanted to make a number of comments about the supplementary development plan, which was the ambit planning tool that came with the Technology Park legislation. However, I am restricted by time, and I will have to leave those comments to another time. Suffice to say that I am perhaps a little concerned that some of the submissions that were made by myself as one of the local members and by Salisbury council were not in their entirety, or to any great extent, adopted by the wording of the supplementary development plan. I can only hope that they have been adopted in the spirit and intent of that plan and of this legislation.

I have evidence to suggest that the environmental concepts certainly have been adopted as far as the concept of Technology Park is concerned. Provided those precautionary notes that I have raised receive satisfactory answers, I am more than happy to support this legislation and, on behalf of the local community and indeed the State at large, wish the entire concept its most favourable development.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I thank at least some honourable members for their very constructive comments during the second reading debate on this Bill. I appreciate the widespread support throughout this House for the Bill, and, more important, the whole concept of Technology Park Adelaide.

It has always been a very personal ambition of mine to see greater efforts made here in South Australia to get a very close co-operation between our two fine universities, the University of Adelaide and Flinders University, and between our various research institutes. We have some of the finest, not only in Australia, but in the world. I refer, in this respect, to the Waite Agricultural Research Institute, the Defence Research Centre, Amdel, and many others, as well as to the research capacity that those bodies and industry have. It is my belief that industry in this State can prosper and benefit greatly from the day that there is a much closer working relationship between those various research and academic/technical institutions and industry. It needs to be a symbiotic relationship in that each party helps each other mutually. Tremendous capacity and tremendous resources are available in the universities and research institutes which, frankly, are not being utilised at all for a commercial development in this State.

I now refer to a number of remarks made by honourable members. I particularly thank honourable members on this side of the House for the unqualified support that they gave to Technology Park Adelaide. I refer, first, to a couple of remarks made by the Leader of the Opposition. Perhaps the biggest surprise of all was his opening remark that he in fact supported the concept of Technology Park. That represents a complete flip by the Australian Labor Party of this State.

Mr Bannon: Don't be stupid, Dean.

The Hon. D. C. BROWN: The honourable member says 'Don't be stupid.'

Mr Bannon: I know what you're going to quote: a one-tag line on one aspect of the project. Don't waste your time. Do you want a bipartisan approach or not?

The Hon. D. C. BROWN: I shall read to the Leader of the Opposition and to other members of the House what the Deputy Leader of the Opposition, Mr Wright, was quoted as saying in the *Advertiser* of 3 October, the day after I officially launched the concept of Technology Park Adelaide. I can understand that the Leader of the Opposition is very sensitive about this. This is what was reported in the *Advertiser:*

> The Deputy Leader of the Opposition, Mr Wright, said that Labor had looked at the idea of a technology park and had been warned that it could not be justified.

I find it astounding that in October last year the Labor Party came out knocking Technology Park but has now done a complete flip and is supporting it.

Mr Bannon: I am afraid that is not the case.

The Hon. D. C. BROWN: Well, it is the case—

Mr Bannon: No, it is not.

The Hon. D. C. BROWN: —and the evidence shows it. Let us not be too small minded—

Mr Bannon: You will have to produce more than that.

The Hon. D. C. BROWN: —about their support for Technology Park. I welcome the Opposition's support. I simply highlight the fact that the Opposition has been critical of it in the past, but is now openly supporting it, having previously said that it should not go ahead. I think it is appropriate that we do register the fact that there has been a change in thought, which I understand has been brought about because there has been such wide community support for what the Government has done in this area, particularly from bodies such as the Institute of Technology, the Adelaide and Flinders Universities and other bodies. I was extremely impressed with the reaction of the 350 guests who turned up to the opening of Technology Park and their response to the bold initiative taken by this Government's investing the sort of money involved, a total of $6 000 000, in this type of venture.

I turn now to the criticism made by the Leader of the purchase price of the land. I hope he is listening, because he made something of a fool of himself earlier this evening in this House with his remarks about this purchase price. First, the actual price paid for the land as such was $1 900 000 and not $2 400 000, as he suggested. If one looks at the Public Works Standing Committee's report, the figure given there by the Treasury broke the overall costs down into two broad categories; one was the price

paid for the land and associated costs, which are quoted as an estimate at that stage of $2 400 000, and the other costs, site development costs, of $2 600 000, make a total of $5 000 000 for the Technology Park as such. External drainage works were quoted at $1 100 000.

What members need to appreciate is that the $2 400 000 includes a number of other costs. The actual purchase price of the land was $1 900 000. Some of the other costs are associated with drainage because Elder Smith-Goldsbrough Mort was paying some of those drainage costs. There were also potential costs associated with upgrading certain roads. I stress my first point that the actual land cost was $1 900 000.

Let us look at that valuation and see if it is reasonable. The Regency Park industrial estate currently sells developed blocks of land at $100 000 a hectare. The purchase price for Technology Park for undeveloped land was only $22 000 a hectare. In fact, if one takes the claim made by the Leader in this House this evening, that the Government paid $1 500 000 too much for the land, then that reduces the actual purchase price, on his estimate of what it should have been, to $400 000. Where would one buy 85 hectares of choice prime land, as described by the member for Salisbury, a beautiful site with a creek running through it, about 10 kilometres from the Adelaide G.P.O., for $400 000?

