HOUSE OF ASSEMBLY

Wednesday 4 April 1984

The SPEAKER (Hon. T.M. McRae) took the Chair at 11.45 a.m. and read prayers.

MINISTERIAL STATEMENT: ADELAIDE TO MELBOURNE STANDARD GAUGE LINE

The Hon. R.K. ABBOTT (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. R.K. ABBOTT: When Question Time ended yesterday I was about to provide an answer to the member for Fisher regarding the future of the rail line through the Hills and the impact of plans to standardise the Adelaide to Melbourne line. It is an important question and should be of interest to the House, so I will provide some of the details now. Adelaide is already linked to most other States by standard gauge. The Adelaide Hills link is the only one left to convert.

Studies of this project have included the possibility of new alignments to bypass the steep grades of the Adelaide Hills. However, these other alignments have been abandoned as being much too costly at this stage. Australian National and the Victorian Railways have been looking at a number of options. At the moment the preferred plan includes:

A third rail on the existing alignment from Adelaide to Tailem Bend;

Standard gauge conversion between Tailem Bend and Ararat;

A third rail from Ararat to Geelong;

and a new standard gauge link from Geelong to Melbourne. The third rail from Adelaide to Tailem Bend would mean that both standard gauge and broad gauge operations would continue on the current alignment allowing the Loxton line to remain as broad gauge. The standard gauge conversion from Tailem Bend to Ararat would mean the conversion of lines in the South-East to standard gauge. Under these plans the existing line through the Adelaide Hills will be preserved and maintained. Even if a new alignment could be found that was economically justified, the present track would be preserved to serve the broad gauge network in the Mallee and to Loxton.

QUESTION TIME

NATIONAL WAGE CASE

Mr OLSEN: Will the Premier say what impact this morning's national wage case decision will have on next financial year's State Budget? This morning's national wage case decision will cost the Government just over $12 million in salaries for Public Servants for the remainder of this financial year. In a full year, the additional cost to the State Budget from this decision alone is approximately $50 million. This decision, coupled with the 4.3 per cent national wage rise awarded last October and recent increases obtained by clerks and teachers will cost the Government about $65 million this financial year.

Whilst the Premier has said that the 1983-84 Budget is still on course, the cumulative impact of wage movements during this financial year will add at least $142 million to Budget outgoings next financial year. The cost means that either taxes will have to rise again in 1984-85—

The SPEAKER: Order! The honourable Leader clearly is entering into a debate. I ask the honourable gentleman to complete his explanation or link his remarks to the question.

Mr OLSEN: With the $142 million additional outgoings in the Budget next financial year, will services be cut?

The Hon. J.C. BANNON: I cannot comment on the figures that the Leader has presented, because I am not sure whether or not they are accurate.

Mr Olsen: They are.

The Hon. J.C. BANNON: The Leader assures me that they are accurate. No doubt, with his detailed knowledge, that statement could stand up. The increase awarded by the bench is in accordance with the national prices and incomes accord and the principles of centralised wage fixing which this Government has very strongly supported and which has yielded very tangible financial benefits: for instance, the 'savings', as I mentioned in my Budget speech last November, in relation to the introduction of the centralised system could be seen to be about $25 million. I put 'savings' in inverted commas, because one must set that off against a burgeoning deficit that was already occurring in the 1982-83 financial year because of a great under-provision for the wages and salaries line by the previous Government. There was no way in which they could be translated into specific savings in terms of the deficit. However, it meant that the deficit did not blow out much more.

I believe that that stable centralised system is to the advantage of not only the economy but also the Government in terms of its wages and salaries cost. The award today is one that was anticipated in our allowance in the Budget, and I refer members to my Budget speech and the reference to salaries and wages. The provision that we made for increases is roughly in line with the centralised wage increases that have occurred. In fact, because of the timing of those increases, we have been able, to a limited extent, to accommodate the so-called equitable base increases that have also been approved. As to the full year cost into next year, obviously that has been taken into account in our forward budgeting—it must be. Once one has built a particular level of wages into the base then that level will continue through.

This applies, of course, on the revenue side as well, so there is nothing that has happened today, or that has happened in the wages area so far, that gives cause for concern in terms of underlying Budget problems, either in this current financial year, because it was budgeted for, or in future years, because we have anticipated this system applying at least over the next 12 months. While it applies, I believe that the benefits will be very great. If, in fact, the confidence that this method of wage fixing induces in the work force, both in job security and economic security, results in increased consumer confidence and spending, it will be translated very quickly into very tangible benefits for the economy as a whole—and certainly the indication over the past six months has been that the introduction of this centralised wage fixing system and the regular increase and indexing of wages induce confidence in the work force, consumer confidence and spending, which in turn aids economic recovery. My Government fully supports that.

PRIORITY HOUSING SCHEME

Mrs APPLEBY: Will the Minister of Housing and Construction inform members of this House what guidelines are used by the South Australian Housing Trust in determining eligibility for urgent accommodation under the Priority Housing Scheme? I raise this question in an attempt to clarify the present housing situation. It has been put to me that it may be the case that the guidelines being followed at this time are the same as those that applied when the

waiting list was half the present number of applications. It seems that the number of priorities being sought, because of the dire circumstances in which people find themselves, would be a higher percentage than expressed in previous years and that many of these applications are accompanied by medical certificates and Department for Community Welfare recommendations.

The Hon. T.H. HEMMINGS: I thank the member for Brighton for her question. I know that she is concerned, as I am, about the operations of the priority housing scheme, as she has raised a number of cases with me that have highlighted some difficulties in the system. I, too, have had some concerns as to the effectiveness of the system. One common complaint has been that it takes at least six to eight weeks for the average application to become a home for some families with difficulties. For some families this is not an undue time lag; for others it is a severe problem. I recognise this problem and will be looking at ways to reduce the time process for critical cases. The guidelines for priority housing assistance are in many ways an evaluation of circumstances of families, made by the Housing Trust and reviewed by an external committee, to ensure that a wide range of viewpoints is taken into account.

The major factors contributing to households' needs for priority housing assistance from the Trust are:

1. Medical problems—physical and mental—which are caused or worsened by the housing situation and which contribute to difficulty in obtaining private sector housing or which require urgent housing close to a particular medical facility;

2. Social and related problems where family and other relationships are severely affected by the housing situation, where it is apparent that Trust housing would be a major factor in overcoming difficulties and where the household would face exceptional difficulty in obtaining private housing;

3. Financial problems resulting in genuine and extreme hardship through low income and exceptional commitments;

4. Extremely unsatisfactory accommodation which is unsuitable to the needs of the household, particularly one of an exceptionally poor standard or overcrowded; and

5. Physical eviction where the household is forced to vacate and could not reasonably be expected to obtain suitable alternative housing.

It is the Trust's experience that the majority of households requiring priority assistance experience a combination of several or all of these difficulties, and assessments are made on the basis of careful review of all of the circumstances of the individual household without assigning any priorities to the various factors which contribute to the household's need for urgent public housing.

The Trust identifies households in need of priority housing assistance through two mechanisms. The first of these is a referral scheme under which workers in social welfare and medical agencies can formally refer applicants to the Trust for urgent assistance. The procedures followed by social workers and others under this scheme are set out in a booklet called *Users Guide,* which was prepared by SACOSS. All referrals under this scheme are reviewed monthly by the external committee that I mentioned earlier, comprising representatives of SACOSS, Department for Community Welfare, Department of Social Security, mental health, the women's shelters, the Emergency Housing Office and the Trust.

The second mechanism is an internal procedure under which applicants in urgent need of assistance are given priority. Under the Trust's various priority housing procedures 575 households and individuals were approved for early housing in the first half of the current financial year. During this period, the Trust allocated a total of 3 334 rental dwellings, of which 18.3 per cent were made available on a priority basis. I recognise this has been a long answer but, in view of the fact that I receive on average 10 to 15 requests per week from members of this House and the other place for consideration of their constituents' needs for priority housing, I am sure that honourable members will recognise the importance of this issue.

The Hon. E.R. Goldsworthy: Five out of 10 for reading.

The SPEAKER: Order! The Deputy Leader of the Opposition will come to order.

LABOR URANIUM POLICY

The Hon. E.R. GOLDSWORTHY: My question is to the Premier. At his meeting with the—

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: I will look up a bit more than the last reader did, at least. In his meeting with the Prime Minister on 18 April, will the Premier tell Mr Hawke that the South Australian Government supports changes to the Labor Party's uranium policy to allow export licences for any uranium mine and the construction of uranium conversion and enrichment facilities? The Premier said that at his meeting with Mr Hawke later this month he would seek Commonwealth support for the location of a submarine project and satellite industries in South Australia. Needless to say, the Opposition fully supports those initiatives.

At the same time, further development of our uranium industry has a great deal of potential for South Australia and potential for creating many, many new jobs. The Federal Government has endorsed policy changes which would allow export licences to be secured for projects such as Honeymoon and Beverley, and the investment here is of the order of $500 million—not insignificant by any standards.

In the longer term a change in ALP policy of the nature now proposed could still allow South Australia to obtain uranium conversion and enrichment facilities during the next decade, and this would result in an investment in this State of about $1 000 million. It is an initiative which, I am sure that I need not remind the Premier, was started by his predecessor, Mr Dunstan, before the Labor Party's uranium policy was changed. A policy which gives positive encouragement to uranium mining could also help stop a serious downturn in mineral exploration in South Australia. There has been a downturn, and the figures just released by the Bureau of Statistics show that spending on mineral exploration in South Australia in 1982-83 amounted to $50.5 million, a drop of just over $14 million, or a drop of over 20 per cent on the previous year.

The Hon. J.C. BANNON: The honourable member did not produce any national figures to set that figure that he quoted at the end in any kind of context. In respect of the honourable member's general question about my Party's policy on uranium, the South Australian Government at the moment is working within, and is satisfied with, the policy as it stands. The most important element of it is that that the policy ensures that the Roxby Downs project will not be impeded. If there are to be any changes in the Federal policy concerning uranium, it will be my object to ensure that that aspect of the policy at least will not be changed and that the development of Roxby Downs will not be affected. It is on that basis that I have had discussions with the Prime Minister and many others of my colleagues in the Federal Party and interstate.

UNFAIR SACKINGS

Mr MAYES: Will the Minister of Labour outline to the House what steps his Department is taking to eliminate unfair sackings of young people when they reach adult age? I have had several contacts from young people and their parents within my district who are concerned about the way in which some employers have been treating young teenage employees. Several of them have been to me after being dismissed on frivolous grounds because they have reached the adult age. Also, one young person approached me because that person was on the SYETP programme and was dismissed at the conclusion of the programme.

The Hon. J.D. WRIGHT: I thank the honourable memberber for his question. This is a community problem; there is no question of that. I have found it very difficult to deal with, and I would like to make this point first: provided that an employer gives required notice and pays holiday pay, and the like, termination at the age of 18, whilst it may be totally immoral (and I condemn it to its lowest level), is not illegal. That is the difficulty. Provided that all the components of the award are honoured by the employer, he is able to dismiss these young people when they attain the age of 18. Of course, the purpose is to allow the employer to re-employ juniors of a younger age and thus not meet higher wage concepts which apply under the conditions of the awards and which apply a step by step progression year by year.

The Hon. Michael Wilson: How many do you think there are who do this?

The Hon. J.D. WRIGHT: I do not know. I will come to that if the honourable member behaves himself and does not interject.

The Hon. Michael Wilson: It is a serious question.

The Hon. J.D. WRIGHT: Interjections are out of order. I will deal with most aspects of the question and, if I do not answer the question to the honourable member's satisfaction, he has the liberty to ask me another question. If the honourable member is trying to upset my train of thought, bad luck. I was saying that it is an immoral act, but it is not unlawful. That makes it very difficult departmentally to do anything about it. Of course, in many instances young people do not come along to the Department and complain in those circumstances, because they are aware that, whilst it is an immoral action on the part of employers, it is quite legal. It is very difficult to trace this problem. When incidents have been reported to the Department, or the Department unearths such a circumstance, advice is given to everyone who is dismissed that they have rights under section 15 (1) *(e)* of the Industrial Conciliation and Arbitration Act to take action against the employer. However, it is very difficult, because one must prove that the dismissal was harsh, oppressive, unjust or whatever the case may be.

This matter came to light following the release of a report. I refer to the *Advertiser* of Saturday 11 February 1984, and a report that I will read, because I believe it is important, as follows:

> The Federal Government has been urged to stamp out the practice of employers sacking teenage workers when they turn 18 and become eligible for the adult wage. A report issued yesterday describes the sackings as irresponsible and indefensible. It compares the practice to 19th century employer attitudes in favor of a 16-hour working day. To use 15 to 17-year-olds as cheap labour and then dump them on the community at 18 . . . is an act of structural discrimination which is indefensible, it says.

I think that they are very fine words in defence of young people's rights in this area. I was asked to comment on that article, which I did. I thought the best way of approaching the subject was to try to identify where it was occurring.

The Hon. Michael Wilson interjecting:

The Hon. J.D. WRIGHT: In answer to the member for Torrens' interjection, I appeared on radio and television and said that I did not think that it was rampant in South Australia. The evidence is not there. That is the whole problem that faces everyone.

Mr Becker: That's not what you said in the Messenger Press.

The Hon. J. D. WRIGHT: I made no comment to the Messenger newspaper. If it picked up a statement of mine, it did so without my knowledge. I have never made the point that it was rampant in South Australia. Members opposite should be clear about that. I have never said that it was rampant. I have always said that it is very difficult to identify. I have tried to identify it.

Members interjecting:

The Hon. J. D. WRIGHT: Mr Speaker, I need your protection again. Once again, I am being bullied by the member for Davenport. I wonder why it is that every time I get to my feet I am bullied by members opposite.

Members interjecting:

The Hon. J.D. WRIGHT: The problem is that members opposite do not like facing the facts. The most serious thing that Governments must do is try to identify problems: what is the problem, where it is, how often it is happening, why it occurs, and so on. As I said I would do, I raised this matter at the last Ministers of Labour Conference, which was held in Sydney. Most Ministers at the conference agreed that they were receiving reports similar to those which my Department was receiving and which members on this side were telling me about. The conference decided that my argument was correct: in order to try to overcome the problem we had to identify it, where it was occurring, and so on. The Ministers' meeting of 9 March decided to refer the whole matter to the Bureau of Labour Market Research for it to develop some sort of system about how we could attack this problem, and report back to the next Labour Ministers' Conference. From that, I hope that some scheme can be devised as to how we can approach the subject and do the necessary research into identifying just how serious the problem is.

SP BOOKMAKING

Mr BECKER: Will the Deputy Premier advise the House whether the police have commented on allegations made by the Minister of Recreation and Sport in relation to the level of SP betting in South Australia? Recently, the media reported comments by the Minister that the level of SP betting in South Australia involves a turnover of about $150 million per annum. In the *News* of Wednesday 14 February 1979, a headline stated 'Big crack-down on SP bookies, $20 million turnover "lost" to TAB.' On 12 October 1972 the *News* carried a headline, 'South Australian police deny $20 million SP bets', referring to a statement that I had made after proposing an increase in penalties for SP bookmaking. The following statement was reported in the *News* of 12 October 1972:

> Superintendent E.L. Calder, officer in charge of the Vice Squad which polices betting laws said, 'We have cut SP bookmaking back to an irreducible minimum in this State.'

I was criticised at that time for making the allegation concerning the $20 million turnover on SP betting. No criticism has been made of the Minister of Recreation and Sport for the statement he made in 1979 or his recent statement, and I am wondering whether the police in South Australia now accept that there is a large SP bookmaking operation in this State.

The Hon. J.D. WRIGHT: As I understand it, the question directed to me was whether the Police Commissioner had

commented to me about matters raised in the press by the Minister of Recreation and Sport in relation to the level of SP betting: the answer to that is 'No'.

SUNDAY RACE MEETINGS

Mr MAX BROWN: I want to ask an intelligent question of the Minister of Recreation and Sport, something that has not occurred over the past few days. Will the Minister advise the House whether consideration is likely to be given in the new racing calendar for the permanent establishment of TAB covered meetings for the three racing codes on Sunday? I understand that a successful race meeting was recently held at Clare on a Sunday. I believe that that may have been TAB covered, although I am not sure about that. I know that Victor Harbor and Murray Bridge have Sunday race meetings. I am wondering whether these meetings have been conducted for experimentation purposes and whether, if successful, such meetings might lead to the Minister's giving consideration for such meetings being conducted on a permanent basis, thus leading to permanent TAB covered Sunday races.

The Hon. J.W. SLATER: There is no general thrust or demand for gallop meetings on a Sunday. Actually, the first meeting to be held at Clare on a Sunday was in 1983. It was moderately successful; I think some 3 000 people attended and the turnover on course was about $85 000; of course, there was no TAB coverage. Last Sunday the Clare Racing Club conducted a further meeting for which the attendance was about 4 000 people and the turnover was $100 000. Over a period of years trotting clubs at Strathalbyn, Murray Bridge and Victor Harbor have conducted Sunday meetings.

But, on Sunday last, the Murray Bridge Trotting Club had a meeting as did the Clare Racing Club (at different venues, of course). The significant point was that the people who went to the trotting were serviced by cross-code betting. It was one of the arrangements that we made (by 'we' I mean the three codes) to increase the aspect of cross-code betting; this means that people who attended at Murray Bridge could also have a bet on the races at Clare and *vice versa*. No demand exists from metropolitan clubs, the South Australian Jockey Club or provincial racing clubs, to my knowledge, to race on a Sunday. The big deterrent is the fact that they would not have a TAB service. It is the TAB that is the profitable aspect as far as racing, trotting and greyhound clubs are concerned.

Racing dates are set (with moderate alterations that come to me for approval), 12 months before. So, it would upset quite considerably the calendar for country, provincial and metropolitan meetings through the forthcoming year. So, the answer to the general question is 'No, there has not been a great demand.' I am not aware of any approaches that have been made to me or my Department for the further extension of Sunday racing.

HOUGHTON PRIMARY SCHOOL

Mr ASHENDEN: Will the Minister of Education give an assurance that funding will be made available immediately to enable repairs to be undertaken to the schoolyard surface at Houghton Primary School? I have been approached on several occasions by members of the school council about this matter and also, unfortunately, by constituents whose children have been injured because of the present state of the surface of the schoolyard at Houghton Primary School. A large portion of the schoolyard was previously bituminised. Through age, that bitumen has broken up, resulting in the yard now having a number of large potholes and very loose sections of bitumen. Children are required to cross this section of the schoolyard to get from the schoolrooms to toilet facilities and also when moving from schoolrooms to recreation areas. The children are from reception through to grade 7 and a number of these children, when simply crossing the yard for normal activity, have been injured. Obviously, the school council and the parents are extremely concerned.

I would also outline to the Minister the steps being taken by the school council in an endeavour to have the matter attended to. They first wrote to the Minister about this matter on 20 September 1983. They received no reply so again wrote to the Minister on 27 October 1983. When they received no reply again from the Minister's office, the council then took up the matter with me. I wrote to the Minister on 1 November 1983. On 18 November 1983 I received an interim reply from the Minister's office advising that the matter was being investigated and that a reply would be sent as soon as possible. When, by 8 February, I still had not received a reply, I again wrote to the Minister reminding him of my earlier correspondence and the correspondence of the Houghton Primary School Council. I have yet to receive a reply to that letter. On 28 February this year the school council again wrote to the Minister of Education because it had not received a reply from his office on the matter. I attended a school council meeting on Monday evening of this week and members indicated to me that they believed that they had tried to handle this matter as they felt it should have been handled.