I did a calculation, and on what the Leader said should have been paid for the land it works out at $4 705 a hectare, a little over $2 000 an acre. Where within 20 or 30 miles of Adelaide would one be able to purchase land of that quality or use for about $2 000 an acre, as suggested by the Leader? I appreciate the fact that he has developed a reputation as a man who has little regard for the truth when he makes his exaggerated claims in this House, but I think tonight that if members look at the facts they can clearly see that his claim that the Government has paid $1 500 000 too much for the land at Technology Park is quite outrageous.

The Leader has come forward with the ludicrous suggestion that we should have been paying according to the use of the land. As a man who understands a little of the rural scene and land prices, can I put the point to you, Mr Deputy Speaker, that if you were a developer buying land around Adelaide and you were going to use it for a specific purpose the price you would no doubt have to pay for that land, whether you wished to do so or not, would in fact be the price associated with the potential use and not with any existing use it might currently have. That is exactly the basis on which the Government had to buy that land. In fact, the Government took a number of independent valuations. The valuations received indicated quite clearly that they were quite reasonable valuations.

Mr Bannon: Why is the Valuer-General going to value it at only $1 000 000? What valuation will be put on it for the purpose of rates and taxes?

The Hon. D. C. BROWN: I ask the Leader to listen; I appreciate that he has been somewhat embarrassed by the facts.

The next point to which I refer is that the Leader suggested that there had been considerable friction between the Department of Trade and Industry and officers of the State Development Office. That is a ludicrous suggestion. In fact, the Department of Trade and Industry has been the prime department in relation to this matter and has appreciated the very strong support it has received from the State Development Office; in particular, from Roger Sexton and Matt Tiddy. There have been countless discussions, and we have received great support from them. I am sure that my officers who were involved in these discussions would be only too willing to confirm the sort of support we have received.

Mr Bannon interjecting:

The Hon. D. C. BROWN: Again, it appears that the Leader has no regard for the facts or the truth. The Leader even suggested that the Government does not own the land. I point out to him in his sheer ignorance that, in fact, the Government does now own the land. That shows the extent to which the Leader is prepared to stand up in this House and make wild claims and statements when obviously he does not know the facts. The Leader of the Opposition also put forward the argument that the Government should be leasing the land rather than selling it. I draw to the Leader's attention that our experience indicates that a number of companies, particularly international companies, often will not build an industrial establishment or invest money in any venture on land unless they own the freehold title of that land.

Mr Bannon: What did your department recommend?

The Hon. D. C. BROWN: It recommended what is contained in the Bill.

Mr Bannon: You'll say anything that suits you for the purpose of the debate, too.

The Hon. D. C. BROWN: That is exactly what the department recommended. Of course, there will be some cases where the land might be leased. In fact, we hope that as much of the land as possible is leased. There is no doubt that there are companies that will not invest money—and there is one very substantial company in this State employing over 600 people which has made this quite clear—in an industrial estate unless they hold the freehold title to the land.

The last thing the Government would want to do is to exclude some very prominent companies which are potential investors in a park like this, simply because we are too narrow minded when laying down the conditions under which they can move into the park. I point out that, if the land was being entirely leased, then certain conditions could easily be attached to the basis under which a company established on that land. Because we need to be able to sell the land with a freehold title to the purchaser, it is then necessary for us to have the very rigid powers highlighted, I think, in clause 23 of the Bill, to be able to control exactly what goes on within Technology Park Adelaide.

Two officers from the Department of Trade and Industry have made overseas trips to inspect technology parks. The one message both of them came back with very clearly was that the highest possible standards must be maintained at such a high technology park. If the standards start to drop, if the environment becomes shabby and if it takes on the appearance of an ordinary industrial estate, the entire project is likely to suffer considerably.

The next point that was raised was why there was an early announcement. The official launch of Technology Park took place when Cabinet took the final decision that it should proceed. The Leader of the Opposition suggested that I had somehow prejudiced the negotiations for the land by an early announcement on the exact site. I highlight to the Leader of the Opposition that we were looking at a number of potential sites. One site we were looking at very late in the piece was immediately across the Main North Road from the site finally purchased. The Government worked out what conditions it would accept and what price it was prepared to pay for the land and at various stages it appeared that no suitable purchase would be made at this particular site, so alternative sites were looked at.

Another point a number of speakers raised was that it is important to attract high technology industry to South Australia to broaden our industrial base. I cannot overemphasise the importance of that to South Australia. We must do it if we are to maintain the effective large manufacturing base we currently have. The experience in those

manufacturing areas is that unless you attract high technology industry in the manufacturing area, then your manufacturing base will contract at a very rapid rate.

We have seen a number of large overseas countries find their manufacturing bases contracting because they have slipped behind other countries, such as Japan, in the adoption of high technology. It is for that reason that the South Australian Government, while being accused by the Opposition of not making any decisions, made this very bold decision and one which we admit quite freely involves some risk. This is a risk that this State must take if it is to survive as a viable growing economy and it is certainly a risk that this Government is prepared to take.

It is interesting that here is a Government that is prepared to invest $6 000 000 in a venture like this. We admit that on our calculations over a 15-year period the potential loss, if the worst occurred, would be about $500 000; the optimistic view is that there is a potential gain or surplus of $1 200 000; the more hopeful view is that we would simply break even. We are not ashamed of that; it was highlighted in the report of the Public Works Standing Committee. The Government gave the committee the information and it was appropriate that the committee should highlight that point. We are not scared to stand up and say that we are investing money in the long-term future of this State. I would be the first to criticise narrow-minded, narrow-thinking people who believe that the Government should not invest in the future and take some risks in doing so. Let me assure this House that the Government has carefully assessed those risks and, having outlined the parameter of the risks, we believe it is to the long-term benefit of the State. We are therefore prepared to move forward through the development of Technology Park Adelaide.

Finally, I would like to touch on one or two points raised by the member for Salisbury. First, he referred to comments made by Alderman Keith Alderson which tend to completely belittle the approach that the Government has had from a large number of companies showing a keen interest in Technology Park. The next point I raise relates to the honourable member's questions about the adjacent area for stock and that the concentration of stock will actually be increased. I bring to his attention and give him an assurance that Elders-IXL (as the company is now known) is going to substantially upgrade that area and we believe that the dust problem will be far less than it is now and will not increase.

I highlight the fact that the Bill has been tabled in the House for two months and there has been ample time for any person in the State to read it and comment on it. The honourable member asked for assurances as to who the members of the board will be. I cannot give him those assurances because I have not yet selected the members of the board.

The honourable member asked for an assurance that the interests of the entire area would be taken into account. I can give the honourable member the assurance that, throughout the planning of Technology Park Adelaide, the whole objective has been not only to maintain the high standard of that area but also to substantially lift it.

As the local member for an adjacent district, I can assure him that about 30 hectares of the park will be set aside for community use. There will be development of a linear park along Dry Creek, and the community will be able to share the benefits of that development and investment. The honourable member asked whether we had taken steps for tariff protection for companies likely to be involved in Technology Park. I can assure the honourable member that this Government takes a realistic view on tariff protection.

I have had discussions on certain areas of high technology. More importantly it is essential that the Government encourage off-set manufacturing in this State, because that is one area that will attract high technology manufacturing industry and will have big spin-off benefits for people involved in the park. In fact, there is no doubt that park participants have much that they can gain, not only from the South Australian Institute of Technology and the two universities but also from the Defence Research Centre.

The Government would certainly encourage close co-operation between those centres. Technology Park is a better site than the Defence Research Centre, because it will not suffer from all of the security problems and other defence procurement problems associated with the defence centre. In fact, one or two of the participants at the centre highlighted to me the difficulties of trying to manufacture for commercial or public use in a defence establishment.

I pay a tribute to those people who worked so hard to bring about the final purchase agreement for the land and to ensure that the necessary site development work and the introduction of this Bill was completed. In particular, I refer to the Director-General of the department, Mr Lincoln Rowe, and to the Deputy Director-General, Mr Ian Kowalick, who has taken the overall responsibility for Technology Park Adelaide. Mr Phil Plevins has been responsible for the day-to-day responsibility and Mr Brian Court who has assisted Mr Plevins. Those people have worked tirelessly for about 18 months developing and putting this concept together. Honourable members should not under-estimate the many hours involved every week. On many nights they negotiated until 9 o'clock or 10 o'clock for the purchase of the land.

I refer to the difficulties of taking land which had zoning, drainage and other problems resulting from its location. They had to overcome those difficult problems. Many of the problems were drainage problems outside the Technology Park area. They had to overcome those problems as well as problems with Australian National. They successfully did that.

I also pay a tribute to the Salisbury council. I refer to the co-operation received from that council. I appreciated it and I know that officers of the Department of Trade and Industry appreciated it. Also, I refer to the co-operation received, although I must say that the company was difficult in its bargaining, from Elders-GM—

Mr Bannon: They were difficult, but they did very well.

The Hon. D. C. BROWN: The company publicly complained that we were equally difficult. The settlement was fair and reasonable for all parties involved, and anyone who understands the circumstances would agree with that. I thank members for their comments, and I look forward to support for the Bill from all members.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Membership of the corporation.'

Mr BANNON: Paragraph *(b)* refers to one person being appointed to the corporation by the Governor on the nomination of the Commonwealth Minister. Will the Minister say what involvement the Commonwealth Government has had in this project, what involvement is expected, and what will be the *quid pro quo* for having a nominee of the Federal Minister?

The Hon. D. C. BROWN: The involvement has been quite simple. We have received tremendous moral support, particularly from the Federal Minister, Mr David Thomson, who spoke at the official launching of Technology Park, who has persistently promoted Technology Park Adelaide throughout Australia as the first technology park in Australia, and who has highlighted the initiative that has been taken by this Government.

Another reason has been the heavy involvement of the Commonwealth Government in bodies such as Aztec, which we see as a very key body, and its involvement in offset manufacture. Of course, there are other reasons. A number of Federal Government instrumentalities or research institutes are involved, and the Federal Research Centre is owned by the Commonwealth Government. The Commonwealth Government has investment in bodies such as Amdel, and puts considerable funds into the research and development area. For that reason, and because of the tremendous support the State has received from the Commonwealth Government and the Department of Science and Technology, we decided to include a Commonwealth Government representative. I made that offer to the Commonwealth Government.