They have tried to keep it out of the political arena and to follow the correct channels, but they are extemely frustrated that, with all of the correspondence that they have forwarded, they have not yet received a reply from the Minister's office. They also expressed their concern to me that, even though I as a member had taken it up on their behalf, I also had not received, apart from the one interim reply, any acknowledgment of the correspondence. The parents are extremely concerned at the lack of action and requested me on Monday evening to raise this question in the House. They felt that they had tried to handle this matter correctly but, because they had received no action whatever, this House was the only avenue open to them to raise it, to see whether the Minister will accede to their requests. My constituents also do not accept the Government's statement concerning the alleged unreasonable requests of the Opposition concerning Government spending. They suggest that the Government's priorities should be reconsidered and problems—

The SPEAKER: Order! I have given the honourable gentleman great ambit and he is certainly now debating the matter. I ask him to come back to the question.

Mr ASHENDEN: With respect, these matters were put to me by my constituents who have asked me to raise these points on their behalf, and the point is that they have indicated to me—

The SPEAKER: Order! I ask the honourable gentleman to resume his seat. There has been a great deal of generosity shown by the Chair and ambit given; that has been customary during Question Time, particularly when a member has repeated what has been put to him by others. However, in no sense will I accept a debate disguised under cover of statements made by others, because whether it is debate by the member or debate by a third party is irrelevant. It is certainly being put by the member and, if the Chair rules that it is debate, it matters not from what source it comes. The honourable member for Todd.

Mr ASHENDEN: I make—

An honourable member interjecting:

The SPEAKER: Order! I call the honourable Deputy Leader of the Opposition to order for the third time this morning. I point out to him that I will not tolerate much longer this back chatting any time the Chair makes a ruling. If he is not careful, action will be taken against him without further warning.

The Hon. E.R. GOLDSWORTHY: I rise on a point of order. I have no recollection at all of being warned twice by you today nor has my Leader; nor do I believe I have been warned twice today. I think that your memory is gravely at fault, with respect, Sir.

The SPEAKER: That is a further reflection.

The Hon. E.R. GOLDSWORTHY: It is a statement of fact.

The SPEAKER: I warn the honourable Deputy Leader, and I invite him to later check the *Hansard* proof and he will see that twice he interjected after I had spoken. I do not think that I used the word 'warn' but I called him to order, which has been my invariable practice. First, to call a member to order so that a person is placed on warning and then given a warning. However, whatever the case, the situation is that the Deputy Leader of the Opposition is now warned.

Mr ASHENDEN: My constituents have asked me to put to the Minister a request that the Government's priorities be rearranged, so that the very serious problems which have caused a number of injuries to children attending the Houghton Primary School are rectified, through funds being made available.

The Hon. LYNN ARNOLD: This situation concerning Houghton Primary School is one that is known to me. I have for some months had this matter followed through from a variety of angles which I will shortly relate to the House. It is (and I acknowledge this) regrettable that interim information on the progress that was being made was not communicated to the honourable member and to the school, and for that an apology is given. I could very quickly have answered this matter when I received the first letter from the school, or indeed the first correspondence from the honourable member, by simply accepting the draft advice given to me that simply said, 'No go!' but, having visited the school, I was aware that there was a situation there that perhaps did need further investigation and perhaps it was something that should have higher priority than is being accorded to it at the moment. So, it had been my intention that that matter be thoroughly investigated.

Members will know that late last year and early this year an extra $900 000 was made available by the Government for, among other things, some urgent maintenance needs in schools. Again, the matter of Houghton was specifically put by me, both to my Department and to the Public Buildings Department, to assess how it compared with other schools in the State of similar need. In fact, I have had the matter of the number of injuries investigated. I am concerned that there have been injuries in the school yard there: there have been injuries in school yards in other places as well. I require some actual figures on that to prove that the injuries at Houghton are no worse than those at other schools. If Houghton is saying that they are worse, and the advice I am receiving is that they are not worse, I am having that matter checked through to ascertain whether or not the Houghton claim is correct.

I visit many schools in South Australia, and I notice in a number of those schools that there are serious paving problems. I remind the member for Alexandra, who cried 'Shame!' while the question was being asked, of the attention being paid to a school in his electorate where serious problems had been identified and, finally, we were able to provide from the funds available some assistance to that school. He knows the school about which I am talking. A large number of paving needs exist in South Australia because of the level of budgeting that has been made available for paving over a number of years now, and that level of budgeting has been insufficient to meet the deterioration in paving in the State's 700 schools. I acknowledge that that is causing serious problems in a large number of places. My concern for the community of Houghton was not simply to give them a quick reply, saying, 'I have heard your complaint. That is it. Sorry, no go,' but rather to ensure that we examined their relative priority compared to the many other schools in the State that have similarly raised issues with me, so that I can guarantee to the parents of Houghton that, from the resources I have available to me (or the Public Buildings Department has available to it), we are dealing with their problem equitably and as fast as possible.

I repeat that we regret that that interim information as to the fact that we are seriously further pursuing this whole matter was not communicated to the school and to the honourable member: it should have been, but if the honourable member wants a quick reply we can close the matter immediately and say, 'Just no go.' However, I do not believe that that would be justice for the parents at Houghton. So that as soon as I can have this later data provided to me, I will certainly be getting back to the school, and if as a result we can see in comparison with the other schools in the State which make similar propositions to me that they are, in fact, much worse off, then they will naturally be raised in the priority rating for funding. Of course, the question is whether funding is available.

PARKING STATIONS

Mr FERGUSON: Will the Minister representing the Minister of Consumer Affairs inform the House whether the Department of Consumer Affairs would be prepared to investigate the structure of parking fees charged to motorists at parking stations with a view to recognising the actual times that vehicles use those parking stations? One of my constituents has reported to me that at one major car park in Grenfell Street he parked his car for two hours 35 minutes and was charged as though his car had been parked for three hours. In another car park in Grote Street, he parked his car for one hour six minutes and was charged for two hours parking. At another car park in Gawler Place the motorist, after entering the station, was unable to find a space in which to park. After spending 10 minutes looking for one, he drove out of the station and was charged for one hour. Car parking companies appear to be gaining additional revenue by double dipping methods.

Most car parks are full between 10 a.m. and 4 p.m., and this means that between those hours as vehicles vacate parking bays those bays are immediately filled by others. All departing vehicles are charged in hourly increments, irrespective of the actual times for which they were parked. Consumer protection laws over recent years have meant that the purchase of food, building materials, etc., is based on weight, quality and quantity. With the introduction of new technology it is possible for car parks to install computerised scanners to ensure that motorists are charged only for the time which their vehicles are parked.

The Hon. G.J. CRAFTER: I thank the honourable member for his question, and obviously he expresses the concerns of many people in the community about this matter. I shall have it referred to my colleague for his investigation.

JAPAN SHIPPING SERVICES

The Hon. MICHAEL WILSON: Will the Minister of Marine inform the House of the results of negotiations held

between the Premier, himself and officials of the North-South Shipping Conference? In particular, when can South Australia expect a direct container shipping service to Japan and Korea?

An honourable member interjecting:

The SPEAKER: Order! The honourable member for Torrens.

The Hon. MICHAEL WILSON: Thank you, Mr Speaker. There was a report in the *Advertiser* on 5 March that crucial talks were to take place, referring to 'intense negotiations and lobbying' concerning the gaining by South Australia of the direct container shipping service. The Minister of Transport stated that it was 'time for a break-through in getting the service to Japan and Korea'. Do we have the break-through?

The Hon. R.K. ABBOTT: I thank the honourable member for his question, knowing how deeply interested he is in this matter. In early March detailed negotiations were held with a delegation from ANSCON, the Australia Northbound Shipping Conference which services Japan and South Korea. At these negotiations the South Australian position was reinforced by a detailed paper addressing itself to the shipping economics issues surrounding the extension of ship calls in the Japan trade to Adelaide. The position of the ANSCON group was modified, particularly by shipper information indicating larger tonnages of cargo than had been supposed.

One fact that became very clear was the mounting pressure by Victoria and entrenched interests in that State against Adelaide shipping. It appears quite certain that the various Victorian interests are being very heavy handed with the shipping lines in an effort to deter them from withdrawing South Australian cargo from the Port of Melbourne. The re-establishment of a range of direct shipping services between South Australia and her main trading partners is vital to the State's long-term future. The Government will take determined action to meet the new element of political interference in the State's efforts to direct its own cargo through its own ports. We do not want the Port of Melbourne to become the Port of Adelaide, and I am hopeful that in the very near future we can have further discussions with them and eventually get the direct shipping service that we have been after now for many years.

SEAT BELTS

Ms LENEHAN: Will the Minister of Transport tell the House whether it is correct that the Road Traffic Board removed all reference to seat belts and child restraints from road accident traffic report forms about two years ago? If this is so, can the Minister explain the reasons for this decision, particularly in respect to child restraints? When recently doing some research for an article I am writing on the use of child restraints in motor vehicles and the law relating to children under 8 years of age, I found that it was not possible to obtain any statistical information on the number of children under 8 who have been either killed or injured in road accidents and who were not properly and legally restrained within the motor vehicle. Such statistical evidence would be extremely valuable in road safety campaigns, particularly aimed at the safe restraint of children under 8 travelling in motor vehicles.

The Hon. R.K. ABBOTT: The straight answer to the honourable member's question is 'Yes'. Reference to seat belts and child restraints was removed from road accident report forms approximately two years ago as it was considered that the information provided in relation to those matters was not reliable. At that time it was firmly established that the wearing of seat belts reduced fatalities and lessened the risk of serious injury in road accidents and that there was little point in continuing to require information that was at times very suspect.

Following an accident, if a person is able, it is usual for a person to unbuckle his seat belt and alight from the car. On being questioned by police it is believed that, in a number of cases, people would not admit that they were not wearing a seat belt knowing full well that that is an offence and, also, if injured they could have it in mind that it could prejudice any insurance claim that they may be contemplating. For those reasons, it was considered that the information was unreliable and it was, therefore, withdrawn.

COXSWAIN'S CERTIFICATE

The Hon. P.B. ARNOLD: Will the Minister of Marine take the action necessary to exempt Murray River fishermen from the requirement to obtain a coxswain's certificate? It has been pointed out to me that the majority of Murray River fishermen operate about a four-metre long dinghy. The present requirement of the Deparment of Marine and Harbors is that they obtain a coxswain's certificate to operate such a dinghy. I think that the attitude of Riverland fishermen to this matter is spelt out in a letter I received from Mr Harrip, President, Riverland Fishermen's Association, as follows:

> We agree that professional fishermen operating on the Murray River being required to have any form of coxswain's certificates is absurd. It is a fact that professional fishermen on the river have a motorboat operator's licence and after discussions we are sure there is no need for further qualifications.

That opinion is supported by the South Australian Fishing Industry Training Committee, which stated the following in a letter to me:

> The training committee shares your concern and has made approaches to the present Minister of Marine and the Department of Marine and Harbors to have these fishermen exempted from certificate requirements. Unfortunately, our overtures have met with little success and the present Government appears intent on enforcing some kind of coxswain's certificate for Riverland fishermen in spite of the obvious ridiculous nature of the situation.

I am well aware why coxswain's certificates were introduced into the fishing industry—it was because of the problem that existed in relation to operators of large fishing vessels who did not have any recognised qualifications. It has been suggested to me that to apply the same requirements to a professional fisherman operating a four-metre dinghy on the Murray River could only be described as bureaucratic humbug at its best.

The Hon. R.K. ABBOTT: The honourable member knows full well the need for a coxswain's certificate—it is purely a safety measure. It is quite a simple certificate to obtain and involves a quite simple examination.

The Hon. P.B. Arnold: It is red tape.

The SPEAKER: Order! Members can have their private chats later.

The Hon. R.K. ABBOTT: The honourable member knows full well that boating traffic on the Murray River is now very busy and that it is necessary to have some sort of law in relation to this matter.

The Hon. P.B. Arnold: They have a motorboat operator's licence already.

The SPEAKER: Order!

The Hon. R.K. ABBOTT: Qualifications are necessary and I do not think that there is any difficulty for these people in obtaining a certificate, purely for safety reasons. I will be happy to look at the matter again for the honourable member and have a further investigation. If the honourable member considers that it is not necessary, he can talk to my predecessor, the member for Torrens. The same situation applied when he was the Minister responsible.

Members interjecting:

The SPEAKER: Order! These discussions can take place outside the House.

The Hon. R.K. ABBOTT: I will take up the member's question again and give him a response.

No. 4 BERTH CONVERSION

Mr PETERSON: Will the Minister of Marine inform the House whether the dockyard will gain any work from the conversion of No. 4 berth at Outer Harbor for the replacement of the *Troubridge*. There is great concern among the Marine and Harbors dockyard employees, which I share, that no clear direction on their future and their jobs has been made. Jobs that have been promised have evaporated, such as the cutter suction dredge, and there are decreasing levels of work. I believe that now there is a declared policy of a reduction of another 40 people in the dockyard. The question has been raised with me as to who will carry out the work on No. 4 berth at Outer Harbor and the ancillary work—for the replacement of the *Troubridge*.

The Hon. R.K. ABBOTT: At this stage the exact requirement for work on the new *Troubridge* berth has not been finalised. The layout and facililties at the berth will depend on the final design of the replacement vessel. However, should any steel fabrication work be required, it will be carried out by the dockyard employees.

PARLIAMENTARY REGULATIONS

Mr BLACKER: Mr Speaker, will you examine and give an explanation or, if necessary, a ruling on the standing of the Parliamentary process when regulations that are still the subject of disallowance motions in both Houses of Parliament are the subject of a court case? Is the subject *sub judice* when the court is considering same, even though the regulations have not been finally dealt with by Parliament, and which comes first: the court or the Parliament? If *sub judice* is a problem, is Parliament when discussing the subject, as it did yesterday on the Planning Act, in breach of the court case or is the court case in breach of Parliament?

The SPEAKER: I thank the honourable gentleman for warning me in advance of his question. It is an important matter. I will take it on notice and bring down a ruling later today or tomorrow.

MASLIN BEACH SAND PIT

Mr WHITTEN: Can the Minister of Mines and Energy provide the House with any details of the proposed rehabilitation work in the vicinity of the old Maslin Beach sand pit?

The Hon. R.G. PAYNE: Yes, I can provide some information, because a few days ago I approved a further stage of the continuing rehabilitation programme in this area. I might add that I did not personally inspect the area, and that I do not have the same interest in that locality as a former member of this House displayed on more than one occasion. This rehabilitation proposal has come from the Readymix Group, which is the holder of the mineral leases in this area. The work will be financed by an allocation of $44 604 from the extractive industries rehabilitation fund.

Briefly, the project involves dealing with a large quantity of overburden from the Maslin Beach sand pit, which was dumped near the high water mark between 1930 and 1950. Over the years much of this has been washed out to sea. The remainder has been deeply eroded and is now very unsafe. Deep gullies exist, which are dangerous for people walking on top of the dumped material, and there is a possibility that material in what we might call clay embankments can also fall on people below.

The project will involve removing about 25 000 cubic metres of clay overburden from the seaward side of the pit, leaving a slope that can then be revegetated. This material will be placed on the landward side to reduce the angle of the slope, and the area will be sown with native species. I expect that the work will start later this month and take about two months to complete. Certainly, it will be an improvement in that area.

TAB SUBAGENT COMMISSIONS

Mr RODDA: My question to the Minister of Recreation and Sport relates to the remuneration paid to TAB subagents in the country. I have received approaches from certain subagents in my district, and it is my understanding that they receive 2.5 per cent remuneration on bets for a win, a place and a quinella, and 4 per cent on all other investments. Until 1 March 1984, they also received 2 cents pay out on winning tickets, that is, for a win or a place. Now the 2 cents has been removed and the people with whom I have spoken say that it works out to a cut in salary of about $10 a week. These people are finding it hard enough to run their businesses without taking a cut in salary. They have expressed serious complaints to me about the running of their subagencies, and I should be pleased if the Minister would throw some light on the representations that have been made to me.

The Hon. J.W. SLATER: The matter referred to is of course a 2.5 per cent commission paid to all TAB subagencies. Such subagencies are in different business localities and operate on a commission basis under an agreement or arrangement made between the TAB and the proprietor of the business. I am not aware of any specific change in the arrangement. If there has been a change, I am certainly willing to ask the TAB to give me details, and I shall be happy to provide the honourable member with the required information.

ART GALLERY OF SOUTH AUSTRALIA

Mrs APPLEBY: Can the Minister for the Arts provide any information on attendances at the Art Gallery of South Australia during the Festival of Arts? It would appear from the amount of discussion generated prior to and during the Festival that a larger number of people attended the Art Gallery during this time.

The Hon. J.C. BANNON: In fact, the attendance was a record for a four-week period up to and including the 1984 Festival of Arts, which is a very encouraging thing indeed. To be precise, 51 643 people attended the Gallery's exhibitions during the Festival and, of course, in the previous fortnight the America's Cup was on display and a further 63 000 people visited the Gallery then. Those figures indicate the magnificent response which the Gallery's exhibitions evoke. Honourable members can see that, by providing a broad range of cultural attractions in terms of what is offered at the Gallery, by being flexible in exhibiting very disparate attractions (from the America's Cup to some of the Festival's exhibitions there was a wide range of cultural and visual arts), the Art Gallery in fact is enjoying high public recognition and support. Certainly, I see that continuing. A number of quite exciting exhibitions are planned for the rest of this year and into next year.

I think we must be careful to ensure that we do not put all our cultural offerings into that one period every two years when the Festival of Arts is on, but that we have a continuing range of exhibitions and attractions that are available to the people of South Australia over a longer period of time. That is certainly the Art Gallery's policy. While discussing exhibitions, I point out that the Museum's opal and jade exhibition also attracted record attendances. I have not seen the exact figures for the exhibition, but I am informed that—

The Hon. R.G. Payne: There were 10 000.

The Hon. J.C. BANNON: My colleague, the Hon. Minister of Mines and Energy, informs me that some 10 000 persons visited that exhibition, which is a record for an exhibition over that period of time. It was another exciting offering for the Festival and an example of what museums and art galleries can display. Of course, there were other attractions. Carrick Hill was open for inspection for the first time and attracted magnificent public support. We were a little concerned about the level of facilities available, but I think that people generally understood that this was a preliminary viewing to allow people to get a foretaste of what Carrick Hill could offer. All these things, apart from their cultural value to those of us who reside in this State, have a tremendous tourist impact as well as being part of the overall tourist offerings that this city and State can provide. They must be developed because, in turn, they have very direct economic value as a result.

The SPEAKER: Call on the business of the day.

GAS ACT AMENDMENT BILL

The Hon. D.J. HOPGOOD (Minister for Environment and Planning) obtained leave and introduced a Bill for an Act to amend the Gas Act, 1924. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The object of this small Bill is to facilitate the transfer of the responsibility for the regulation of gas supply from the Chemistry Section of the Department of Services and Supply to the Department of Labour.

In June 1982, a working party was established to review the organisation, staff establishment and management requirements of the Chemistry Division. Two of the specific terms of reference were—

to examine and report on the most appropriate Government agency to administer the regulation of gas supply;

to examine and report on the most appropriate agency to administer the handling of explosives.