Mr BANNON: The Minister referred to moral support and outlined what one might call lip service to the project. I understand that an approach was made for more tangible assistance from the Commonwealth, particularly in the form of financial assistance for the establishment of what, after all, could be seen to have considerable national significance. What response has the Government received to that approach?

The Hon. D. C. BROWN: We made a request, which was publicised in the paper, asking for financial assistance with the marketing of Technology Park. The answer for this current financial year is 'No'. That is perhaps not surprising, as the request went in late, after the Budget was set. I assure the honourable member that on a per capita basis this State receives more in terms of research and development and innovation grants from the Commonwealth Government than does any other State. We have appreciated the support given by the Commonwealth Government. We will certainly try again next year to obtain financial assistance from the Commonwealth Government for the marketing of Technology Park. We also look for support ultimately (but it may not be in the immediate future, because of the plans) from a body such as C.S.I.R.O., which we hope will develop a facility in Technology Park. Discussions have been held with C.S.I.R.O. in that regard.

Mr BANNON: The Minister has clearly indicated that, as with many things, the Commonwealth is prepared to offer some verbal assistance if it believes it desirable to do so but not back that up with any tangible support. I believe the fact that there may be a high component of Commonwealth research activity in South Australia relates more to the defence functions that were established some years ago than to a conscious decision by the Federal Government to support such activity in this State. However, I hope that the offer of representation on this corporation will aid the process. All five of the other members are to be appointed by the Governor on the nomination of the Minister. No specific categories have been provided. While the Minister is obviously not prepared to indicate the names of those members at this stage, will he say what categories he will consider and from where those people will be drawn?

The Hon. D. C. BROWN: No, I cannot indicate the categories at this stage. I do not intend to do that until I finalise the selection. I assure the honourable member that I believe it was a real tribute to this State and to Technology Park Adelaide that Sir Geoffrey Badger and Sir Samuel Burston, who is the Deputy Chairman of Aztec, both came to the launching of Technology Park.

Mr LYNN ARNOLD: Unfortunately, I was out of the Chamber receiving a deputation and was not able to hear the Minister's closing of the second reading debate. He may have answered the question that I am about to ask which is in relation to the membership of the corporation and whether the Salisbury council will be able to participate in that membership by means of a nomination.

The Hon. D. C. BROWN: I indicated that I had not yet made up my mind as to who the five representatives should be or from where they should come.

Mr LYNN ARNOLD: I take the Minister's answer and there is no point in re-asking the question in view of that answer. However, I state now that I hope the Minister will give serious consideration to the Salisbury council being invited to submit a nominee to that corporation. Technology Park is sited in the area of the city of Salisbury: it is surrounded on all sides by it. The council will be able to be the voice of the local residents who can participate in the way in which Technology Park can develop in the years ahead. Certainly, local residents will feel the impact of Technology Park in one way or another. I hope it will be a positive impact and I think it will. To ensure that it is, the voice of the local community through local government should be heard on the corporation board. I take this opportunity to reinforce that point and urge the Minister to give favourable consideration to that.

Clause passed.

Clause 7—'Chairman and chief executive officer.'

Mr BANNON: The clause provides that the Governor shall appoint one member to be Chairman and the same or another member as chief executive officer. There seems to be mixed practice as far as the Government is concerned with the membership of the chief executive of the corporation or the governing body. This goes further and suggests that the chief executive could also be the Chairman. Could the Minister indicate whether it is his intention that the two be combined or separate?

The Hon. D. C. BROWN: I expect them to be separate but I did not want to preclude the fact that at some time in the future the same person could fill both roles. It depends on the nature of the person involved. It also depends on the stage of development of Technology Park Adelaide. Initially I believe the executive officer needs to be someone who can go out and market the Technology Park extensively and help oversee its development. At this stage they will be separate people but at some time in the future, if a suitable person came along, I would not be opposed to that person filling both positions.

Clause passed.

Clauses 8 to 11 passed.

Clause 12—'Functions of the corporation.'

Mr BANNON: This clause refers to the powers and functions of the corporation, amongst which is the development and maintenance of the land being provided. As the Minister has mentioned earlier in the debate, the development of this part of the land also affects development in surrounding areas. In this context I would ask about the drainage works that are necessary as part of the project. The Minister has carefully used the term '$6 000 000' in relation to the scheme and in the report there is a reference to external drainage works of $1 100 000. Yet, if one looks at the total project as disclosed by evidence before the Public Works Committee, one sees that the estimated cost of total drainage works to be carried out in the Dry Creek catchment area as part of this ongoing scheme is $11 300 000 on a 1981 figure. The evidence before the committee also indicates the way in which the payment for that amount can be met; that is, 50 per cent from the State Government with shares from three surrounding councils, with Salisbury paying the bulk of it and Tea Tree Gully and Enfield paying reducing amounts.

Obviously, there is considerable responsibility to ensure that these works are carried out. Has the Government made a commitment to this total of $11 300 000, and have the respective councils also indicated their commitment to the payment of it before the corporation takes over?

The Hon. D. C. BROWN: First, the corporation as such will be involved in the development of Technology Park itself. A drainage authority will be established under the appropriate Act, which is administered by the Minister of Local Government. That drainage authority will comprise the Tea Tree Gully and Salisbury councils and, I think, the Enfield council. I think that only three councils are involved. The Salisbury council is by far the predominant council. I think that, with a drainage authority like that, one-third of the funds is contributed by local government, one-third by the Highways Department and one-third by the State Government; that sort of arrangement is involved. External drainage work will come under that drainage authority, and the Technology Park corporation will be involved only on the internal management of Technology Park, Adelaide.

Mr BANNON: Am I right in believing that, in the absence of the Technology Park project as such, these sums would not need to be committed at least in the foreseeable future and that therefore, in looking at the total cost of the project, one must add in this $11 300 000, deducting a proportion for the specific amounts that are needed on the site itself? Did the Government anticipate or contemplate these amounts being spent when it embarked upon the project in the way it has?

The Hon. D. C. BROWN: The answer to the last question is 'Yes', we did anticipate them. The exact nature had to be worked out through a number of consultancy studies which were obtained and paid for by the Government. That investment in the drainage scheme on present-day values—that $11 400 000—had to proceed and would have proceeded. It would not have proceeded as quickly as it is going to: at least the initial part of it will under this proposal. Members have to appreciate that the drainage for the entire Dry Creek catchment area requires an expenditure of about $11 400 000. Internal drainage within Technology Park, Adelaide, involves an expenditure (if you include land acquisition and other development costs) of about $5 000 000; that includes bridges, culverts, kerbing, roadways, parks, footbridges and all the other things associated with it, as well as internal drainage, because there are some low areas that need to be run into the creek.

There was a need for this. In 1953 or 1954 there is a classic photograph of that area with some people standing there with water up to about their waist, and that is a real possibility out there today. If you look carefully you will find there are some levy banks around the Institute of Technology. There must be a real possibility that any day or at any time and (one can never predict when it will occur) the Institute of Technology could be flooded, as well as many of the shops on the southern side of Main North Road. There has been a long-term risk that there could be floods. There have been other problems, and I think there have been one or two flash floods out there in the past 10 years. It is a drainage programme that had to proceed irrespective of Technology Park. We have sped up certain parts of that drainage work, and we have financially assisted in some of that external drainage work to be done.

Mr BANNON: Is it not a fact that the development of Technology Park will make extremely urgent the drainage work being carried out around the Institute of Technology itself? In other words, the levy banks that currently exist could be deemed to be adequate for their purpose but the extra drainage and diversion of drainage that the development of the site will entail at Technology Park will also require this work to be done. This is a very massive capital sum that must be spent at a time of, we are told, great constriction of Government funds for projects such as this.

It is, after all, competing with things such as water filtration, roads and highways development, and a number of other schemes such as the Murray River salt mitigation works, and so on—there is a whole range of projects—and here we have a very large sum, nearly $11 400 000, which will have to be put out fairly rapidly as part of this project. I repeat my question, because I do not think that it has been too well explained by the Minister: in embarking upon what is in effect about a $5 000 000 or $6 000 000 project of development, the Government, in conjunction with local government, which must be brought to the party, as it were (I do not know what powers of resistance it has—it may well exercise them), must commit itself to a further $11 000 000, thus raising the total cost of this development to a high level indeed.

Whilst in the longer term some such scheme may be seen as desirable, the speed at which it must be carried out and the extent of protection and special facilities that have to be provided surely is such as to, again, put into the equation as to the value of this site the way in which the Government has chosen and planned the site. In other words, we are looking not at about $6 000 000 but something of the order of $17 000 000.

The Hon. D. C. BROWN: I am afraid that the Leader of the Opposition is about to make the same fundamental mistake as others have made by reading selective passages of the recommendations in the Public Works Committee's report. His reasoning is quite wrong. I thought I clearly explained this matter earlier today in my Ministerial statement. Only $1 100 000 of the sum of $6 000 000 is for external drainage work and with that sum we are giving Technology Park, Adelaide, the protection of a one in a 100 years flooding. We are not increasing the flooding potential of the Institute of Technology; we are probably not changing it a great deal at all. As I carefully explained when I read to the House a letter from consultants earlier this afternoon, the only cost is one of, I think, $850 000, which is 7 per cent of the total external drainage costs. That is the only cost involved for Technology Park Adelaide, and I suggest that the Leader carefully read the letter which I received from B. C. Tonkin and which covered that matter in quite some detail. If the Leader wants to try to lump all the necessary costs that had to be allocated to Technology Park Adelaide, for it to proceed, the worst situation involves internal drainage costs plus $850 000.

Mr BANNON: Will the—

The CHAIRMAN: Order! I do not want to be difficult, but the Leader has now had his three calls.

Mr BANNON: I do not know whether another member wants to ask a question, but I have one last point.

The CHAIRMAN: I will allow the Leader to ask his last question.

Mr BANNON: You are very tolerant. I have no further questions on this matter, anyway.

Mr BANNON: I refer to the statement made by B. C. Tonkin that the Minister presented earlier today. I have read that statement and accept the corrections that they say should be made to finding No. 6 of the Public Works Standing Committee, which talks about the direct expenditure of $810 000. However, if one reads on through the Public Works Standing Committee report, it makes clear that those works and that development beyond the actual site is, in fact, necessary because of what is being done there. I refer to point No. 12, which states the following:

> The drainage facilities relating to the South Australian Institute of Technology have a capacity for a 1-in-10 years recurrence and thus will require upgrading, particularly—and this is the crucial point—if the works provided at Technology Park provide potential for increased run-off intensity from that area.