The working party saw no value in splitting responsibility for these two functions, as the same level of professional and analytical expertise is required for both. The working party saw clear advantages in transferring the two functions to the Department of Labour, and recommended accordingly. These advantages are as follows:

(1) The Department of Labour already has responsibility for administering the Dangerous Substances Act.

(2) The regulation of gas and explosives does not sit happily with the other functions of the Department of Services and Supply, being a Department that acts basically as a service organisation for other Government departments.

(3) The Department of Labour already has an established regional inspectorial system that covers a wide range of activities, including the handling, etc., of dangerous substances.

(4) The existing legal and engineering expertise in the Department of Labour will enhance the effectiveness of the gas and explosives unit.

Steps have already been taken to transfer the administration of the Gas Act and the Explosives Act to the Minister of Labour, and this Bill merely makes all the necessary consequential amendments to the Gas Act. No such amendments need to be made to the Explosives Act.

Clauses 1 and 2 are formal. Clause 3 substitutes the definition of 'Director' so that it now refers to the Director of the Department of Labour and not the Director of Chemistry. Clause 4 repeals the section that charged the Director of Chemistry with the administration of the Act. Such a provision is not necessary, as the Minister himself is charged with the administration of the Act. Clauses 5 to 14 (inclusive) effect consequential amendments.

The Hon. E.R. GOLDSWORTHY secured the adjournment of the debate.

APIARIES ACT AMENDMENT BILL

The Hon. LYNN ARNOLD (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Apiaries Act, 1931. Read a first time.

The Hon. LYNN ARNOLD: 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 prime purpose of this Bill is to provide a compensation scheme for registered apiarists who, pursuant to the Apiaries Act, are obliged to destroy their disease affected bees and/or hives.

Currently, section 16 (2) of the principal Act precludes the payment of compensation to any beekeeper whose apiary is subject to a lawful destruction order. However, a large majority of beekeepers (including amateur beekeepers) have indicated by ballot that their industry was prepared to fund a compensation scheme. Accordingly it is proposed to establish a Beekeeper's Compensation Fund financed by a triennial levy against all registered beekeepers. A four person committee appointed by the Minister will have the responsibility of recommending an appropriate amount per frame hive of bees to be paid by a registered beekeeper each triennium. One member of the committee, who will be the Chairman, will be an officer of the Department of Agriculture. The remaining members will be appointed from each of the three groups representing the honeybee industry in South Australia. The mechanics of the general scheme will be specified by regulation.

Where a registered beekeeper destroys any of his bees, hives, combs or appliances at the direction of an inspector, he will be entitled to compensation for the damage he suffers. Similarly, a registered beekeeper whose bees, hives, combs or appliances are destroyed by an inspector pursuant to the provisions of the principal Act, will be entitled to compensation for his damage. The value of any claim is limited to 75 per cent of the value of the property destroyed. That value is to be determined by agreement between the claimant and the Minister and, in default of agreement, by a person nominated by the Minister. The Minister may

refuse an application for compensation by a beekeeper who has breached the Act or failed to comply with an inspector's direction. Similarly, compensation may be refused if the property destroyed was brought into the State after having been affected by the disease by reason of which it was destroyed.

The Bill also makes provision for the notification by a beekeeper of the sale or disposal of any bees. This will assist inspectors in the performance of their duties under the Act. The opportunity has also been taken to increase penalties provided for offences against the Act.

Clauses 1 and 2 are formal. Clause 3 amends section 3 of the principal Act by inserting the definition of 'the Fund', being the Beekeepers Compensation Fund. Clause 4 amends section 5 of the principal Act. The penalty for keeping bees without being registered is increased from $200 to $500. Clause 5 amends section 5 of the principal Act, which deals with duties of beekeepers. The amendment requires a beekeeper to give written notice to an inspector within seven days of the disposal or sale of any bees.

Clause 6 inserts new sections 8a, 8b, 8c and 8d into the prinicipal Act. New section 8a establishes the Beekeepers Compensation Fund. There shall be paid into the Fund the contributions of beekeepers and, where the amount of the Fund is not sufficient to meet claims upon the Fund, the insufficiency is paid from the General Revenue upon terms and conditions determined by the Treasurer. There shall be paid out of the Fund amounts payable as compensation, amounts certified by the Treasurer as having been incurred in administering the Fund, and, such amounts as are necessary to reimburse General Revenue. New section 8b requires that beekeepers must make a triennial payment of the prescribed amount to be credited to the Fund. If a beekeeper fails to pay that amount his registration is suspended until he does so. A committee appointed by the Minister consisting of an officer of the Department of Agriculture and three representatives of beekeepers has the function of recommending to the Minister the rate that should be fixed as the prescribed rate. The Minister upon the recommendation of the committee fixes an amount per frame-hive as the prescribed rate and notice of that amount is published in the *Gazette*. The 'prescribed amount' is defined in relation to a beekeeper as the amount obtained by multiplying the number of frame-hives kept by him at the time at which he is required to make a contribution, by the amount last published in the *Gazette* as the prescribed rate.

New section 8c provides that compensation must be paid to a registered beekeeper who destroys any bees, hives, combs or appliances in accordance with the direction of an inspector or whose bees, hives, combs or appliances are destroyed by an inspector. An application for compensation is to be in writing and accompanied by the prescribed information verified by statutory declaration. The amount of compensation is 75 per cent of the value of the property destroyed (on the assumption that it had not become infected or affected by disease). The value of the property is to be determined by agreement between the beekeeper and the Minister and, in default, by a competent person nominated by the Minister. Such a determination is final. New section 8d provides that the Minister may refuse compensation where the beekeeper has contravened or failed to comply with the Act or an inspector's direction or where the property concerned was brought into the State after being infected or affected by disease.

Clause 7 amends section 9 of the principal Act which deals with offences. The penalty is increased to $500. Clause 8 amends section 10 of the principal Act. The penalty for contravening a proclamation under the section is increased to $500. Clause 9 amends section 11 of the principal Act. The penalty for contravening a proclamation under the section is increased to $500. Clause 10 amends section 12 of the principal Act which provides that the keeping of bees other than Ligurian bees is prohibited on Kangaroo Island. The penalties are increased to $500.

Clause 11 amends section 13. The penalty for contravention of a proclamation of the Governor under that section reserving a part of the State for breeding purposes is increased to five hundred dollars. Clause 12 amends section 13a of the principal Act. That section requires bees to be kept in a frame-hive and the penalty for failing to do so is increased to five hundred dollars. Clause 13 amends section 13a of the principal Act which deals with the requirement to brand hives. Penalty is increased to five hundred dollars. Clause 14 amends section 16 of the principal Act by striking out subsection (2). Clause 15 amends section 19 of the principal Act which deals with regulations. The maximum penalty for contravening regulations is raised to five hundred dollars.

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

LOTTERY AND GAMING ACT AMENDMENT BILL, 1984

The Hon. J.W. SLATER (Minister of Recreation and Sport) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act, 1936. Read a first time.

The Hon. J.W. SLATER: I move:

That this Bill be now read a second time.

It amends the Lottery and Gaming Act, 1936, to increase the penalties provided in relation to illegal bookmaking. Similar amendments to the Racing Act, 1976, are also to be made. The extent of SP betting is a matter of national concern and was discussed at length at a recent Racing and Gaming Ministers' Conference. It has also received extensive media coverage. Whilst it is extremely difficult to assess the loss of revenue to the racing industry and the Government as a result of illegal betting, it is generally considered that the loss of turnover is somewhere between $100 million to $150 million per annum. The racing industry is heavily dependent upon revenue generated through the TAB, and to ensure its continued viability, it is essential that illegal betting and bookmaking be deterred. It is hoped that an increase in the penalties provided for these activities will have a deterrent effect, thus reducing the annual loss of revenue.

The previous Government was conscious of the detrimental effects of SP betting, and it increased the penalties in 1981. It is clear, however, that the present penalties are now inadequate. The decision to take further action has been made in recognition of the important contribution to South Australia's economy made by the racing industry, and it has the support of all bodies within the industry. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 amends section 63 of the principal Act. The penalty for acting as a bookmaker without holding a licence under the Racing Act, 1936, or for failing to comply with a condition of a licence or a permit under that Act is increased:

in the case of a first offence—from $5 000 or imprisonment for six months to $8 000 or imprisonment for two years.

in the case of a second or subsequent offence—from $10 000 or imprisonment for 12 months to $15 000 or imprisonment for four years.

The penalty for making a bet with a person if the acceptance of the bet would constitute an offence of the sort referred to in subsection (1) of section 63 is increased from $1 000 or imprisonment for three months to $2 000 or imprisonment for six months.

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

RACING ACT AMENDMENT BILL

The Hon. J.W. SLATER (Minister of Recreation and Sport) obtained leave and introduced a Bill for an Act to amend the Racing Act, 1976. Read a first time.

The Hon. J.W. SLATER: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill amends the Racing Act, 1976, to increase the penalties provided in relation to illegal bookmaking. Similar amendments to the Lottery and Gaming Act, 1936, are also to be made. The extent of SP betting is a matter of national concern and was discussed at length at a recent racing and gaming Ministers' Conference. It has also received extensive media coverage. Whilst it is extremely difficult to assess the loss of revenue to the racing industry and the Government as a result of illegal betting, it is generally considered that the loss of turnover is somewhere between $100 million to $150 million per annum.

The racing industry is heavily dependent upon revenue generated through the TAB, and to ensure its continued viability it is essential that illegal betting and bookmaking be deterred. It is hoped that an increase in the penalties provided for these activities will have a deterrent effect, thus reducing the annual loss of revenue. The previous Government was also conscious of the detrimental effects of SP betting, and it increased the penalties in 1981. It is clear, however, that the present penalties are now inadequate. The decision to take further action has been made in recognition of the important contribution to South Australia's economy made by the racing industry and it has the support of all bodies within the industry.

Clause 1 is formal. Clause 2 amends section 117 of the Racing Act, 1976. The penalty for acting as a bookmaker without being licensed or for failing to comply with a condition of a licence or a permit under Part IV is increased:

in the case of a first offence—from $5 000 or imprisonment for three months to $8 000 or imprisonment for two years.

in the case of a second or subsequent offence—from $10 000 or imprisonment for 12 months to $15 000 or imprisonment for four years.

The penalty for making a bet with an unlicensed bookmaker or with a bookmaker in circumstances in which acceptance of the bet by the bookmaker would constitute an offence has been increased from $1 000 or imprisonment for three months to $2 000 or imprisonment for six months.

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

[Sitting suspended from 12.57 to 2 p.m.]

ADELAIDE RAILWAY STATION DEVELOPMENT BILL

Adjourned debate on second reading.

(Continued from 29 March. Page 3014.)

Mr OLSEN (Leader of the Opposition): The Opposition supports the Bill. Essentially, this is an enabling Bill for what could be the largest single construction project the City of Adelaide has yet seen. It is a short Bill, dealing with only a few of the many matters which undoubtedly will be or should be required to be dealt with to allow the project to proceed. Those matters which immediately concern this Parliament involve the use of a valuable piece of real estate which the Government owns, the application of Government funds to ensure that this project can proceed, and the link between this project and the operation of a casino under the terms and conditions of the Casino Act.

This use of Government owned land and Government funds and the need to ensure that the intent of the Casino Act is followed mean that Parliament has a clear duty to ensure that the public interest is fully protected in this legislation. The Opposition will not resile from that responsibility. We will be asking many questions about the provisions of the Bill and the principles of agreement the Premier has signed with the contracting parties. We will be seeking information which we believe the public has a right to know. We will also facilitate the Premier's desire to have the legislation passed this week, but if that means that the House has to sit long hours I trust the Premier will accept that, just as the House has a duty to seek relevant information, the Government has an obligation to provide it.

The Liberal Party supports the redevelopment of the Adelaide railway station site for two basic reasons, one arising from the other. First, we recognise that tourism is a labour intensive industry which makes a significant contribution to the economic, social and cultural development of South Australia. If this project proceeds on a commercially viable basis and is properly managed, it can have profound and far reaching benefits for tourism, and consequently for economic development, that will extend beyond the City of Adelaide to enhance the prosperity of South Australia. Arising from that view of the benefits and value of tourism, the Liberal Party took decisive action in a number of areas while it was in Government between 1979 and 1982. I refer in particular to the construction of the Hilton International Hotel, the establishment of international terminal facilities at Adelaide Airport, and a significant increase in funding for tourism promotion and advertising.

We also endorsed action, in the second half of 1980, which has led directly to the legislation now before the House. That action laid the foundation for this legislation. Before dealing further with that, however, let me briefly recall some of the earlier history of this project and, in doing so, compare what are obviously two different styles of Government. Honourable members will appreciate that the idea of redeveloping the Adelaide railway station site is not a new one. Various submissions have been made over more than a decade—some heavy on panache but very light on actual potential to proceed. For example, a former Premier (Mr Dunstan) proudly announced in 1975 that his Government would build on this site a modern administration building for the State Transport Authority, an international hotel, restaurants, shops and an 8 000-seat stadium.

The Hon. B.C. Eastick: When was that?

Mr OLSEN: In 1975. The important point about that statement is that it was made in an election policy speech. It was apparently faithfully promised, and South Australians were given every reason to expect that the project would proceed within a relatively short period. Of course, it did not, just as the Redcliff petro-chemical project, the major promise of Mr Dunstan's 1973 election policy speech, also did not proceed. When Redcliff collapsed, Mr Dunstan promised, instead, a uranium enrichment plant on the Redcliff site, but now we cannot seem to establish that, either.

All of these unfulfilled promises developed a crisis of confidence—a view that South Australia would never achieve any exciting or major developments. After its election in 1979, the Tonkin Liberal Government was able to change some of that perception. The International Hotel was built, the international air terminal opened, the Stony Point oil and gas facilities established, and the Roxby Downs indenture was passed by this Parliament. Instead of empty gestures and hollow promises, South Australians got action, for a change. At the same time, we did not promise before we knew we could deliver.

That is why, for example, we did not make any major announcements about this project, even though we had negotiated it to a much more advanced stage than Mr Dunstan had reached when he made his grandiose promise in the 1975 election campaign. We did not make this project a major issue in the 1982 election campaign. We did not seek premature publicity, because the project was not stitched up. I well recall the now Premier's press conference during that campaign when, in front of the railway station building, he pretended to draw on paper for some incredulous journalists his concept of this project. In his policy speech he said that he had already had discussions about the establishment of a major convention centre using the railway station building and site, and he promised Labor would take every step to ensure that this project was realised. At least this Government has been prepared to honour one promise.

I have drawn this comparison between the approaches of former Labor and Liberal Governments in the hope that the days of grand but unfulfilled promises and premature announcements are now behind us. In the '70s they were a catastrophe for confidence in the long term future of South Australia.

The Hon. Michael Wilson: I thought the former Minister of Transport, Mr Virgo, excelled himself.

Mr OLSEN: Mr Virgo was a partner in crime with former Premier Dunstan.

Mr Whitten: Cut out your knocking and get on with it. All you want to do is knock.

The SPEAKER: Order! The honourable member seems to be straying from the debate.

Mr OLSEN: Obviously, the member for Price has not been listening because, if he had been listening, he would have heard me say that the Opposition supports the Bill, we want to facilitate its passage, and it is our responsibility to draw out some comparisons, from which I will not resile, despite the interjections from the retiring member for Price. It would be another catastrophe if this project, for whatever reason, did not proceed, given the statements and the commitments the Premier has made about it—the very deliberate statements.

This proposal for the redevelopment of the Adelaide railway station results from a call by the State Transport Authority, endorsed by the former Government, for registration of interest in the project. This occurred in the second half of 1980. Following further developments, the former Government agreed, on 22 March 1982, to support in principal the redevelopment of the Adelaide station and environs site. That submission was taken to the former Government by the member for Torrens (the then Minister of Transport in that Administration)—and all credit to him for his part in bringing to fruition this particular project.

A week later, it gave Mr Pak-Poy 12 months to negotiate a suitable package for development of the project. In effect, this meant Mr Pak-Poy had first option to undertake the development if he could produce the financial backing by 31 March 1983. After discussions overseas with potential developers and financiers, Mr Pak-Poy asked the former Government for support in the form of the following package: leasing a bus interchange facility to be incorporated in the project; leasing the Convention Centre; agreeing to take up to half of the accommodation of the proposed office block. In a Cabinet decision on 4 October 1982, the former Government agreed to this package as being necessary for the success of the project. Following the change of Government, Mr Pak-Poy was given an extension of time to establish financial backers for the project until, on 2 October last year, the present Premier was able to announce in Tokyo the signing of the principles of agreement.

On hearing of the signing of the Tokyo agreement, and accepting at face value the Premier's statements about it in Tokyo, I immediately welcomed that move. I hope that the member for Price remembers that. Let me quote from my statement of 2 October:

> The former Liberal Government in 1981 authorised a consortium headed by Mr Pak-Poy to undertake planning for this redevelopment. We fully supported negotiations with potential investors, including overseas interests and the South Australian Superannuation Fund Investment Trust, and gave a commitment to financial support for the establishment of a convention centre. I am pleased that these initiatives have had such a satisfactory and successful conclusion with today's announcement that the project will proceed.

The Hon. B.C. Eastick: It has to be an effective centre.

Mr OLSEN: Indeed. That gives the lie to the Premier's oft repeated allegation that we have not supported this project. Indeed, we initiated it and we have continued to support it. However, we have been concerned about the Premier's reluctance, since his return from Tokyo, to tell us all that he knows about the agreement and the project. He has asked for bipartisan support, but he has not been willing to give us relevant information.

Mr Baker: He never does.

Mr OLSEN: Indeed, that is par for the course. The principles of agreement effectively have been under the Premier's personal suppression order for six months. Now that at last we can debate those principles publicly for the first time, I must say at the outset that in some respects the Opposition is most disappointed with them. They did not give the green light to the project, which is how they were represented in the Premier's statements from Tokyo. The agreement is not legally enforceable. Any of the parties could walk away from it, unlike the agreement in respect of the Hilton International Hotel, which was not announced by the former Liberal Government and put to Parliament until all the parties were locked in: that is, until there was a legally binding guarantee that the project would proceed.

We have some major concerns about the Tokyo agreement that we will be raising. Those concerns justify the attempts we have been making since last October to obtain further information about this project. It was immediately apparent on the Premier's return from Tokyo that he was reluctant to give Parliament information about the agreement, even though it was Parliament's right, indeed responsibility, to seek such information because of the proposed involvement of taxpayers' funds. Instead of giving answers to legitimate and reasonable questions, the Premier consistently resorted to the tactic of trying to smear the Opposition. He acted as though this project was somehow his personal property and

the financial and planning arrangements were no business of this Parliament or of the people of South Australia.

I believe that he did this as a cover for some of his own lack of understanding of what was involved in the agreement. For example, in a speech, in a press statement, and in a Ministerial statement (all on 27 October last year) the Premier said that Kumagai Gumi would provide $48.5 million in loans for the project. This was a $10 million mistake repeated three times within only a few hours by the Premier, because the actual amount is $58.5 million.

The Hon. J.C. Bannon: It was a typographical error.

Mr OLSEN: Even under questioning in Parliament, the Premier gave members that figure.

The Hon. J.C. Bannon: What a stupid point.

Mr OLSEN: The point is that the Premier simply does not do his homework, and we are still getting discrepancies in the millions from the Premier. In his second reading explanation the Premier said that after seven years the outstanding amount of Kumagai's loan would be $25 million, but in a letter to me dated last Thursday, which incidentally was unsigned, the amount is put at $29 million—a $4 million discrepancy. What are we to believe? Here we are talking about a multi-million dollar project, yet we get all sorts of figures given us by the Premier in official correspondence. In these circumstances, it is little wonder that the Premier has been less than forthcoming with the information. He refused to answer 16 specific questions that I put in an urgency motion on 7 December. I repeated them in a letter to the Premier on 2 February this year, together with six more questions, but, again, the Premier refused to reply. It is only now that we have some of the answers, although by no means all of them. Indeed, the Bill and the final revelation of the principles of agreement raise as many questions as they provide answers.

Turning first to the Bill, I remind members that the Minister who will have most responsibility for its implementation will be the Minister of Public Works.

The Hon. Michael Wilson: Who's that?

Mr OLSEN: It happens to be the Minister who, in response to a 'Dear June' this afternoon, read two pages of answers to questions on notice. It is this Minister who is to control the $160 million project for this State. What absolute nonsense! He is the Minister who has been the biggest failure of a number of Ministerial failures in the Bannon Government. He has lost the local government portfolio because the Premier would not risk giving him the responsibility for the major review of our local government legislation, and possibly we should be thankful to the Premier for not inflicting on Parliament the prospect of having Mr Hemmings trying to steer that legislation through the House. I do not believe that this House can have any more confidence in the Minister to honour his responsibilities under this legislation. After all, this is a significant project for South Australia, and our lack of confidence is heightened when we realise that the same Minister involved himself improperly, and perhaps even illegally, in another construction project. I refer to the demolition of the Aurora Hotel, when the Minister asked members of the Building Trades Federation to extend an illegal ban to prevent work at that site.

Mr Whitten: Come on! Be a bit positive.

Mr OLSEN: I am being positive. I am concerned that the Minister of Public Works is to be responsible for this project. The Government could not have got a more 'lame duck' Minister to look after this significant project if it tried.

Mr Ferguson: Are you trying to kill it off?

The Hon. Jennifer Adamson: Are you trying to kill it off by putting him in charge of it?

Mr OLSEN: Exactly. That is more to the point. To return specifically to the Hon. Mr Hemmings as Minister of Public Works—

The SPEAKER: Order! I ask the honourable Leader to desist from using the words 'Mr Hemmings' and to use the name of the portfolio, 'Minister of Public Works'.

Mr OLSEN: With respect, Mr Speaker, I said, 'the Hon. Mr Hemmings, Minister of Public Works'.

The SPEAKER: I wish the honourable member to use the Minister's portfolio.

Mr OLSEN: Even the Premier, who has been unusually loath to criticise obvious improprieties by his Ministers, had to admit the Minister's wrong-doing in the case of the demolition of the Aurora Hotel. The Premier was quoted in the *Advertiser* of 17 November 1983 as saying that, had he been the Minister, he would not have taken the course of action adopted by the Minister of Public Works.

The Hon. J.C. Bannon: Is this a motion of no confidence?

Mr OLSEN: I certainly have no confidence in the Minister of Public Works.

Mr Whitten: And we have no confidence at all in you!

Mr OLSEN: I do not want any confidence from the honourable member. I am concerned about a $160 million project in this State that will come within the ambit of the Minister of Public Works who has clearly shown himself by his performance in this House and generally by discharging his duties as a Minister of the Crown to be incompetent in discharging those duties. It is an abdication of responsibility by this Government to give that Minister the responsibility for this project.

The Hon. Michael Wilson: He's not even in the House.

Mr OLSEN: That is how much interest he shows in the Bill for which he has responsibility.

The Hon. J.C. Bannon interjecting:

Mr OLSEN: Now we are changing the second reading explanation and the intention of the Bill. The Premier has responsibility. I suppose that is why any electorate inquiries do not go to the Minister of Public Works these days but to the Deputy Premier.

Members interjecting

Mr OLSEN: The office of the Minister of Public Works is merely a clearing house.

The SPEAKER: Order! I ask the Leader of the Opposition to address the Speaker.

Mr OLSEN: The concern of the Opposition about the Minister's involvement is only increased when we find that the legislation also allows the Minister of Public Works to exempt the project from the provisions of the Building Act. The Building Act was introduced by the Dunstan Government in 1970 to set standards for structural, health and safety aspects of all building construction undertaken in South Australia. While the Opposition believes in less Government regulation rather than more, the Government does have a legitimate role to ensure that certain minimum standards are met. In the case of the Building Act, one provision regarded by the Opposition as important is the regulation of the installation of lifts, fire-extinguishing sprinklers and other apparatus. This bears on the safety of buildings, and in this matter there must be no short cuts. I will seek further information on this important matter when the Bill is in Committee. I also foreshadow an amendment to ensure that this Parliament is notified of any exemption granted so that it can be debated and questioned if necessary. I believe that full accountability on this matter is vital. The project is also to be exempt from the provisions of the City of Adelaide Development Control Act. This was another Act introduced by a Labor Government in 1976 to impose development control within the City of Adelaide.

In fact, this project is to be exempt from some or all of the provisions of seven Acts of Parliament—unusual action

indeed for a Labor Government committed to bigger government. Whilst I acknowledge the comments of fast track approval, one does not automatically achieve fast track approval by putting aside all relevant Acts of Parliament. What is more, this project is getting more exemptions than the former Liberal Government was prepared to give to the Hilton International Hotel. In his second reading explanation, the Premier said that this Act was an empowering Statute similar to the Victoria Square (International Hotel) Act, 1980.

The Hon. J. C. Bannon interjecting:

Mr OLSEN: That statement glosses over some very important but fundamental differences. For a start, the Hilton project was subject to the City of Adelaide Development Control Act, and it was not given any exemptions from the Building Act, except two, to respond to the Premier's interjection. The exemptions from taxes and charges in this Act are open ended in that there is provision for changes to the dates specified in the Act. In the legislation for the Hilton Hotel, maximum periods for exemptions were set. While the Hilton developers paid council, water and sewer rates during the construction period, this project is to be further exempt from those commitments, and the Government also will be responsible for funding access roads to the project site, power, gas and other services during the construction period. Indeed, substantial cost is likely to be involved in that area.

Before finishing this comparison between this measure and the legislation of the former Government for the Hilton Hotel, I refer to the Premier's statement in his second reading explanation that the enabling Act for the Hilton was introduced in advance of any principles of agreement being signed, and that those principles were never made available to him, as the then Leader. The enabling Act was introduced in this Parliament in April 1980, shortly after the agreement was finalised, whereas this legislation is being debated more than seven months after the principles of agreement for this project were signed, and after preliminary work has already begun on the railway station site. The enabling Act for the Hilton Hotel contained everything of public interest relating to that project in the nature of Government financial and other assistance, whereas there is much about the Government's role in the railway station project which is not covered by this Bill. I refer in particular to Government guarantees and subsidies for some parts of the development and, as I have already pointed out, the Hilton agreement was legally binding on all parties at the time the enabling Act was put before Parliament, whereas the principles of agreement for this project do not appear to constitute a similar commitment. We still have no final assurance that this project will proceed and, if it does, under what detailed terms and conditions. The Premier's letter to me which he released last Thursday says as much. The first answer states:

> The principles of agreement signed by the three parties in Tokyo in October 1983 allows detailed design work to proceed, and the developers are in an advanced stage with this preparation. Further documentation will be needed before actual construction commences.

That was an answer to a specific question about what legally binding agreements the Government had entered into. Obviously, at this stage there are none. The agreement contemplates investment of $132 million in the project in the form of equity and loans by the South Australian Superannuation Fund Investment Trust and Kumagai Gumi. It is usual in agreements such as this to include a clause relating to escalation of costs. This agreement is silent on this vital matter, and the Premier has not made it clear whether the equity and loans have been calculated on the basis of 1983 costs (when the agreement was signed), or in 1985 and 1986 costs, when the bulk of these funds will be invested in construction work.

Escalating costs were an important factor in preventing the Redcliff project from proceeding at the time it was promised in the late 1970s. I hope that there will be no similar difficulties with this project, given that the question of cost escalation is not covered in the principles of agreement. The Government is committed to guaranteeing the loans from Kumagai Gumi. The repayment period is not specified in the agreement but, in response to one of my questions, the Premier has revealed that it is a maximum of seven years after completion of the development. The Premier has also revealed that after seven years the amount of loan outstanding will be either $25 million or $29 million, depending on which is the correct figure. In either case, the outstanding amount of the Kumagai loan will need refinancing, and I hope the Premier will be able to give the House some further information about this matter, as this is a binding commitment on any future government of this State.

The Hon. Michael Wilson: That will be one we will have to do.

Mr OLSEN: That is right. We would like to have it right when we resume the Treasury benches. The principles of agreement also commit the Government, in certain circumstances, to giving a warranty for the loan provided by the Superannuation Fund Investment Trust of $43.5 million. As I pointed out to the House a fortnight ago, this warranty lapses according to the precise wording of the principles of agreement only if a casino is established on the project site. The definition of that site specifically excludes the railway station building, where the casino is to be located following the determination of the Casino Supervisory Authority.

The Opposition closely questioned the Premier about this point in the agreement on 21 March, and his answers, or lack of them, were further confirmation of the fact that the Premier does not fully understand this agreement. For most of Question Time on that day, he failed completely to see the point of our questions, because he was obviously unaware of this deficiency in the agreement. Finally, he said the matter was covered by an exchange of letters. On further reflection, however, he clearly discovered that this related only to clause 2 and what happens if a casino is not established on the site 'by or for' the ASER Property Trust. But that is not what we were asking about. We were asking about the preamble to the agreement, which on page 1 specifically excludes the railway station building from any provisions of this agreement. That is a major deficiency in the agreement, given that the casino will be in that building and not on the site.

The Premier has finally realised this, but the explanation in his second reading explanation remains unsatisfactory. Instead of an exchange of letters, he is now talking about an 'understanding' which the developers have that the railway station is included in the project site. I suggest we need better than 'understanding' of a verbal nature or on the telephone of a commitment of this nature. That understanding is a flat contradiction of precise wording in the agreement. As it involves possible Government liability for a warranty of $43.5 million, it is simply not good enough to say there is an understanding. The point must be confirmed in writing, and be legally binding.

The liability of the Government to meet its guarantee to Kumagai will depend on the viability of the project. Despite repeated requests for information to allow us to make an assessment of viability, Parliament is none the wiser as a result of this legislation. In answer to question five in my letter, the Premier has referred to investigations into the question of viability but has not said what the results were.

The Hon. J.C. Bannon: If it was not viable we would not go ahead.

Mr OLSEN: We have to rely on the Premier's word for viability. I would suggest to the House that the Premier's view of viability and his performance as Treasurer of this State would be something that each and every one of us would have due cause to seriously question. While the Opposition accepts that information of this nature obtained by Kumagai Gumi has some claim to confidentiality, we reject the Premier's view, in answer to my question 16, that studies carried out by the Superannuation Fund Investment Trust should not be made available. The Fund relies to a significant degree on increasing amounts of public financing. The Government has to cover the Fund's annual deficit. If the Fund loses money on this project, the Government will be liable to meet an even greater Fund deficit.

The Hon. J.C. Bannon: What nonsense!

Mr OLSEN: I am glad that the Premier has obtained a nod and agreement so that he can respond by way of interjection to that from the gallery. This Parliament has a right to the relevant information on which the Superannuation Fund, at least, is making its commitment. In this project, the unit cost per room for the hotel will be approximately $150 000—three times the cost of the average house in Adelaide. High occupancy rates will have to be maintained to amortise investment on this scale. When public funds are being used to guarantee such investment, this Parliament must be told the basis on which these commitments are being entered into.

Parliament should also be told what arrangements have been made for running the hotel by Hyatt. Is it a lease or management arrangement? Does it guarantee a percentage of gross revenue and, if so, what percentage? Under what circumstances, if any, does the operator incur any losses? These questions are all relevant to a proper and adequate assessment of the viability of the project and I hope that the Premier will supply that information.

I now turn to other aspects of the agreement which are vague and imprecise, or dependent on further agreements being made. In clause 1 *(a)* the form of the property trust is to be 'to the satisfaction and approval of the Government.' The Government has not yet given its formal approval, so some important questions are outstanding. What is the form of trust which the Government will approve? Who is to be the trustee or manager of the trust? When will it terminate? Who are the beneficiaries? Clause 1 *(b)* requires the investment of Kumagai in the property trust and its loan to the property trust to be on terms agreed between the joint venturers.

We do not know whether that agreement has been reached yet. The same can be said for clause 1 *(c)* and the investment by the Superannuation Fund Investment Trust. The reason for posing a number of these questions at the second reading stage is in the hope of obtaining some response from the Premier when we get to the Committee stage of this legislation. Under clauses 1 *(e)* and *(f)* plans and documentation are to be submitted to the Government for approval as soon as possible, but not by any fixed date. The Premier's letter reveals that, so far, only preliminary plans have been submitted. A lease will be granted under clause 2 *(b)* to the property trust over the project site. While the term and the rental are fixed, the matters to be covered in the head leases are not specified

In clause 2 *(c)*, relating to the Government's sublease from the property trust of the convention centre and the car park, the terms of the sublease, and, perhaps more importantly, 'the disposition of the property at the expiration of the term of the subleases' are to be mutually agreed. We need more information about the Government's commitments in these leases and what plans there are for use of the property when those leases have expired.

The Premier has said in his second reading explanation that the Government's estimate of its exposure in the leases for the car park and convention centre will be of the order of $1 million per year in 1986 terms. However, he has not indicated on what capital cost this estimate is based, what interest rate has been used in relation to that capital cost for the purpose of computing the Government's annual loss, or for how long the Government expects the losses to continue.

The Government also is to outlay funds in leasing office space in the project. A comparison with office rental being paid by the Commonwealth Government in Adelaide suggests that the rental the Government is committing itself to in this project may be excessive. The rate nominated in the agreement of $107 per square metre is that taken to be applying at July 1982, and the actual rate payable when the office space becomes available will be indexed from then.

However, at July 1982, Commonwealth Government departments and statutory authorities were paying $82 a square metre for equivalent standard office space in Adelaide. The equivalent State Government figure for this project is, therefore, 30 per cent above the Commonwealth's figure. Both Governments are very large occupiers of office space—the Commonwealth occupying more the 89 000 square metres in the Adelaide central business district, according to the latest figures, at an annual rental cost of more than $7.3 million. While the figure of $107 per square metre compares with current private sector rates for commercial rentals, the State Government is such a large user of private office space that it should be able to achieve greater economies of scale.

An honourable member interjecting:

Mr OLSEN: I am pleased that the Minister of Public Works has taken at least some interest in the Bill, if only to relieve the Premier in the Chamber for a few moments. The matters I have raised so far clearly indicate that, at the time the Premier signed these principles of agreement, the state of the actual agreement between the parties was very thin indeed. A great deal more work needs to be done to develop precise terms and conditions for all the points of agreement, before the project can proceed. Certainly, this is not what could be termed a commercial agreement—one which any party could endorse.

It may well be that since the agreement was signed there is now detailed documentation covering some or all of the matters to which I have referred. This certainly should be the case, if construction is to begin on 1 July. However, if this is the case, it is not suggested by the amount of information provided to Parliament so far by the Premier. That information gives us very little elaboration on what is contained in the principles of agreement, which, as I have shown, are vague and imprecise. The Premier must be more forthcoming during the Committee stage of this Bill.

Finally, I turn to the relationship of this project to the proposed casino development in the railway station building. The casino is referred to directly only once in the agreement. That is at clause 2 *(f)* and, as I have already demonstrated, that clause, read with the preamble to the agreement defining the project site, means that, unless this agreement is altered, the Government remains liable in principle to warrant the Superannuation Fund Investment Trust loan of $43.5 million. We have seen no evidence in the form of letters to refute that claim.

The Opposition also maintains that there is another major deficiency in the agreement linking this project to the casino. It is contained in clause 2 *(m)* which, in effect, gives the ASER Property Trust the first right to lease the casino premises. Subsequent to the signing of the principles of

agreement, the ASER Property Trust, made up of SASFIT and Kumagai Gumi, has formed with Pak-Poy Kneebone Pty Limited, the ASER Investment Trust, in which each of these parties has a one-third interest. The ASER Investment Trust has been proposed as the operator of the casino.

But, more than that, these interests have claimed the right to withhold any sublease for the operation of a casino in the railway station building, if satisfactory terms cannot be reached between the Lotteries Commission and the operator, and the ASER Property Trust. In other words, these interests have purported to have a significant say in who should be the casino operator, whereas, according to the Casino Act passed by this Parliament, it is the responsibility of the Lotteries Commission alone to choose an operator, which must then have the approval of the Casino Supervisory Authority.

The Opposition believes the effect of this provision in the agreement is to pre-empt the role of the Lotteries Commission and nothing the Premier has said in explanation so far has changed our view. We sought to have that point clarified by the Premier. He has not been forthcoming to the House and has not, in fact, explained that anomaly which was highlighted by the Opposition. Indeed, he confirmed it when he said in this House on 21 March (and I quote from *Hansard*):

> If in fact another operator was chosen, the development trust itself would have to sublease the premises to the operator. If they did not, there would be no casino, and it would lay open.

That is precisely our point and the point we are trying to establish. In certain circumstances, the ASER Property Trust can determine whether or not there will be a casino operation in the railway station building in total defiance of the intent of Parliament.

It may well be that the ASER Investment Trust can provide the most suitable and effective casino operation. But during the process of making that determination, that trust should not be in the position of being able to say, 'If we are not chosen, and we do not like who is, we will not allow the casino to proceed.' That is the bottom line and it is completely unfair to the other applicants for the right to operate the casino. What is more, it is a position effectively concealed from those other applicants by the refusal of the Premier to release these principles of agreement at an earlier date.

The Opposition believes this is a second major deficiency in the principles of agreement relating to the casino, which the Premier must put beyond doubt. The Crown Solicitor received a letter dated 24 November 1983 from the legal representative for the ASER Investment Group, putting the point of view that this group had the right to withhold a sublease for the casino premises. The Premier must provide written evidence to the House that this is no longer the position—that the Government has acted to ensure that all applicants for the right to operate the casino have a full and fair opportunity to obtain that right.

I have dealt at length with this Bill and the principles of agreement, because this is the first opportunity Parliament has had to assess this project in detail—and it may be the last before commitments that cannot be changed are made involving the application of Government funds and property. I believe that the principles of agreement have some major shortcomings.

As it stands, this agreement is not legally enforceable and does not represent a watertight, commercially viable deal for South Australia. The Opposition wants this project to proceed and to be successful, and let there be no doubt about that. We want this project to boost employment, to boost tourism development and to enhance the cultural and social life of our State. But we also accept the responsibility which this debate gives to ensure that the project is being negotiated and will proceed on a proper basis which fully protects the interests of the taxpayers of South Australia.