Earlier, there is another reference to the run-off intensity that can be created by that particular project. So, that letter, while specifying a particular amount for Technology Park, does not really answer the Public Works Standing

Committee report, which states that these ancillary works must also take place in conjunction with it, and I do not think that the Minister has, either.

The Hon. D. C. BROWN: Turning to the last point that the Leader raised, the work being done at Technology Park will not increase the flood risk to the Institute of Technology. I want to make that quite clear.

Mr Bannon: That is not what that report states. Look at finding No. 12.

The Hon. D. C. BROWN: Finding No. 12 states that the drainage facilities relating to the South Australian Institute of Technology have a capacity for a one-in-10 years recurrence, and we agree with that. It continues to state that it will thus require upgrading, and we agree with that. It then continues:

> . . . particularly as the works provided at Technology Park provide potential for increased run-off intensity from that area.

I think that that sentence should be taken as two separate parts. The increased run-off will occur further down-stream. If one looks at a map of the area, one sees that there are big drainage columns between the railway line and the Port Wakefield Road. That is where the increased run-off will occur. The increased run-off will not threaten the Institute of Technology. One needs to appreciate that.

Mr Bannon: It is just transferring it on to the railways, or whoever else is there.

The Hon. D. C. BROWN: There are, in fact, some low lying areas which are constantly being flooded now. That increased run-off will simply go into that area. I have spent hours looking at the total drainage problem and having this explained to me by the consultants and officers of the Department of Trade and Industry.

Mr Langley: For how many hours?

The Hon. D. C. BROWN: For many, many hours. We looked at all the different options for directing the creek, but the problem is that the initial catchment or ponding area will be between the railway line and the Port Wakefield Road. Ultimately, something will have to be done there to overcome that problem. That area is rough stock paddocks at present which are owned by Elders/IXL. I assure the honourable member that we are not putting the Institute of Technology at risk by the site development works for the Technology Park.

Mr LYNN ARNOLD: Has the Salisbury council indicated its agreement to the drainage arrangements regarding Technology Park? I know that there has been some conflict between the council and Australian National over the drainage of the railway terminal, about which I believe Australian National should be subjected to considerable criticism.

The Hon. D. C. BROWN: The council has agreed to the arrangement.

Clause passed.

Remaining clauses (13 to 21) and title passed.

Bill read a third time and passed.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I move:

> That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

EVIDENCE ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 12 November. Page 1908.)

Mr McRAE (Playford): This matter returns to plague us yet again. I am very interested to note that this time the Bill has been introduced in the House of Assembly. On the face of it I have no particular knowledge of why it has been introduced in this House. However, I have a very good suspicion why, that is, that the Government will simply roll it through on the numbers in this place and then put the Hon. Lance Milne into his traditional and most unhappy situation in another place. Having said that, I will speak most seriously to this whole matter.

In my view, this whole situation has become a fiasco. Your Party, Mr Deputy Speaker, in its 1979 election campaign, put before the people of South Australia and, in particular, to people living in the northern, southern and outer suburbs of Adelaide a very simple proposition. It was simply that in criminal matters involving sexual offences or offences against young people the right to an unsworn statement, which had hitherto existed, should be removed. It is my personal belief, no matter what has been said in this House, in any other place or in the report of the Legislative Council Select Committee, that your Party, Mr Deputy Speaker, gained a mandate for those two particular issues. It is also my personal belief that it did not gain a mandate for the total abolition of the unsworn statement. Not only did it not gain a mandate for the total abolition of the unsworn statement but also it never even put forward such a proposition to the people. Therefore, it was highly appropriate that at some stage one of the Houses should consider the implications of the Bill that was introduced by the Government, namely, to abolish the unsworn statement altogether.

I can find no stronger support for the position I adopt, always granting as I do that this is a personal matter, not a matter which is adopted by the Labor Caucus or the committee of the Legislative Council, than to adopt the words of the former Chief Justice, Dr Bray, as they appear on page 4 of the final report of the Select Committee of the Legislative Council. These words are historical and are very valid words. Dr Bray said:

> Logic may be against it, but history and humanity are for it. I think it would be a sorry day when every person in the dock of a South Australian court charged with a major crime had only the stark alternatives of saying nothing or getting into the witness box and rendering themselves open to cross-examination. If the prosecution could make out a *prima facie* case and the exculpatory facts were within the knowledge of the accused alone, he would be forced into the box, otherwise the jury would have no inkling of his real defence. Too much, it seems to me, would then turn on his appearance, his composure, his demeanour and his powers of self-expression. The plausible, the suave, the glib, the well spoken and the intelligent would be unduly favoured as compared with the unprepossessing, the nervous, the uncouth, the halting, the illiterate and the stupid. Most people in the dock of a criminal court fall into one or more of the latter cases. Many people in the dock have something to hide, even if innocent of the crime charged, and the consciousness of that may give a misleading appearance of shiftiness.
>
> It may be said, and this applies to all witnesses, that failure to pass the ordeal of cross-examination has not the same consequence for the other witnesses. The very knowledge of the consequences at stake is likely to multiply the chances of a bad performance. Nor does justice suffer as a consequence of a right to make an unsworn statement. Juries are not fools. They are well aware of the differences between making an unsworn statement and giving evidence on oath, and anyhow the judge will remind them of it. The defendant who chooses to make an unsworn statement incurs a handicap. All I urge is that he should retain the right to incur that handicap if he wants to. I would view with revulsion the prospect of his being unable to put his version of the facts before the jury in any form unless he went into the box.