The Hon. MICHAEL WILSON (Torrens): I, too, support this Bill and the project. In fact, I support the project very strongly indeed, having been the Minister in the Tonkin Government who had most to do with its initiation. I support the project, including the international hotel, the redevelopment of the railway station building and the casino, but in particular I support the construction of the convention centre, and the member for Coles will deal with the tourism aspects in more detail shortly. However, let me tell the Premier that the most important aspect of this whole development is the convention centre, because it is the convention centre that will bring to this State the tourists who will use the other facilities and so generate the multiplier income, with which no doubt my colleague will deal shortly.

However, the most important aspect is the 3 000-seat convention centre and I hope very much that, in questioning in the Committee stage, the Premier will be able to supply members of this front bench with detailed information about the convention centre—its actual size and the return expected on the marketing arrangements that have been gone into. We put the Premier on notice now that we expect him to have officers in this place during the Committee stage of this debate, because if the Premier cannot answer the questions we still want the information. The Premier said when he made his statement to the House a few weeks ago that he had supplied all the relevant financial information. The Leader of the Opposition has shown patently that he did not supply all the financial information. The Premier has now brought this Bill into the House and tabled the heads of agreement.

The Leader of the Opposition has put on notice in his speech to the Premier the type of information that we want, and, if the Premier or his officers can provide that information, then there is no reason why this Bill should not be facilitated and go through this House this week and hopefully through the Parliament next week. It is the desire of the Opposition to see that happen. However, it depends on whether the Premier is prepared to give us the information in the Committee stage. In particular, the Leader of the Opposition gave the Premier notice that we will want answers to questions about how the Premier intends to cover escalation. In my experience as Minister there was only one project with which I was associated where escalation was handled properly, and that was in regard to the O-Bahn project. The cost management of that project was so good under the Tonkin Government that when the final figures came in they were just under estimate, but the escalation was spot on.

That is the sort of information we will want from the Premier on this particular project, because it is a very large project indeed. It is a much bigger project than the north-east busway—nearly three times as big, in 1981 dollars anyway. We want to hear from the Premier how he will handle escalation. We are talking about funds up to $132 million in loan and equity capital and we need to know what will happen if this project escalates at the normal inflation rate for the building industry, which is quite considerable. How will the guarantees be met, who will meet the shortfall or, as the Leader of the Opposition has said, does this figure represent the final figure after escalation has been taken into account? It is very important, and the Premier will have no more important subject with which to deal today than that particular matter.

The Hon. E.R. Goldsworthy: If they are not the escalated figures, then the agreement is nonsense.

The Hon. MICHAEL WILSON: Indeed. The Leader of the Opposition has dealt with the subject, painting with a

broad brush and covering all the aspects of the railway station redevelopment. However, I want to deal with some aspects and fill in some details regarding the previous Government's involvement in this project, and I wish to do that because the Premier over the past few weeks has referred to the previous Government's and my role in the project. Therefore, I think that it is necessary for me to give the facts to the House as I have them at my disposal so that anyone looking back on this debate will be able to see exactly what happened in the term of the previous Government.

The whole thing started in August 1981, that is, some eight or nine months after the Tonkin Government was elected, when the State Transport Authority put out a brief requesting submissions for a railway station development. The Leader of the Opposition has mentioned already the numerous announcements that had been made before that date by the Dunstan Government, by the then Premier himself and earlier by the Hon. Mr Virgo (the then Minister of Transport), about public transport facilities and the redevelopment of the railway station.

So, it is important that the House recognise that that date was some eight months after the election of the Tonkin Government. I will read the first three or four paragraphs only of that brief, because it will show the intention of the State Transport Authority, but, more importantly, it will show the intention of the Tonkin Government in letting out this brief for submissions. The introduction to that brief states:

It is the desire of the South Australian Government and the State Transport Authority to redevelop the Adelaide station building and environs. The site is currently neglected and poorly exploited. The broad concept of the project envisages complete redevelopment of the whole site to utilise its full community value and commercial potential, bearing in mind transport requirements and special features, such as proximity to Adelaide Festival Centre, etc.

It is desirable that such redevelopment include metropolitan bus service interchange facilities, country bus services terminal and possibly administrative office accommodation for the State Transport Authority. Preservation of the exterior of the existing Adelaide station building, main concourse, marble hall and integration of these existing features and the adjacent cultural aspects of the vicinity with any new works is envisaged.

It is expected that exploitation of the site will provide the opportunity for:

- Provision of comprehensive up-to-date public transport facilities;
- Integrating Elder Park, Festival Centre and Constitutional Museum with the North Terrace precinct, thus enhancing value to the community;
- Eliminating current visual incompatibility of the railway site;
- Extensive commercial property development of a large site with scope for incorporating a variety of diverse activities, enhancing both the community and commercial value of the property.

The last paragraph of the introduction states:

To achieve this concept the Authority is to appoint a consortium to plan, finance and execute the development work, including construction and ongoing management of the property.

Mr Hamilton: What is the date of that?

The Hon. MICHAEL WILSON: August 1981. That indicates very clearly the intention of the former Government and the State Transport Authority in regard to the redevelopment of the site: it was initiated in August 1981. In response to that draft brief the State Transport Authority received about 13 submissions from various consortia. The State Transport Authority Board met and decided that it would ask four of those 13 consortia to submit a proposal for redevelopment of the Adelaide railway station site. Unfortunately, only one of those four consortia submitted a plan, and that was the Pak-Poy and Kneebone consortium in conjunction with other people. I give credit to that consortium for at least putting in a redevelopment plan. In the end result, the other three were found wanting.

That redevelopment plan, known as the ASER Report, was received by the State Transport Authority on 26 February 1982. As Minister of Transport at that time I took that submission to Cabinet on 22 March 1982. On that day the Cabinet agreed to support in principal the redevelopment of the Adelaide station and environs site and authorised the STA to release, on a confidential basis, the ASER Report to enable Mr Patrick Pak-Poy to seek interested developers in Australia and overseas.

A week later Cabinet authorised me as Minister of Transport to advise Mr Pak-Poy that he had 12 months to negotiate a suitable package for the development of the site in a form and on a basis suitable to the Government and its instrumentalities. Mr Pak-Poy, in effect, was to have first option to undertake the development if he could produce the financial backing necessary by 31 March 1983. Mr Pak-Poy received a letter from me giving him that exclusive right to arrange finance to develop the project. He then went away and attempted to do so, and in fact travelled around the world talking to various developers. In October 1982 (just before the last State election), after discussing the matter with Mr Pak-Poy, I went back to Cabinet. I will quote extracts from the submission made to Cabinet on 4 October. I shall do so because the Premier has invited us to release this document. It has been mentioned in the House before, and so I shall quote from it for the benefit of honourable members. The recommendations, which were agreed to by Cabinet, are as follows:

1. Reconfirm support for the redevelopment of the Adelaide station and environs site.
2. Authorise the Pak-Poy and Kneebone consortium to advise potential developers that the Government will financially support the project through the inclusion of a bus station/interchange and a convention centre in the redevelopment, or by alternative arrangements to the same financial level.
3. Agree in principle to lease up to 50 per cent of the accommodation available in the office block, if necessary for the success of the project.

That takes us right up to the time of the last State election, and I will move on from there in a moment. Before doing so, I wish to deal with two other matters that the Premier has mentioned. In his remarks made in this House a few weeks ago, the Premier said that in fact the Government's liability in this matter in regard to its yearly payout to support the project would be $2.65 million, which compared favourably with the former Government's proposal. I want to make the point that in the submission to Cabinet to which I have just referred the cost of the project was given as $3 million. In comparing that sum with the present Government's estimate of $2.65 million, the only problem is that the Premier has not included in that amount of $2.65 million the amount of money for the lease of the office space. I do not think that that is an earth shattering point, but I referred to it simply because the Premier raised that matter when trying to defend his actions after being questioned intensely by the Opposition. So, I just want to lay that one to rest.

When talking about the heads of agreement, which were tabled here yesterday, the Premier mentioned a draft set of heads of agreement considered by me as Minister of Transport in the former Government and said that his set of heads of agreement compared favourably with the one that the Tonkin Government was considering. I want to make quite plain and put on the record very definitely that although there was a draft set of heads of agreement included in the ASER Report of Pak-Poy and Kneebone of February 1982 (draft heads of agreement was part of Mr Pak-Poy's submission), the Tonkin Government never considered a heads of agreement: how could it have considered a heads of agreement when it did not even have a package tied up at that stage or anyone to negotiate with. At page 2 of the

submission to Cabinet of 4 October 1982 the statement was made:

> Some of the issues described in the 22 March 1982 Cabinet submission remain to be resolved; for example, title to the site, conflict with other development proposals, environmental implications, and the attitude of the City of Adelaide Planning Commission at the time the development is firm enough to be considered.

How on earth could we have considered a draft heads of agreement at that time? The Cabinet submission of some two weeks before the former Government went out of office indicated that it was not the time to do so. Much has been said about the matter of confidentiality. The Leader mentioned it in his speech today, and it was also mentioned by the Premier in his answers to questions over the past few weeks in regard to the danger of making premature announcements about large projects where the financing has not been tied up, where matters have not been settled. I want to quote once again from the Cabinet submission on 4 October, which on page 3 states:

> Despite the extensive co-operation on this project, it has been at Ministerial and senior officer level because confidentiality must continue to be maintained. The project is still in the hands of the Pak-Poy and Kneebone consortium; this submission and the discussions have been to assist Pak-Poy in achieving the project's realisation. It is not timely to make any announcements about the project until Mr Pak-Poy achieves success in his negotiations and informs the honourable the Premier to this effect.

That was two weeks before the last State election. That was part of my submission to the Tonkin Government, which was agreed by that Cabinet. We took the responsible view that it would be irresponsible to announce in detail a project such as this before an election.

The Hon. J.C. Bannon: What about the Sabah delegation?

The Hon. MICHAEL WILSON: I will come to that. I am glad the Premier mentioned it because it had slipped my mind. I am going to mention the Sabah delegation. It would have been irresponsible to make an announcement of a large project such as this until 'it is all stitched up', as the Leader of the Opposition said. What happened is that, unfortunately, the Leader of the Opposition at the time—

The Hon. J.C. Bannon: The Premier called an election.

The Hon. MICHAEL WILSON: No. The Leader of the Opposition was briefed, as I understand it, at some stage by—

The Hon. J.C. Bannon: No he wasn't.

The Hon. MICHAEL WILSON: We will get to his own words. I believe that he was briefed by a member of the consortium. The then Leader of the Opposition marched down to the Adelaide railway station, stood outside the front of it, waved the project in front of the cameras, and said, 'This is what the Bannon Government will do.' I believe it is most unfortunate that a member of a consortium under virtual contract to one Government should then go and brief the Leader of the Opposition on that project when the Government of the day had decided that it was not to be announced in full detail because of the implications that would flow to various financiers.

I make that point because I believe it is extremely important. When the then Leader of the Opposition gave that press conference he said that he had been having consultations (I do not know whether he said consultations with developers but I know he used the words 'consultations with parties'). I make that point, because I believe it was a most unfortuante occurrence when the then Government decided that the project should not be announced in detail because of the implications to the various parties to the agreement. I am not blaming the Leader of the Opposition for announcing it, because Oppositions have been known to do that sort of thing from time to time, but what I am saying is that it was extremely unfortunate I believe that a confidence was broken.

The other point I wish to make is that for several months in 1982 I was not handling the project for the then Government, because I was Chairman of the Casino Select Committee and the then Premier and I believed that I should be excused from my responsibilities in handling this project at that stage, because it could amount to a conflict of interest. So, I removed myself from all developments within the project. When I came back to the project after the Casino Select Committee had reported, my understanding was that the Sabah delegation was wheeled in to see the now Premier a week or so after the State election. It was my understanding that they came to see him a week after the election. At least, I thought that that was reported in the newspapers. I make that statement not in criticism of the Premier but because I wondered why that delegation could not have come to see the former Government.

The Hon. J.C. Bannon: Quite clearly because it had called an election.

The Hon. MICHAEL WILSON: We will see what we can do. I really do not wish to canvass many other matters in relation to this Bill other than to repeat that the Premier's handling of this matter itself has not been as the people of South Australia would have desired it to be. It has done nothing more than pay lip service to the taxpayers of this State. This Premier has not provided up until now most of the financial information required, despite the fact that he made a statement to this House several weeks ago saying that he had supplied all relevant details. I close my remarks by urging the Premier to make sure that, when we get into Committee, he has his officers present. He has been forewarned of the types of question he will be getting, so I hope he will provide all the information that is desired. If that happens I see no reason why the Bill cannot be facilitated, and the Premier can go on with this project and get it under way and announce its opening before the next election, which is no doubt what he wishes to do.

The Hon. JENNIFER ADAMSON (Coles): The Opposition supports this Bill, which provides for what will be a monumental project. It is a project that ranks in importance in terms of its future benefits to South Australia I believe with the historic projects which have been put through this Parliament—and I refer to the city of Whyalla and the establishment thereof, the steelworks, and the Roxby Downs indenture. It is interesting to compare the relationship in terms of capital input by the taxpayers of South Australia to those respective projects. The recent Roxby Downs project received $50 million from the State Government (South Australian taxpayer input). The companies involved in the indenture contributed $1.5 billion and that took place at a time when the State Budget was in the region of $2.25 billion. By contrast, the ASER project has a State Government loan commitment of about $60 million, plus, of course, the guarantees, in addition to which there will be other expenditures which will be met by the South Australian taxpayers. The capital value of the project by contrast with Roxby Downs is $160 million which is comparatively small in contrast to a State Budget of something more than $2.25 billion. I believe that the returns to the South Australian taxpayers if this project is properly managed will be substantial.

The investment is colossal, the potential benefits are vast, but the potential liabilities are equally vast unless the management of the project is of the very highest order. The Opposition is somewhat concerned about that aspect. These concerns have been canvassed in some technical detail by the Leader of the Opposition in a wide-ranging speech, and I do not intend to reiterate the points that he made. I would like to pay a tribute to the Tonkin Government, and in particular to the then Minister of Transport, the member

for Torrens (Hon. Michael Wilson), for the enormous effort and enthusiam that was put into the preparation for the project for which this Government is reaping temporarily the political benefits but for which the South Australian community as a whole will reap the long-term benefits.

Not only was the work that was put into the project itself by the member for Torrens important, but other preliminary work was done by the Tonkin Administration that was a necessary forerunner to the project, especially the establishment of international facilities at Adelaide Airport, a project that was managed for the State Government by the member for Torrens, and the experience gained by Government and departmental officers in negotiations over the Hilton International Hotel, as well as the reorganisation of the Department of Tourism.

I believe that the present Government would have had much greater difficulty in reaching the stage that it has with the planning of this project had it not been able to call on the services of professional people of a high order in the Department of Tourism, and I am convinced that their contribution to the project so far has been significant. All those things that went before this legislation under the previous Administration as well as under the present Administration have brought us to this important point, and we are not up to the barrier yet and we will not be until construction begins on the site.

Referring to the tourism aspects of the Bill, especially those relating to the considerable benefits that will flow to South Australia from the establishment of a convention centre, it is interesting to see that the title of the Bill gives no emphasis whatever to that aspect of the project. The title states that it is a Bill for 'an Act to facilitate the development of the site of the Adelaide Railway Station by the construction of a hotel of international standard, an office tower and other improvements; and for other purposes'. I query the title because it fails to place the emphasis where it should be placed; the real economic benefits from the project will flow as a result of the establishment of a convention centre. First, I should refer not only to the project itself but to its location. Not only is its situation superlative in terms of its relationship to Adelaide's civic and cultural boulevard (North Terrace) and the proximity of the project to all other aspects of the city that visitors want to enjoy and benefit from, but it also sits very well with Light's vision of Adelaide and the emphasis that he placed on the planning of this city. If the project proceeds as planned the natural flow of pedestrian and vehicular traffic and the natural inclination of people towards the northern side of the city for cultural and entertainment events will be enhanced, to the benefit of us all.

South Australia and Adelaide have everything that a convention planner requires to make his meeting a success. What Adelaide has to offer is almost indefinable, according to Mr David Hall (Executive Director of the Adelaide Convention and Visitors Bureau). Mr Hall considers that Adelaide has an atmosphere which is aesthetically more than pleasant, and with the State's strong association with wine and all that means, conviviality is always just around the corner. Mr Hall says that it has never failed to fascinate him how so many people in other parts of Australia speak of Adelaide in the most affectionate of terms and regard it as being something special. That is Mr Hall's assessment of the city of Adelaide, and in that assessment we have a justification for the great act of faith and confidence that has been placed by successive Governments in this dream of a convention centre of international standard.

The Bill provides for a hotel of international standard with 400 rooms, a commercial office building of about 22 000 square metres of lettable space, an international standard convention centre to seat about 3 000 delegates, together with associated facilities, and retail and restaurant areas. There will also be interchange facilities between transport modes, which will fill a serious lack in the provision of such facilities by this Government. A car park will be provided for about 800 vehicles, with access to the Festival Centre area. It is also proposed that the site will be further developed. Associated with all these facilities are plans for a casino development. Although I bear no personal resentment toward the Premier for his continual public sniping at me for my opposition to the casino, I feel that it is hardly worthy of any member of Parliament to criticise another member for acting on conscience in respect of a legislative matter.

The Hon. E.R. Goldsworthy: The conscience of Government members did a back flip after the election. They all voted against it and then did a quick turn-around.

The Hon. JENNIFER ADAMSON: Yes. While the Premier has my strong support for the total project, I place my statement on record. The international convention centre to be built will, as far as I am aware, be the only purpose-built convention centre of international standard in Australia. There are other so-called international convention centres in Australia, but not one that meets the requirements of a fourth-generation convention centre: that is, a centre which is purpose-built for a variety of purposes and which can meet the requirements not only of conventions but also of accommodation, of ancillary convention services, transport, convention venues, and which can provide all the facilities required by the extraordinarily diverse demands of conventions both national and international, as well as the smaller conventions, trade exhibitions, fairs and entertainments. So, this centre will give South Australia a competitive edge over all other States, even though some of them are ahead of us in the completion of their projects.

There is no doubt that this project will mean much to the economic, social and cultural development of our State, and I shall deal with those aspects. Economic development is starting to be associated in the public mind with tourist development, but there is still a long way to go before that realisation becomes truly effective. It is worth noting that in 1981 South Australia provided facilities for 55 115 meeting or conference delegates, who left behind $20.6 million. In 1982, this figure increased to 70 578 delegates, who spent $26.4 million. The latter figure does not allow for inflation, but it is still significant. Those figures relate to conventions that have been monitored and tabulated by the Adelaide Convention and Visitors Bureau and the Bureau does not necessarily have access to all the figures. The Bureau believes that in 1982 the true value of convention spending was probably nearer $35 million.

Taking into account the potential expanding market, which is of an extremely high order (the expansion is reckoned to be very considerable on an annual basis), then we can expect that kind of expenditure to double and indeed triple in a comparatively short time in this State. It is important to realise that there are real dangers in taking historical data on conventions in South Australia and applying any such information to an assessment of the new convention centre's utilisation and viability. What is important for us when debating this Bill is to understand the market potential, and to ensure that the resources required to maximise this potential are made available. I cannot stress that point too strongly, and that is a point that I intend to take up in the Committee stages, because in a sense it is the pivot point around which the success of this whole project revolves.

Also, in the Committee stages I will be wanting to question the Premier about the design concepts, because much is dependent upon the design concepts of the centre in terms of its continued viability, and the fact that it can be used by the maximum number of people, for the maximum number of reasons, for the maximum number of days in

the year. Certainly, the key to success will be the level of marketing which is applied, and I hope that neither this Government nor any of its successors will fall into the trap of believing that, because the centre is there, people will automatically come to it and use it: that will not happen. An extremely vigorous marketing approach is required if the centre is to be successful, and unless the centre is successful the hotel will not be successful: the two are interlinked. Anyone who is pinning their faith on a casino to provide the necessary revenue for the operation of the centre and to offset any other losses will be sadly disappointed unless the centre itself is successful.

The major users will be State and national organisations. On the national scene in Australia last year there were more than 4 000 conventions of more than 100 delegates. South Australia received its customary share of most Australian markets, namely, 10 per cent, and the value in direct expenditure in Australia, excluding travel and registrations, has been placed at about $400 million. So, when one looks at Australia in the world context, one can see that we are barely on the marketing map as far as convention goes. In 1980, in relation to the international markets, there were more than 6 000 international conventions having 300 or more participants, and research indicates that this will grow to more than 12 000 conventions by 1992, with 14 million delegates in total.

So, if we are to realise the potential, it is no use our just having the facilities: we must be able to market them in the first place and manage them properly in the second place. If we do not, the tax payers' liability will be very, very significant, and that is the Opposition's principal purpose in debating this Bill. Our main purpose is to obtain satisfactory answers from the Government about the future arrangements (indeed, about existing arrangements), particularly about management and marketing of the centre and the likely tax liability for the South Australian taxpayer.

When one looks at convention centres elsewhere in Australia and overseas, one can see that, whilst they always need to be supported by Government in terms of their operation, the economic impact on the locality in which they are located is considerable. That is because convention visitors tend to spend more per day than does any other visitor. In Australia, on 1982 figures that spending was an average of $900 for an international delegate with an average length of stay of about five days, and $600 for a national delegate. As I say, that excludes registration and travel to and from. That is money spent in the host community, money that is produced and earned elsewhere and spent in the host community, generating a huge demand for a vast array for goods and services.

The question arises: how does the Government propose to manage and market this centre? So far, nothing whatever has been said about those two critical aspects and, whilst the centre itself is not even identified in the title of the Bill, I believe that, in all fairness to the Parliament, the taxpayer and the tourism industry, the Premier should by now have given some indication of his intentions as far as management and marketing of the centre goes. There has been nothing said so far about the management of the centre. One does not even know whether the Hyatt Hotel, as a separate entity, will be leased or managed. However, because of the huge potential liability of the taxpayer for the running of the centre, we must, before this Bill passes through the Parliament, know the Government's intentions as regards management.

There is a variety of options. I do not know what the Government has in mind. One could look for a Government department to manage it, and I think that would be completely inappropriate—in fact, a disaster. The Department of Public Buildings clearly would be an inappropriate Department: it has no marketing expertise. The Department of Tourism would not have the resources, nor indeed is the notion of a Government department administering such a centre one that would be well accepted or even be regarded as sensible. The Adelaide Convention and Visitors Bureau is not set up for that purpose, and indeed would represent a conflict of interests with its obligations to some of its members if it were to be asked to undertake such a task. The Adelaide City Council obviously, I would think, would shrink from such a prospect, and I doubt whether the Government would have that in mind. Is it to be managed by the ASER development team? Is it to be managed by a trust? I hope that it is the latter that the Premier has in mind, because any of the other options seem to me not to represent the satisfactory kind of structure which is necessary and which has been demonstrated by overseas experience as being necessary.

It is worth reading the report on 'A Convention, Exhibition, Sports and Entertainment Centre for Adelaide', commissioned by the Dunstan Government and published in June 1978, and noting the comments of Mr William Cunningham, who was a representative of the International Association of Auditorium Managers Inc. He was also Manager of the Oakland-Alameda County Coliseum in the United States. He states in appendix VIIIB of the CESE Report:

> The vast majority of public assembly facilities are owned and operated by some governmental jurisdiction.

Further on he states:

> Government is involved in this business more out of necessity than reason or expertise.

Certainly, that is the case in this instance. We had to seek this project for the benefit of the State, whereas I do not believe that this Government or its predecessor wanted to become involved in what is essentially a private entrepreneurial activity. Mr Cunningham also said:

> In my experience, the best organisational structure for a facility is one which provides flexibility, independence and autonomy not normally found in Government. A most effective format adopted by many communities is the creation of an 'independent' authority, board, commission or corporation charged with operating the building under an agreement with the public jurisdiction—yet free of the normal burdens, politics, restrictions and bureaucracy of Government.

I think that it is an indictment of the present Government that so much time has been allowed to elapse without any indication whatsoever of the proposed management options for this centre. It is an indictment, because without a management structure the centre cannot be marketed; if it is not marketed it cannot be viable. The simple fact is that time is running out for marketing the centre, which is essentially a convention centre although it will have a large range of functions. If conventions are the first priority they also have the longest lead time, which for planning international conventions is three to five years and for national conventions two years. It is also worth noting that whilst conventions bring the greatest economic benefit to the host community in terms of visitor spending, they are the smallest revenue earners in terms of the actual operation of the centre.

So, it is tremendously important to bring the multi-delegates conventions to Adelaide for the economic acitivity that they will generate. If there is a three to five year lead time and if, as we know from questioning in the Budget Estimates Committee and subsequently, no marketing funds have yet been provided, how on earth can the Government expect to have this centre viable and not a huge liability on the taxpayer from 1986 onwards? It is no good expecting that just because the centre is there the conventions will fall into our lap: they will not. The following article in the *Sunday Mail* on 14 August 1983 outlines a simple example of the importance of marketing:

It costs money to bid for conventions and, sometimes, it seems a lot. But the return is much more. Two years ago, Adelaide made a bid in San Francisco for a major international education conference. The proposal was published in no less than five languages while our major opposition 'cut corners' and published in two. Our bid cost $7 000, but we won the convention. When it is held in Adelaide next year—

that is, 1984—

it is expected to leave South Australia $1 million richer.

That is because each of the delegates will have spent approximate $900 in the State of South Australia during their stay. The article continues:

At New Orleans a few years ago, Singapore (which takes the convention/tourist business very seriously)—

it is the mainstay of its economy—

spent $25 000 on a multi-screen visual display to convince medical delegates their next convention should be held on the tiny Asian island. The effect was dazzling, and the deal was sealed. Before the well heeled medical professionals departed the tourist-orientated Orient they had spent a staggering $2.7 million dollars.

We are talking about bookings for events which were being planned last year internationally for 1986. Not one cent or dollar has been allocated by this Government for marketing nor have any arrangements, of which we are aware, been made for the management structure of the centre which will embark upon the marketing campaign. Those very serious matters are inherent in this Bill, not so much in terms of what the Bill does say but what it and the second reading explanation fail to say. Before the Committee stage is over it is certainly imperative that members be given answers to these questions about management and marketing.

I wish to conclude by referring again to the economic, cultural and social impact of this project on our State. When the Director of Public Communications in the Australian Tourist Commission visited South Australia last year to address the convention industry, he told his audience that as international tourism to Adelaide grows (and more than just in economic terms) Adelaide will become an even richer place. The social and cultural—and in the adjective 'cultural' I include the terms 'scientific' and 'artistic'—benefits obviously from an influx of visitors from all over the world will be immense when people come here and see not only a hospitable community and a pleasant environment in which to enjoy a convention but also the capacity of this State as a potential investment opportunity in various fields such as agriculture, resource development, medical and scientific knowledge, the arts and technology.

They also bring with them gifts and skills which have an inevitable rub-off on the host community. These are just a very few of the benefits, in addition to the economic benefits, that South Australia will enjoy. It will only enjoy them if the plans that the Government has for this project are effectively managed. At this stage, we are not satisifed that that will be the case. I support the Bill, but in Committee we will be seeking much more in the way of information to ensure that the South Australian taxpayer is safeguarded and that the project will proceed with benefit and not liability to succeeding generations.

The Hon. D.C. BROWN (Davenport): I support the remarks that have already been made on this side of the House by the Leader of the Opposition and the members for Torrens and Coles. At the outset, I say that any development of this magnitude would be of enormous benefit to South Australia by providing a convention centre and work in the construction industry which is urgently needed. Whilst there is a lot of talk about the boom in the housing industry and, therefore, in the small subcontracting area which is affected by the housing industry, there has been a significant downturn in the last 12 to 18 months in the heavy construction industry area. This is one job that could readily provide the work that is so badly needed.

So, I wholeheartedly endorse the concept, which in fact was begun by the previous Government, although I know that other Governments had talked about it and begun some initiatives before that. I praise the member for Torrens and the role he played particularly in 1981-82. For a very brief period I took over his responsibilities while he was chairing the Select Committee on a casino. It was felt to be appropriate to have someone chairing that Select Committee and also looking after this project because there was no doubt that the previous Government clearly separated the casino development from the ASER development.

Having said that, I would like to refer specifically to the agreements tabled before us, the Bill before us and the principles of agreement tabled by the Premier. That is the document that he signed in Japan on 1 October and hailed as a major achievement for South Australia. I make these comments, having for three years been Minister of Public Works and having been involved in negotiating the construction procedures for a number of large buildings, including those for the law courts, the fire brigade and others, because in looking at the agreements, the second reading explanation and what the Premier indicated in it, the principles of agreement and the Bill before us, I can only come to the conclusion that, at least from the point of view of South Australians, the South Australian Government negotiated very poorly in this agreement. One would hope that the State Government, in looking at the broad interests of the State, would insist on more detail to cover the many apparent loopholes.

If anything, one could say that the South Australian taxpayers could very readily end up, if they are not careful, with a rather shabby and costly deal, simply because of the incompetence of the State Government and the way it has negotiated the agreement. As I have used fairly strong words in describing the way in which this agreement has been negotiated by the Premier, I would like to go through and specifically refer to examples to substantiate those claims. First, the State taxpayers through the State Government are being asked to guarantee Kumagai for all of its loan funds and, despite a general impression created by the Premier publicly, despite the fact that the casino will now be in the railway building, that guarantee still stands.

When a State Government guarantees loan funds for a private developer, one obviously asks what is the interest rate therefore being asked for by that developer, particularly as the State Government is guaranteeing on behalf of the so-called body (which is the consortium building the enterprise) that it will cover those loan funds for, I think, $58.5 million. We are not given the details of what interest rates will be obtained by Kumagai for that loan, and I find it therefore extremely difficult if not impossible, on behalf of the voters of this State, to pass judgment on whether or not that is a reasonable sort of condition to include. I believe that, as those funds are being guaranteed by the Government, the interest payment to be made by the body to Kumagai must reflect that Government guarantee and therefore must involve a relatively low interest rate compared to other commercial interest rates applicable at the time, because a Government guarantee must carry with it a substantial amount of kudos and therefore a lower interest rate.

In fact, as we all realise, interest rates reflect not only a return on immediate investment but also the risk involved, and there will not be any risk involved in the loan funds as far as Kumagai is concerned. Therefore, any agreement signed by the Premier that does not reflect that or insist on reflecting it, having given the guarantee on one hand, and asked for no guarantee on interest rates on the other, is a

lopsided guarantee or agreement in favour of Kumagai and against the interests of the State Government.

Secondly, the Premier in his second reading explanation talked about the conditions under which the State Government will lease the convention centre. I think that the Premier describes it as being on a basis identical to that by which the State Government leases the Sir Samuel Way law courts building (so-called Moore's building) that was constructed under the previous Liberal Government. The Premier has told at the best a half truth in that regard because, whereas the percentage rate (and I think that the rate is 6 1/4 per cent of the cost of construction) is identical to the rate also payable for the law courts building (and that is also over the same period of 40 years), there is one aid very significant difference: at the end of 40 years under the law courts building agreement the State Government ends up owning the building, whereas under this agreement at the end of 40 years the body still continues to own the convention centre.

Therefore, the rental rate is identical, the period of rental is identical and it is on an identical basis with the cost of construction plus the CPI inflation, but what the two parties end up with under the two agreements is quite different. I ask the Premier why he made that very significant distinction compared to the law courts project and why he then tried to relate to this House the fact that they are identical agreements, when in fact they clearly are not. I would suggest that under this agreement the State taxpayers are getting a very raw deal compared to what they are currently getting under the law courts building agreement, because a building of that sort of structure would still have most of its original value at the end of 40 years. The furnishings might be out of date and some of the fittings might need replacing, but the structure itself could have retained its full capital value, or most of it, and the Premier knows that. If that is not the case, let us cover a point later on relating to the lease period for the building and compare that with the lease period for the land.

Thirdly, the Premier has said that this project can, with the approval of the Minister of Works, be exempt from the Building Act. Having had some dealings in regard to the Building Act (and it is a very difficult Act), I understand perhaps some of the reasons why the Premier would like to gain exemption, the main one being that he would not need to get approval for the fire safety standards to apply in the building. The Premier stressed the need for speed and said that the fast track technique is being adopted. I point out to him that the fast track technique of construction was adopted for the law courts building and the fire brigade building, but both of those buildings must comply with the Building Act, so why is that not so in this case? I would suggest that what the Government has agreed to but has not indicated here is that this project must not necessarily comply with the fire safety standards that would be adopted in South Australia.

Mr Mathwin: That's very dangerous.

The Hon. D.C. BROWN: It is an extremely dangerous precedent. I cannot think of another case where the Building Act, and particularly the fire standards adopted in this State have not applied to every single building, including a Government building. The Crown is bound by that Act and those standards. I think that it is a very serious point. I endorse what the Leader of the Opposition has said: this Parliament must know the details of every single case where the Building Act is not complied with. I know of the problems associated with building an atrium and the sort of conditions that the Fire Standards Committee laid down in relation to an atrium. After all, it is the atria of buildings which have really become the major fire traps and which have led to the huge death rates at large convention centres and hotels overseas, and there have been some very classic cases, particularly in the United States.

Therefore, it is absolutely imperative that the highest possible standards be maintained in those circumstances and that short cuts and cheap techniques not be adopted. I would like the Premier to indicate to us why he believes that, just because the fast track technique is being adopted, the Building Act could not be complied with, because, as I have pointed out, that is not the case: it can be complied with and has been on numerous occasions. The Premier tried to suggest that the fast track technique of construction was being adopted in this State for the first time, whereas in fact it has been used on many occasions.

Fourthly, the Premier has tabled an agreement that he signed in Japan on 1 October. He suggested that that agreement is one of some significance. Looking at the agreement, I see it as no more than a series of heads or principles of agreement. In fact, it is referred to as principles of agreement, yet that appears to be the main document on which the project is now to proceed: in other words, the broad principles of the headlines for agreement. When one reads the principles of agreement, one realises the enormous loopholes, time after time, as one goes through them, where loose ends have not been tied up, such as, what rental will be paid for the facility after so many years; who owns the building after so many years; who will be the arbitrator in the case of agreement not being reached? I was astounded that those sorts of loose ends had been ignored.

Whilst I can understand that, when parties first sit down and talk they would want to sign some form of heads of agreement as has been suggested here, surely that is only a preliminary document, and what is needed is a much more substantial document, which apparently does not exist. Fifthly, the State Government will pay rental based on the cost of construction plus CPI increases.

I stress that that is the same basis as that which applied with the law courts building, although there was one very significant difference, again, apart from who owns the building finally: in regard to the law courts building the Government insisted that it do the construction work, because it was considered that it was up to the Government to make sure that the cheapest possible construction techniques were adopted. Therefore, the former Government had a person administering the entire project to make sure that construction costs were kept to an absolute minimum, so that the rental of 6½ per cent that the Government is paying on construction costs would be a reasonable cost.

However, in this case no such watchdog exists whatsoever in the interests of the State Government, and nowhere in the agreement can I see an absolute right of the Government, as the body which ultimately will need to rent the facilities, to say, 'This is the upper limit on costs', so that the Government has the ultimate say on how costs will be kept down and so that the ultimate rental to be paid will be at a minimum. The Premier has committed the Government to an agreement allowing for a convention centre to be built where in the rental will be 6½ per cent of construction costs plus an inflation factor. There is no limit on construction costs and no accountability to the State Government in regard to those costs. It is an entirely open agreement and up to the constructing body as to what ultimately will go into those construction costs.

I am not suggesting for a moment that there will be any deliberate inflation of construction costs for the purposes of obtaining additional benefits, but we well know that one can buy a Rolls Royce for $200 000 which will do a superb job but that one can buy a Holden Commodore or a Ford Falcon for $13 000 which will do a quite satisfactory job. We must be very careful that this State does not end up with a facility costing something far beyond its means for

which it will have to pay not only for the next 40 years, after which time it will end up still not owning it—

The Hon. Michael Wilson: We don't want another Opera House built here.

The Hon. D.C. BROWN: Exactly. It is an open-ended cheque, in exactly the same way as that which applied to the Opera House. The State will pay for that. The sixth point is that the lease on the land being made available by the State Transport Authority is for a 99 year period, and yet the lease on the convention centre will be for only a 40 year period. This appears to be a real conflict: surely if one is leasing land to a consortium to build a convention centre which will then lease space back to the State Government, the lease on the land should be for the same period as the lease on the facility—otherwise the end result could be an enormous argument as to a new lease for the facility at the end of the 40 year period. If one were not careful the consortium could seek to extract from the State Government unreasonable terms in regard to a continuing lease.

If the Government does not make sure that the leases for the land and for the convention centre are for the same period, the end result could be a disaster for the State Government. Failing that, a specific clause could be provided concerning what the lease should be on the convention centre after 40 years. I stress the point that if the Premier thinks he is such a good negotiator, why will the State Government not end up owning the centre at the end of 40 years? I hope that the Premier replies to that matter, because certainly no satisfactory explanation about it was provided in his second reading explanation.

The seventh point I make is that the rental for the land is very small and I think quite inappropriate considering the state and the area of land available. It is to be a peppercorn rental until 1989, and then $100 000 plus a CPI inflation factor from 1989 to 2004; beyond 2004 either of those factors will continue to apply or any lower rental may be agreed between the parties. In other words, the consortium will have the benefit of taking the lowest possible rental between the CPI and some other neutrally agreed basis, which has not yet been spelt out. I want the Premier to clearly explain why he did not demand reasonable rental rates for this land. I would ask the Premier to compare that sort of rental basis, where the consortium gets its lease rental as one of two options, to the method adopted by the State Government in regard to office space where it has to pay the higher rental out of two options, on a CPI basis or on a negotiated basis, based on market rates. In negotiating this so-called great deal, the Premier has allowed the Government to be screwed in regard to rental it will be paying for office accommodation, and has allowed the consortium to get away with what I believe to be blue murder in terms of rental rates it will be paying for the land available.

The eighth point is that under this agreement there is no obligation for the consortium to abide by the City of Adelaide Development Control Act, which was enacted to control private developers. This is a private development and I think that in exempting this private developer the Government is setting a dangerous precedent, although I appreciate that the State Government itself is exempt even though finally it will be the end user of the building. If anyone in Adelaide is about to put up a facility and one of the occupants of that facility might be a State Government body, the person constructing the facility on this precedent could ask for exemption from the City of Adelaide Development Control Act. The Premier's argument for exemption from the Act of the private developer is that the State Government intends to occupy the facility. However, I would remind the Premier, who is the one who set up the grounds for that precedent, of what he said in his second reading explanation:

> We are asking for this exemption because the State Government is going to be the end user.