I support with the greatest respect every word that Dr Bray put before that committee. I doubt that there would be one experienced lawyer in this State who would have any reservations about supporting what Dr Bray had to put.

The Hon. R. G. Payne: Would barristers support that, too?

Mr McRAE: I do not want to become involved in arguments about the fused profession or the unfused profession. In particular, I do not want to have to deal with the member

for Mitchell. I will stay with Dr Bray and his statement. I remind the House that, in everything that I say, I have a personal conviction that the Liberal Party succeeded in persuading the electorate in certain parts of the State—I cannot speak for all of them—that in relation to certain offences the unsworn statement should be removed.

Some people would say that that is an illogical situation to reach. In their report to Parliament my colleagues said that various options were open to them. They canvassed the options and came to the conclusions set out on page 14 of their final report, first, that the unsworn statement should be retained subject to certain reforms.

The report goes on to say that the committee rejected option No. 1. Option No. 1 was outright abolition. The committee said that it was convinced that to remove the unsworn statement altogether would mean that the particular needs of some defendants who might be peculiarly disadvantaged in cross-examination because of cultural or personal factors in respect of guilt or innocence would not be able to be taken into account by the court.

The committee also rejected option No. 3, which was to abolish the unsworn statement but to retain safeguards, such as vesting discretion in the trial judge to permit its use in some circumstances. The fourth point raised by the committee was that it would not be appropriate to abolish the unsworn statement in relation to some offences only, that is, sexual offences or white collar crime.

In reaching that final conclusion the committee, I am sure, was confronted with the classical dilemma that faces anyone in jurisprudence about whether one tackles the law in an absolutely logical manner or whether one tries to modify the law to suit the circumstances that prevail and also suit the demands, which have been accepted by the electorate, of a particular Government. That is only portion of the report with which I have any concern, because I have explained that my own view is that it is not illogical, if the electorate wants a reform of an existing system and if, in doing that, the electorate wants the unsworn statement removed from certain offences, for that to happen. In fact, that is part of the democratic process. It may not be part of what some people would term to be a jurisprudencial accuracy, but it is part of what I would say is democracy.

However, the various recommendations that have been made in that report convince me that the Government is now involved in a bloody minded expedition to get everything it wants disregarding, in a totally arrogant and facist fashion, the evidence that was produced before that committee.

I note with particular concern and alarm that the Government did not co-operate in any way with the proceedings of the Select Committee in another place. Two reports are readily available to all members. Those reports contain comments made by various distinguished jurists, very practical people. I do not include myself in that body of distinguished jurists, but I do include myself in the body of practical people. I do not for one moment believe that people who have been or may be involved in crimes of sexual violence or molestation of children should be able to hide behind an unsworn statement. If it is the wish of the electorate that that should be the case, I do not see anything illogical about that. The law is full of illogicalities. Every day of the week one has to remind people that we are dealing with the law and not with justice. Divine justice and human law are two separate issues.

What annoys me very much about this whole matter is the whited sepulchre appearance that we have got. There have been two reports of a Select Committee. Very distinguished people appeared before the Select Committee. For the purposes of my argument, I need to mention only Dr Bray, who was accepted as being one of the finest Chief Justices that South Australia ever had. When Dr Bray left the bench in 1978 (and members can read this in the South Australian State Reports), Mr Justice Hogarth made a glowing speech about Dr Bray's performance in the court and about the high ideals and reality that he had always espoused and aimed for. Mr Justice Hogarth made quite clear that Dr Bray did not seek to set himself above the law but, quite on the contrary, to adapt the law to the realities of modern-day existence. So, I can stay precisely within the confines of the statement made by Dr Bray and feel fully confident that within those confines the public can be protected and the law can be vindicated.

What alarms me greatly is the cavalier fashion in which the Attorney-General refused assistance of any sort to the Select Committee of the Legislative Council, either in relation to its first or its second report. I am also alarmed at the new strategy that has now come into existence whereby the Attorney-General introduces his legislation in the Lower House as part of a tactic to embarrass the Hon. Mr Milne. In fact, a whole stack of Bills and second reading speeches are before me at present concerning the Constitution Act, the Evidence Act and other aspects, the Land and Business Agents Act and the Electoral Act. I can see that this tactic is being adopted by the Attorney in the other place to unload work on to the unfortunate Minister of Education or the unfortunate Minister of Health and to try to pilot these pieces of legislation through the Lower House, well knowing that the Government has the numbers and therefore it will be totally irrelevant whether the arguments are logical or valid. The Attorney intends to put the greatest pressure on the Hon. Mr Milne in another place.

I am very sorry to see that the House of Assembly—the people's House—should be used in this very arrogant fashion by a person whose means (I do not say his intent) remind me of those of a very fascist little crumb.

Mr Mathwin: I think they are very hard words.

Mr McRAE: They are harsh words, and they are delivered deliberately so that members opposite can understand how annoyed the Opposition is over this whole matter. If the Attorney-General has the courage of his convictions, let him introduce his legislation into his own House; otherwise, let him accept the proposition that I have often put before this House, namely, that there should not be any Ministers in the Upper House and that the Upper House should have nowhere near the powers that it has got at the moment. I am saying—

Mr Mathwin: It has kicked it out twice.