The Premier has set a bad precedent. The ninth point is that the Premier has stressed that a commitment was made to start construction by 1 July. In looking at the principles of agreement one finds that that is not the case at all. However, the Premier stressed all along that time was running out, that the matter was urgent and that it had to go through Parliament as quickly as possible. All it says on page 3 of the principles of agreement is that there is an intention by the parties to start work, if at all possible, by 1 July. The agreement would not be null and void if construction did not start by 1 July, and yet the Premier stated time and time again in this House that if the project were not to start by 1 July the whole thing would be off.

Mr Olsen: It would be null and void if it did not begin before the next election—that's what he really means.

The Hon. D.C. BROWN: Yes. My tenth point is that there are so-called letters of exchange in existence. The Leader of the Opposition has already asked where are those letters of exchange. It is time we saw them. It is shabby on the part of the Premier to introduce this Bill in Parliament without tabling those letters of exchange. The next point I refer to concerns the fact that the State Superannuation Fund has a warranty to receive a rate of 8½ per cent of the construction costs, with an inflation factor based on CPI. When working out the agreement for the law courts building I found that a standard rental rate was 6½ per cent of construction costs, allowing for inflation. That is what was agreed to with Kumagai. Why does the State Superannuation Fund require more than that, namely, 8½ per cent? It appears to me that the State Government will have to pay through the nose. I will be very surprised if the State Superannuation Fund can in fact obtain that sort of return on capital costs incurred.

I ask the Premier to explain why he gave such a generous agreement to the State Superannuation Fund. I realise that the Government has to pick up only half of the extra benefit and if it goes over 8.5 per cent the State Government gets half of the return, but that 8.5 per cent is so high that the chance of return is absolutely minimal. Therefore, the State Government will have to subsidise over and above other rentals the commitment to the State Superannuation Fund.

The final point I wish to make is that the Premier has listed some of the concessions being offered. I ask why those concessions had to be so generous. Some of the concessions offered were: no land tax for 10 years; no other State charges or taxes, such as water, power, access roads, gas and sewerage, during construction; and no stamp duty on any exchange, transfer or transaction that takes place for a five-year period.

I hope that the Premier is at least giving this House the courtesy of taking note of some of these things I am asking him to respond to in the second reading stage. The Premier has shown this House no courtesy at all this afternoon; he has treated this debate as a joke. My concern is that this State will end up with the same sort of agreement as in regard to the Monarto development agreement, where I believe the Government of the day blindly led this State into an agreement and a project that had not been properly thought through. I ask the Premier to spell out clearly to the House what revenue has been forgone in the concessions offered.

I have highlighted my main 12 concerns with the agreement. I stress again that I think it was a weak agreement on behalf of the State Government: certainly, it was a good agreement for the private developers and the State Superannuation Fund. If I were one of those parties (Kumagai, the State Superannuation Fund or Mr Pak-Poy), I would be grinning. I would like to pay a tribute to the work and

effort that Mr Patrick Pak-Poy and his staff have put into this project. I realise he has worked on the project for three or four years. He has put a lot of effort and resources into it and I hope for his sake that it does proceed. I certainly would not want to detract in what I have said this afternoon from his effort or from the merits of the project as such. but I believe that the Parliament is here to serve the interests of the taxpayers and the people and to make sure that the State Government, in agreeing to any project, reaches a fair and reasonable agreement for all parties involved.

Mr LEWIS (Mallee): I will not repeat what other members have said other than where it relates specifically to the concern which I rise to draw to the attention of the House. My concern is that which has been expressed by my Leader, and the members for Torrens, Coles and Davenport directly—that, if the people of South Australia in general and this Parliament in particular are to give so much in the way of prospective revenue to those developers of the proposed site and if the Government is also to give such guarantees as it has on the enormous sums and thereby underwrite the risk of South Australian taxpayers for all those amounts, this Parliament and the Opposition as a part of it in general and I in particular will require some greater measure of guarantee than we have had to date from the Premier about particular aspects of the proposal.

Those assurances relate to the kinds of concern which have been raised by members in the respective areas to which they referred, and they relate to what I have to say about security of title on the site. I am no less concerned than are previous speakers about the points raised, but I am equally concerned about the security of tenure on the site and I drew the attention of the Casino Authority, when it was hearing submissions from members of the general public, to that concern. In articles in the *News* and the *Advertiser* in December last year I was correctly quoted as having said that the railway station could not legally be used for a convention centre or a casino under the existing legislation, and I had traced that legislation from its beginnings about 130 years ago.

I think it was in 1857 that the site was first alienated from parklands for the purpose of building a railway siding and tracks to service the need for a railway between Port Adelaide and the city. That railway had to be built when it was realised that the earlier proposal to dig a canal in the middle of Port Road from Port Adelaide to the city could not be undertaken because of the great variation in levels. That Act of Parliament was subsequently built upon and referred to by subsequent Acts of Parliament and it left the responsibility of the site vested in a subsequent board of undertakers on one occasion, a commissioner on another occasion, commissioners, and then the Commissioner of Transport, until it was finally vested in the Commissioner of State Transport prior to this Bill.

At no time during its history had the overriding and qualifying feature been deleted from that legislation, and that overriding feature and consideration was that it could be used, and only used, for the provision of a railway and the siding facilities whilst it was needed for that purpose. After any use for that purpose was superseded, then it could be disposed of by the Commissioner in any way he saw fit. It was a fairly recent amendment, certainly since the Second World War, to vest the land in that fashion, but it was still the general vesting order regarding all railways land, which could be disposed of by the Commissioner in the way that suited him at the time. However, at no time was the overriding provision, that it be used only for a railway, removed—until this Bill.

It is interesting to note that after I drew that anomoly to the attention of the Authority it referred the matter to its solicitors and to the Premier. He pooh-poohed the question that I had raised, saying that it was not necessary for a further Act of Parliament to enable that site to be used as a casino and that development could continue apace. I was not able to find anyone who had the respect of the legal profession and who would support the view that the Premier had expressed.

Of course, he admits that he misled the public of South Australia by introducing the Bill in its present form, especially in respect of clause 4. Clause 4 (1) provides:

> An estate in fee simple in the land comprised in section 766 Hundred of Adelaide is vested in the State Transport Authority.

This is the first time that that land has ever been vested in that way without any qualifying consideration attaching to its title. It is not yet law. I do not intend to oppose its capacity to become law. Indeed, the Opposition supports the second reading of the Bill but, unless I get satisfactory answers from the Premier, not the least of which will be an apology to the people of South Australia for misleading them on the legitimacy or otherwise on the subject referred to me earlier as to title, I shall not support the Bill on third reading.

Clause 3 of the Bill defines 'the development site' as the land comprised in section 766 Hundred of Adelaide and the land marked 'V' in the schedule. However, the schedule is nonsense, gobbledegook, and piffle. Of course, any surveyor could read those words, as could any human being, but where is the development site specifically located between the boundaries of sections 766 and 653? The schedule of the Bill shows the direction of north and, according to the schedule, the main access runs between sections 766 and 653, roughly in a west-east direction and in a straight line on its southern boundary. Having made the point concerning the stupidity of the schedule (a thumb-nail sketch in the dust that means nothing), I tried to make sense of it by referring to clause 4 (2), which provides:

> An estate in fee simple in the land marked 'T' in the plan deposited in the General Registry Office at Adelaide and numbered No. 112 of 1984 is vested in the Corporation of the City of Adelaide.

When was that plan lodged with the General Registry Office at Adelaide? I had some difficulty in getting a copy. I must say that all the public servants with whom I had dealings were as courteous and as helpful as possible in trying to get me a copy of the plan—if only they could have found it! I do not qualify their courtesy and helpfulness in any way: I am merely qualifying my reservations about the Premier's honesty when introducing the Bill in saying that it was lodged there. I leave him to explain when it was lodged.

Secondly, it is not possible for me, under Standing Orders, to incorporate plan No. 112 of 1984 in *Hansard*. The Premier has included in the Bill a schedule relating to nothing. Had he put in a plan and shaded the areas to which he has referred it would have helped more. The plan that I obtained shows the area near the back of the Constitutional Museum and several parts of the land are shaded and marked P, Q, R, S, T, and U, but not V. The 'V' cannot be found anywhere on the plan and it does not relate to the plan, yet we are expected to understand the Bill and to accept it as a legitimate piece of legislation prescribing who shall have title over what, and the terms and conditions of such title. We are supposed to understand that from information from the Lands Titles Office, this Bill and the schedule attached to it, but none of these measure up and match.

Despite my capacity to work out puzzles in rather less time than most people take, I cannot work out this one. It leaves me with no capacity whatsoever to judge the veracity of clause 4 and its intention, or of clause 5 as far as it relates to its basis in fact. So the Premier must satisfy me as to where part V is and what parts P, Q, R, S, T, and U

refer to and why they are mentioned specifically. Will the Premier also say when he, any of his officers or any public servant, working at his direction, consulted with the Adelaide Rowing Club and the Scotch College Rowing Club and told them that their boat sheds would no longer exist because of the plan to which I have referred? That will happen to their boat sheds, although I do not believe that the rowers know that yet. Under this Bill the boat sheds will disappear once the Bill becomes law.

Mr Gunn: Will they be paid compensation?

Mr LEWIS: I trust that the Premier can explain that, because it will help me overcome the reservations I have about the Bill at this time. I can say 'Ditto' to everything that my colleagues have said, and mean it, as I do not wish to delay the House any longer on this measure. Certain aspects of the Bill have occupied my time since I first drew attention to the inability of the Government to grant title to that land under existing legislation last December, and I now draw attention to the rather foolish provisions in the Bill where they relate to that title. I accept that the Premier now admits that, because of clause 4 (1), I was correct when I told the Casino Authority that, under the existing legislation, the development could not proceed at that stage, that the Premier was wrong, and that he had misled the people of South Australia by saying that I did not know what I was talking about, or words to that effect, in rebuttal to my assertion.

The Hon. B.C. EASTICK (Light): I was drawn into this debate by the member for Price and other members opposite who indicated cynicism in respect of the attitude of the Opposition to this vital project: cynicism in that they accused Opposition members of being knockers, suggesting that we were not getting on with the job, with the inference that perhaps there was a reason why we should take no further part in this debate. While the Leader of the Opposition was making some useful points on this project, the air was abroad that the Opposition in fact should have given the legislation a lay down misere, but that is not a course that any Opposition worthy of its salt would follow.

Mr Mathwin: That's to lose every trick too, I must say.

The Hon. B.C. EASTICK: It is quite vital that any matter which is brought before the attention of Parliament be given proper and due regard. The Opposition certainly gives this project due regard. I refer to the background against which a number of questions have been raised and more specifically the doubts that have been expressed as to the negotiating powers of the members of the Labor Party in government. I tried to cast my mind back to issues which have been before this Parliament in a development phase since I have been in this place. One which was very much to the fore, just in advance of members of the class of '70 arriving in this place, was that which related to the projection of the State boundary between Victoria and South Australia into the sea. What is the importance of the projection of the State boundary into the sea?

The former Attorney-General of this State, the Hon. D.A. Dunstan, negotiated an agreement between the State of South Australia and the State of Victoria which denied a wedge; if my memory serves me correctly, the boundary was approximately seven degrees from its proper position. It started at a point on the seashore at nil and moved out in a projection or 200 miles, any benefit to the State under the waters being lost. There was one piece of legislation of monumental proportions which showed a lack of understanding by a Labor Government in negotiating the best deal or the best end result for the State of South Australia.

Members will recall the negotiation of the gas contracts. First, South Australia was to have the benefit of the gas from Moomba, and then an arrangement was entered into which the then Premier of Victoria, Mr Hamer, stated was a sell-out of South Australia's future, because the Australian Gas Company received a special benefit and a guarantee which was in advance of the guarantee arranged for the State of South Australia. So again, the negotiating power of a Labor Government on a major project, which was to benefit South Australia, was in question and is still (as the Minister of Mines and Energy will attest) a continuing thorn in the side. He is now having great difficulty in finding an answer to this problem.

Quite apart from the future, and the period of time that relates to New South Wales, South Australia's whole industrial development, or a continuance of its industrial development from a manufacturing or employment view, is in some jeopardy until there is a proving of adequate supplies of gas to fulfil the contract to New South Wales, which takes precedence over the supply of gas to South Australia. So, there is another example.

Also, in the early 1970s there was the introduction to this House of a Bill to create Murray Newlands, which subsequently became Monarto. That legislation was supported by the then Opposition, but not without a great deal of question. Many of the answers to the questions raised were subsequently found to have been far wide of fact. There was very serious question then (and there is even greater question now, in hindsight, because all the facts are on the table and can be put into proper perspective) about South Australia's being drawn into a situation which has been a detraction to its future. I will not attempt to measure it in dollar and cents, other than to say that each of the Budgets brought down by the Tonkin Government, and indeed those being supported by the Bannon Government, have been depreciated by a sizeable sum, which is going into a sinking fund. A great part of that Monarto situation (and, indeed, moving into the Land Commission field, legislation and commitment) showed a singular lack of understanding by a Labor Administration as to how the interests of South Australia should be paramount, and how the documents that were signed should be quite positive in the protection that they gave to South Australia, not only in the sense of the State, not only in the sense of its people, but more particularly in the sense of its financial base and the ability of the public to feed that financial base or to obtain the services that are necessary from a financial base, which does after all have a limit. The financial charges made against a public are limited and it is important that there is value for every dollar raised by way of a charge against the people.

Comment has been made this afternoon about Redcliff. I will be cynical and say that one could ask why Redcliff suddenly came on the scene just before the 1973 election. There had been a number of projects, such as Redcliff, a major convention centre in 1977, and a series of others, which came on to the scene just before an election. I wish to make clear that the people of South Australia were told by the Government of the day, in relation to that very desirable project for South Australia, that the cost would be a given amount, and that there was to be infinite benefit for the State of South Australia. Even though one would have to admit that the position of South Australia was greatly disadvantaged by the intrusions of the Federal Government (more particularly the late Rex Connor), resulting in a massive escalation in the cost of the Redcliff project to the point where it went through the roof and was no longer a financially viable factor, still a Labor Administration locked South Australia into a project which had no earthly chance of delivering to South Australians the advantage that it was claimed they would receive.

I had the good fortune, as Leader of the Opposition, to travel to England in 1975. I visited the ICI headquarters at Wilton, in Teeside, and had discussions with senior members

of the Board of the parent body. I went there to see the ICI project which was on the ground and operating very successfully, very close to urban development in the Wilton area. I found, to my amazement, as I reported to the House previously, that a number of undertakings that the Premier had given to this House on behalf of the ICI Board were matters to which the Board had never given attention. Discussions had been held with an Australian representative and members of the ICI Australian Board which covered various aspects of this project and what it would do for South Australia, but there had never been a commitment by the ICI parent body to allocate funds for a petro-chemical works in South Australia.

Yes, the parent body knew about it and it had been mentioned in a brief report from Australia that negotiations were proceeding. Mark you, I said that this information became known to me in 1975, whereas the people of this State were told in 1973 that it was 'positively a goer' under this, that and some other circumstances. A great deal of money was expended by this Government, this Parliament, to procure land at Redcliffs. A great deal of soul searching went on by many residents of the area about the denial of a continuance of interest in their properties there, which is close to the coastline. All these problems had arisen before there had been a firm commitment which was unable to be broken by the participants. So, what I am mapping out to the House is a series of events involving a Labor Administration and major projects for the State of South Australia, and an expectation by South Australians that they would have delivered to them a project of value which would become a reality.

Mr Lewis: Pie in the sky.

The Hon. B.C. EASTICK: It was pie in the sky, as my colleague from Mallee states. It was referred to as such at the time. I and some of my colleagues on this side were publicly lashed by the Premier and a number of his Ministers for having the temerity to stand up and criticise a project. It was a gut feeling we had, because, as with the present Premier, we were not privy to a number of documents which were important to us for a better understanding of the project. We were given information which was supportive of the Government's attitude, but we were not given the necessary proof.

When we, as an Opposition, received information in which we were interested which queried a number of the public statements being made by the Government, we were tongue lashed and abused for being knockers. It was said that we did not want the project, that we were not interested in South Australia's future. So it went on, rather reminiscent of some of the comments we have heard from the other side in the last fortnight or so. Certainly, the nature of the comments made across the Chamber earlier this afternoon drew me into this debate, because I believe that it needs to be placed very clearly on the record that there have been a large number of failures by the present Government—not the Bannon Government specifically but members who support the Labor Party in government—which members should be cynical about, because the runs did not get on the board, even though great play was made of the project.

We fought an election in 1975 on country railways. It is on public record (and one will find it in *Hansard*) that the deal done (which was the term used) for South Australia was going to be to the everlasting benefit of South Australians, because the amount of money that would be built into South Australia's financial base from the Federal sphere would escalate in value and, therefore, South Australia would benefit for ever and a day. What did happen? We find that documents relative to that commitment which, it was claimed was an agreement between Mr Whitlam (as Prime Minister) and the Hon. D.A. Dunstan (as Premier of this State), never surfaced. The commitment was a figment of the imagination or, if not that, certainly an issue that could not be identified for legal benefit to South Australia. There was a clear lack of carry through and a lack of business finesse in making sure that what was being promised to South Australians was in place and could be legally claimed on behalf of South Australians. We saw a multi-million dollar redevelopment of the Adelaide Showgrounds. In fact, I have in the back of my mind that it was ultimately to be a $1 200 million project which would be redevelopment of the site and a major convention centre.

The Hon. Jennifer Adamson: And entertainment centre.

The Hon. B.C. EASTICK: Yes, and an entertainment centre, announced by the Hon. D.A. Dunstan. There was no consultation with the trustees of the Royal Agricultural and Horticultural Society, rather similar to the lack of consultation with the Adelaide City Council.

The DEPUTY SPEAKER: Order! The Chair immediately will take the point that this Bill deals, as I understand it, with development of the railway station, which includes quite a mammoth project. It has nothing to do with the Adelaide City Council, about which the honourable member has decided to speak. I would like him to go back to the Bill.

The Hon. B.C. EASTICK: With very great respect, Sir, I can read within the Bill several specific references to the Adelaide City Council.

The DEPUTY SPEAKER: The Chair is not suggesting that the Adelaide City Council has not got something to do with the development, but the Chair points out that the honourable member is dealing with the Adelaide City Council apart from the development. I would like him to come back to that development.

The Hon. B.C. EASTICK: Again, with due respect, questions directed to the Minister of Local Government, as he then was, in regard to what discussion had taken place between the South Australian Government and the Adelaide City Council relative to development on the railway site, are on the record in *Hansard* last October. A clear indication was given by the then Minister of Local Government that there had been no discussions, even though it was acknowledged that the Adelaide City Council was a vital part of the total equation.

But, I leave that at that point because I want to make clear that this was a mammoth project—redevelopment of the Adelaide railway station. The consultation process had not flowed through. The Opposition, members of which have spoken on behalf of the people of South Australia, have been ridiculed for having the temerity to ask questions. We have even been accused of being interested only in destroying the project. The Leader of the Opposition made very clear in the very first statements he made to the House this afternoon that the Opposition supported the measure and recognised the merit of such a project to further development of South Australia. I have indicated that the Opposition has seen, over a period of time, the merit of Redcliff and also of the Murray New Town.