Mr McRAE: I thought I caught an interjection from some honourable member as to something having been kicked out twice. I presume that the honourable member must have been referring to this piece of legislation. If it has been kicked out twice, it has been kicked out very honourably on two occasions. It deserves to be kicked out very honourably.

Mr Mathwin: It has got the right to be debated in this place. That is what it is all about.

Mr McRAE: I thought that I heard an honourable member refer to the rights of the House of Assembly, and I am very glad that someone on the other side referred to the rights of the House of Assembly. I have always believed that the Attorney-General should be in the House of Assembly—in the people's House—where he can be accountable. I see no reason at all why the Attorney-General should be cloistered away in the other place. I still see no reason at all for that. I must say that the report that has been given by the other place is a very logical one that would seem to take into account all the pertinent evidence that could be gained under the very difficult circumstances that were thrust upon them.

What annoys me very much is that it is quite impossible for either the Minister of Education or the Minister of

Health to answer very relevant and very pertinent questions that the Opposition may want to put on matters of law in this place. Of course, it must be very embarrassing for both those Ministers. I am very sorry that they are being used in this fashion.

Mr Mathwin interjecting:

Mr McRAE: An honourable member points to the fact that on this occasion we do have law officers present. That is only because over the past two years I have been demanding that they should be present.

Mr Crafter: They don't advise on policy, though, and that is where you are falling down.

Mr McRAE: I agree with the member for Norwood, who correctly points out that they do not and should not advise on policy. Indeed, they should not advise on policy, and that is the real problem because, in the matter under discussion, we are talking not about drafting but about Government policy.

The Government's policy quite clearly, in this whole area, is to confuse the whole situation and to use up the House of Assembly as a kind of addendum so that matters can be rolled through on the numbers—let them go through the Upper House and they can then bargain with the Hon. Mr Milne, in conjunction with various other matters so they can get the best result. Things have changed. I deny there should be any Ministers in the Upper House at all, but if there are going to be Ministers in the Upper House then one would hope they would have the courage of their convictions and introduce their own Bills in their own House. We have not even got that. We have not even got a person who understands anything about the whole matter. I do not blame the Minister of Education.

The Opposition is by no means pleased with the tactic that is obviously being used by the Government and by the Attorney in relation to all these matters. I do not want to make a protracted speech but I merely point out to honourable members that the report that was produced by the Legislative Council, albeit among great difficulties, includes a very reasonable Bill. The proposed Bill is on page 34 of the report. I find that, whether or not members of the Select Committee have adopted my particular philosophy, at least they seem to have ended up with the result that I sought. Any member who wants to look at Parliamentary Paper No. 150 of 1981, in particular page 34, and at the draft Bill will find that pretty well everything that the Liberal Party sought in its election drive in 1979 has been provided for.

I want to point out to honourable members that the draft Bill that does appear on pages 34 and 35 of that report in fact so negates the difficulties that have arisen in the past relating to unsworn statements as to in effect provide the same result. In particular, I refer to those parts of the proposed Bill that involve imputations on the character of the prosecutor or the witnesses for the prosecution and the results that will follow from that; that is the forfeiture of protection. I refer to the proposed new section 18a, which provides that:

> No assertion may be made by way of unsworn statement if, assuming that the defendant had chosen to give sworn evidence, that assertion would have been inadmissible as evidence.

In particular, I refer to subsection (3) of proposed new section 18a, which states:

> Where an assertion made in the course of an unsworn statement is such as would, if made on oath, have been liable to rebuttal, evidence may be given in rebuttal of that assertion.

That provision, in conjunction with subsection (6) of proposed new section 18a, which provides that the rules of the common law relating to sworn statements will apply also to unsworn statements, seems to me to provide in large measure precisely what the Government sought in the first place. Indeed, the proposed Bill goes so far (and I am not sure that as an individual I am particularly happy about this) as to include in those courts where a person may make an unsworn statement, justices courts, coronial courts, or where any person is acting judicially.

In a nutshell, I know what this whole argument is about. I know full well that at the last election the Liberal Party had a reasonable proposition to put before the people. I know full well that the people formed a view that in relation to certain offences the right to an unsworn statement should be removed. I know full well that the matter can be argued politically and logically.

However, what disturbs me about this whole matter is what has always disturbed me about the administration of criminal justice in this State and the administration of penal reform in this State, and that is the implacability of the Party, the seeming impossibility of the Party, to get together and act reasonably, because there is every basis for finding a midway course, which is what we ought to be seeking.

What disturbs me very greatly indeed is the situation I find before me, where this House, the people's House, the House of Assembly, is to be used as a rubber stamp simply to put pressure on the Hon. Mr Milne. In those circumstances, I have no option but to vote against the second reading. I say that because, in addition to what I have already said, there has been no attempt, no reasonable valid attempt, by the Attorney in a document that is readily available to the public, let alone to the Parliament, to refute the final report of the Select Committee. In those circumstances, the Opposition can only oppose the second reading.

Mr MATHWIN secured the adjournment of the debate.

ADJOURNMENT

At 10.29 p.m. the House adjourned until Thursday 11 February at 2 p.m.