They saw the merit of the country railways takeover and the benefit of that to South Australia's financial position. However, their memory is long. Their memory is that those issues which were given to the House and the public as final programmes, which the Government was committed to implement, and which the Government would implement, are not on the drawing board even today. They did not eventuate, and in many cases they did not eventuate because the terms of the agreements were found to be lacking. The Leader of the Opposition and other speakers from this side have made a very clear point that, in the passage of this Bill, which is assured at the second reading stage (and we would certainly hope all the way down the line) and which

can pass through another place in a very short time, is dependent upon the people of South Australia, through their representatives in this Parliament, being able to get the facts and information which two weeks ago the Premier said that he would make available to the Parliament on the occasion of presenting this Bill to Parliament and which have not yet been tabled or made available to the Opposition.

A five-page letter from the honourable Premier to the Leader of the Opposition was handed over on the occasion when the Bill was introduced into the House. It did not even bear a signature, but we do not really dwell on that as being all that important. However, it did not answer all the questions that had been put to the Premier at that stage. I make the final point which is very close to the point I made when I first rose: we on this side of the House would be in dereliction of our duty if we did not question the ability of the present Government to finalise this vital project.

If the Premier cannot lay on the table of this House and in Committee provide the answers to the vital issues which are important to every South Australian, then I can see that we are here for a long time until we find the answers to those questions. We look forward to a progressive and ever-developing South Australia, because that is where our own destinies lie best. However, it is important that when we get there we do not find ourselves with a great gaping hole behind us—a bottomless pit sopping up cash which will have to be extracted from the ratepayers and taxpayers of South Australia.

Mr BECKER (Hanson): I support wholeheartedly the remarks of the member for Light and, having been with him now for some 14 years in this House, I am pleased that he has traced back the history of major projects, particularly in his closing sentiments. I, too, support any opportunity for development and continued growth in South Australia. If this project can be a viable project and stimulate the economy I will support it, and I will support any project that will benefit this State now and in future. However, the Leader has raised a number of questions that must be answered and I believe that the Opposition, as well as all members in this Chamber and the people of South Australia (the taxpayers), are entitled to know those answers and must be given that information before the stamp of approval is given from the Parliament.

It would be totally irresponsible of Parliament and of both Houses to agree to the legislation without having been provided with that information. From what I can see and what we know of the proposal, a 3 000 seat convention centre and a 400 bed international hotel would be significant for Adelaide. I have said on previous occasions that, if one is to build a 3 000 seat convention centre, one must provide 3 000 beds of international standard; for hotel or motel accommodation, particularly hotel accommodation. We have the Hilton Hotel with some 400 beds of international standard; probably 100 or 200 such beds at the Oberoi; a few at the Gateway; and now 400 proposed in this project. However, that is far short of 3 000. As a matter of fact, I think that we would be lucky if we got to 1 000.

The Hon. Jennifer Adamson: More than that.

Mr BECKER: The member for Coles assures me that we have more than 1 000 beds of international standard. As the former Minister of Tourism, she would know. However, we are still short, and it would be foolish to build such a large convention centre without adequate hotel accommodation. That has been proved throughout the world. I wonder whether this project is a little like the experience in the Philippines, where the Government did all it could to attract large hotel and convention centres. In other words, the Government encouraged various developers to provide convention facilities and international standard bed accommodation. By doing that it was able to attract a huge tourist influx to the Philippines: there is no doubt about it. Irrespective of all the other things it has done with which I do not agree, at least that was successful. Surely, if we in South Australia want to do something to boost the economy, to provide a future for our children, and to provide accommodation and employment, this is the way to go now. It is the only hope we have.

Mr Lewis: It happened in Singapore and Hong Kong.

Mr BECKER: I was about to get to Singapore, because when one considers the establishment of the international airport at Changi, which was supposed to take Singapore into the year 2 000, we find that already it is obsolete and it will have to be expanded. It cannot handle the traffic because more and more traffic is flying into Changi.

The Hon. Michael Wilson interjecting:

Mr BECKER: The member for Torrens has raised the issue of stopovers at the international airport in Adelaide. I had this in my notes. If we are to have a 3 000 seat convention centre, and if we are to attract major conventions (and there is no doubt that we can do it because at least our autumn weather is absolutely superb, as is our spring: I think that we can compete with any country in the world), we will need a first class international airport operating 24 hours a day. However, the site is becoming a bit difficult, because the site that I had in mind at Two Wells is now in danger. The Department of Defence wants to extend the Port Wakefield fire range further down. I always thought that Monarto was a possibility.

Members interjecting:

The DEPUTY SPEAKER: Order! It would be desirable if the honourable member came back to the Bill.

Mr BECKER: I am, Mr Deputy Speaker. However, I believe that synonymous with a development such as this (and I hope that other developments will follow) we will need a first class international airport. Perhaps Monarto would have been an ideal location. We may well have to look south.

Mr Baker: It would take ages to get there.

Mr BECKER: Not with an electric train underground. West Beach is just not on, I am afraid, because the opportunities for expansion and development are not there. As a matter of fact, the Department of Civil Aviation is threatening now to acquire properties surrounding the Adelaide Airport. It is not allowing residents to undertake major extensions and renovations to their properties. That type of intervention causes difficulties. Unfortunately, it is a price we on that side of town are not prepared to pay in order to bring in international visitors.

The DEPUTY SPEAKER: Order! The Chair does not want to be difficult about the debate, but the honourable member is roaming a long way from the Bill. I ask him to come back to the Bill, otherwise the Chair will have to use its powers.

Mr BECKER: Thank you, Sir. The other matter about which I will need to be satisfied concerns the matter raised by the member for Mallee relating to the survey and the planned sites. In relation to that, I do not think it was good enough and that it was sloppy workmanship. The member for Mallee was quite right in raising that important matter. Whilst clause 5 deals with the development, simplifies the planning controls, and does all it can to speed up the approval, I am concerned that subsection (3) provides:

> To facilitate the proposed development the Minister may grant such exemptions from the Building Act, 1970, as he sees fit.

Other exemptions also may be granted by the Minister. I hope that no attempt will be made to cut corners, particularly in relation to fire safety. The Metropolitan Fire Service, in particular, and the union involved are gravely concerned about fire safety precautions in many of South Australia's

large buildings, sports complexes, and so on. We would be very foolish to allow this project to proceed in a rushed manner to then find that it may have some major difficulties in regard to fire safety precautions. For example, the Apollo Stadium has required considerable renovations to enable large numbers of people to safely use it. It seats 3 000 people, but it lost several hundred seats because of the requirement for wider aisles and additional fire safety doors that were required. Previously, it had the capacity to seat up to 4 000 people. The loss of a large number of seats takes the cream off the profitability of an entertainment or large sports function, but the Apollo Stadium was required to reduce the seating capacity to ensure adequate safety precautions. As the Leader pointed out, this is really a Committee Bill. The sooner we can get into Committee and discuss these issues and obtain answers to questions that we have, then the sooner the project can proceed.

The Hon. J.C. BANNON (Premier and Treasurer): Members of the Opposition have expressed support for this measure on a number of occasions over the past three hours of debate. Like a number of things that the members of the Opposition do, on this occasion they began with good intentions but those intentions were fairly rapidly subverted as they wound up and got involved in discussion. While it is true that all those speaking mentioned their support for the project (and I can only say how could they help but support such a magnificent project), equally, they have cast doubts over so many aspects of it that one really ended up feeling, as I felt at the end of the contribution for the member for Light that what was really being said is that it cannot be done—this sort of syndrome of members opposite in—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: —not believing that we in South Australia could bring off a project like this. In any major undertaking there is always some element of risk, but one must have that entrepreneurial spirit to get stuck into something and accept the risks involved. In fact, if that is not done, and if we do not have that kind of belief in our ability to do things, then this State will simply stagnate and go backwards as it went backwards during the three year interregnum period of the previous Government.

I would hope that the support in Committee will not be of the filibustering, negative, nit-picking nature, but that questions and discussions will reflect a genuine desire to see this project up and running. I will be approaching the Committee stages with that attitude in mind, supplying all the information that it is possible to provide. I believe that material has already been tabled before members which answers the questions that they have raised. If the Committee approaches the matter in a constructive manner then we will get through the matters involved and we will be able to get on with this project in a way that a project of this size and scope deserves at this stage. I do not want to engage in a point by point rebuttal of many of things that were said. Members indicated that they would be raising some of those matters in Committee, so there is no point in going over the ground two or three times, as we have had to do rather tediously in some other debates.

I hope we can get on with it. However, there are one or two matters to which I want to refer, particularly the peroration of the Leader of the Opposition, where he made a number of rhetorical points about what had gone on before and what had or had not happened. In talking about this project he was placing some reliance on what the previous Government did in relation to the Hilton Hotel project. Among a whole range of issues that I could take up at this stage (but I am not going to bother doing so) I thought that that matter stood out so blatantly that it had to be dealt with. When talking about the heads of agreement involved, the Leader said that:

> Any of the parties could walk away from it, unlike the agreement of the Hilton International Hotel, which was not announced by the former Liberal Government and put to Parliament until all the parties were locked in, until there was a legally binding guarantee that the project would proceed.

That is what the Leader said, indicating the approach of the former Liberal Government in that there would be no announcement until the parties to the project were locked in in a legally binding and enforceable way. I cannot let that rest. It is certainly true that that was the advice given to the previous Government. It was recommended to the previous Government that a Bill not be introduced into Parliament until the heads of agreement was signed by all the parties involved; in other words, until all the disagreements had been resolved. That advice was tendered to the Government on 20 March 1980. In fact the previous Government introduced a Bill into this place on 1 April 1980, about 10 days after that advice had been given. I shall quote from the second reading explanation of the Hon. D.O. Tonkin, as Premier and Treasurer of the former Government, on 1 April. He said:

> The Government would have preferred agreement to be reached between the parties before introducing legislation of this sort. In the circumstances that have arisen, however, the Government believes that it is unreasonable to insist on this. It is not proposed that Parliament sit again until June and therefore if the Bill is not passed within the next two days it will not be dealt with for two months.

He concluded by saying:

> The Bill once passed will not come into operation, however, until proclaimed, and this will not be done before agreement with which the Government is satisfied has been reached.

There was no agreement; there were no signatures at the time the Bill was brought into the House and we were required to pass it. As I said previously, the attitude we took in Opposition on that occasion contrasts very favourably indeed with the attitude taken in relation to this project by the Opposition on this occasion.

Mr Lewis: 'Even if I say so myself', halo, halo!

The Hon. J.C. BANNON: Yes, indeed, because at that time the Opposition was asked to pass a Bill within two days. The honourable member was in this place, sitting on this side of the House, and he ought to remember the occasion. It was to have been passed within two days, and no agreement had been signed; there were major differences between the parties. The advice from the Chairman of the Victoria Square Hotel Working Party to the Government, which was to be placed before Cabinet, was that no Bill should be introduced until those disagreements were resolved. The Leader told us that no Bill was to be put before Parliament until all the parties were locked in. That did not happen.

Mr Olsen: Oh!

The Hon. J.C. BANNON: The Leader says, 'Oh'; indeed he might. Let me quote again from the speech made by the then Premier:

> The Government would have preferred agreement to be reached between the parties before introducing legislation of this sort. In the circumstances that have arisen, however, the Government believes it is unreasonable to insist on this. This will not be done. The Bill will not be proclaimed until agreement with which the Government is satisfied has been reached.

There were no signatures. I think I need say no more. That was a bogus point, and I again contrast the slack and sloppy way in which the previous Government performed; members opposite should do so as well.

The Hon. Michael Wilson: All the financial details were supplied to this House.

The Hon. J.C. BANNON: You are disputing the point I have just made: you are disputing that the Leader put a

blatant untruth before the House on this matter. I do not want to go through the whole chapter and verse because it is unproductive, but I want to particularly raise that outrageous point, and I hope that the member for Mallee will take note of what I have said. If he studies *Hansard* (I will show him the documents if he wants to see them), he will understand why his interjections were quite wrong. The point I am making was not to put haloes on my head but to point out that his Leader was totally misrepresenting the true facts.

As to some of the other contributions, I point out in answer to the member for Torrens that the Pak-Poy consortium had a set of conditions with which to negotiate. They were authorised to talk on these conditions that a Government would install. I know that, because I was asked to reaffirm them. I was asked whether I was prepared, as the previous Government was, to back those particular conditions, and they were more detailed than the ones put by the member for Torrens. Perhaps he was not aware of them, although the Cabinet documents would suggest otherwise. That was the basis on which the project was picked up.

By March, at the end of the time by which the Pak-Poy consortium had been called on to deliver, it had failed to do so. It got very close but the negotiations fell apart and the investors in Malaysia who were interested decided not to be involved. With no rights then to Pak-Poy, we simply told him that he was on his own in the sense that he knew all about the project and could continue with his inquiries, but he did not have any exclusive rights at that stage. As it was, the Pak-Poy consortium was able to arrange the Kumagai Gumi participation which the Government took up enthusiastically and willingly and which culminated in that Tokyo agreement and this Bill. That is the history of it.

The member for Coles asked us about the convention centre. She has ignored the answer I gave the Leader of the Opposition to his question about publicising the convention centre and bookings for it, and I draw that to her attention again. It was the intention of the Government to appoint under contract such staff as are necessary to undertake the preliminary marketing of the convention centre prior to its completion. Such staff will be attached to an existing Government agency. There are a considerable number of inquiries for conventions at the centre but the Government will not accept bookings until such time as a firm completion date has been determined. That is the position: we must have a firm completion date, a knowledge that we can meet these bookings, before we start taking them.

I can assure the honourable member that we will have that well in advance and that we will have a very sophisticated and active marketing team in the field selling, and we will be doing that in conjunction with the Adelaide Convention and Visitors Bureau and all the others in the industry who welcome this development and particularly welcome the casino development now that it will be next to it, a development which the honourable member opposed, all day and all night, in this place.

I would also remind the honourable spokesman for tourism on the Opposition benches about Mr Tom Leigler's visit here earlier this month, an international expert on conventions. It is not that we are sitting back twiddling our thumbs and saying that when we have a convention centre we will think about marketing it. On the contrary, the Pak-Poy consortium has hired one of the top international experts to come and suss the place out, to look it over and talk about the advantages and help develop the marketing package.

It is on the way: it will be marketed brilliantly and productively, and I hope that the honourable member will attend some of the functions and conventions in whatever capacity she wishes. As to the contribution by the member for Davenport (his 15 debating points, or whatever), I intended to go into those points in detail, but that would only unnecessarily detain the House from the important Committee stage, and the sooner we get into Committee after the three hour debate of support we have experienced, the better.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

The Hon. JENNIFER ADAMSON: This may not be a very significant point, but in the second reading debate I said that the short title was unusual because it did not refer to the principal component of the project, namely, the convention centre. Why should the hotel and office tower be referred to and not the principal and most costly component (indeed, the key point) of the project, namely, the convention centre?

The Hon. J.C. BANNON: That is how the short title is drafted. It does not matter. What a trivial and silly point!

The CHAIRMAN: The Chair points out to the honourable member for Coles that this clause simply deals with what it says (the short title) and should not be confused with the title of the Bill.

The Hon. JENNIFER ADAMSON: I am not confusing it with the title of the Bill. I thank you, Mr Chairman, for your indication of the function of the short title, with which I am familiar. What may seem like a small point is not so small when one considers that the short title is designed to inform anyone reading the Bill as to its nature. Frankly, I think that the short title is deficient, because it does not refer to the principal component of the project. The Premier may say that that is pin-pricking, but I say that, if we cannot get the little things right, how can we be expected to get the big things right? The short title should be amended. I do not doubt that another place might consider such an amendment. It is no use being irritable merely because the Opposition takes its rightful opportunity to comment on what is a deficiency in the short title.

Clause passed.

Clause 2—'Commencement.'

Mr OLSEN: Subclause (1) provides that 'this Act shall come into operation on a day to be fixed by proclamation'. When does the Premier expect the legislation to be proclaimed? The principles of agreement state that the preliminary construction will start on 1 July. Is that still the intention? In his second reading reply, the Premier said that the Hilton Hotel was not locked in and that there was not substantial agreement. In fact, he said that there was substantial disagreement with the Bill referring to the Hilton International Hotel when it was introduced and passed after two days. The fact is that an undertaking was given by the then Premier that the legislation would not be assented to until the matter was locked in and agreement reached. In fact, 14 days after it passed this Parliament that Bill had been assented to and proclaimed. Therefore, it is nonsense to say that there was not substantial agreement on that occasion.

The Hon. J.C. Bannon: You used the words 'legally binding guarantee'.

Mr OLSEN: The fact is that, within 14 days of the passage through Parliament, it was assented to, and there was total agreement; it was locked in. Let us not tell half the story, as this Premier has wanted to do on the odd occasion, but let us look at the whole story. When is it envisaged that this Act will come into operation and on what day will it be proclaimed? Is it intended that under the principles of agreement preliminary construction will start on 1 July?

The Hon. J.C. BANNON: The intention is that construction will begin around July 1984. Subclause (2) provides that parts of the Act can be brought into operation as necessary and appropriate on a different time scale, if that is what the project demands. As soon as it is necessary for these provisions to apply, the appropriate proclamations will be made, and that will be over the next few months.

Mr OLSEN: Are escalating costs causing any problems for the developers, particularly with the commencement of the project and the proclamation commencement of this Bill? On what basis have the equity and loans to be provided to the project by SASFIT been calculated? Are they based on 1983 values, at the time that the principles of agreement were signed, or on 1985-86 values, which will be when the bulk of this investment will be used for construction costs?

The Hon. J.C.BANNON: I suppose that it has some relevance to proclamation dates. The project is not experiencing problems of costing at this stage. It has to be designed to a price, and naturally there will be many variations and changes made during the course of the development of those designs. However, the project is aimed at getting that package together in the order of the cost that is stipulated, and the values are 1986 values.

Mr OLSEN: Do those 1986 values apply not only to SASFIT but also to Kumagai Gumi in computing their components of equity and loan funds?

The Hon. J.C. BANNON: Yes, that is correct: it applies to all the parties involved in financial support for the project.

The Hon. MICHAEL WILSON: The Premier has said that it is not so much a problem of escalation of costs but designing the building to fit the cost.

Mr Becker: How do you do that?

The Hon. MICHAEL WILSON: I am about to canvass that. To design a building to fit the cost must mean that the project has escalated.

The Hon. J.C. Bannon: Why?

The Hon. MICHAEL WILSON: The project is before us, there is a price on it in 1986 dollars, to quote the Premier's answer, which is important information which we are grateful to have, and it means that, if what he has said is true—it has to be redesigned to fit the cost—then the budget must have blown out on the project. It seems that that is a very simple fact that follows. If that is so, there must have been some changes already made to the design of which I assume the Premier would be aware. Has the Premier made modifications to the hotel, convention centre or any other part of the development? Can he tell this Committee what changes have been made to keep the project down to a cost, to quote the Premier's own words?

The Hon. J.C. BANNON: Designing a project like this is a process, as the honourable member should know, and it is under way. It is in the hands of a design team headed by Professor John Andrews, who is an internationally acclaimed expert in this area of design. The design team is working in consultation with the ASER Property Trust who are the developers in this case, and that design work is being undertaken. A project offers an initial cost and financial base; it will be designed to be of the order of a project of that kind, and that is how all these projects are implemented.

The Hon. MICHAEL WILSON: What alterations to the concept or plans that we are debating is the Premier aware of? Is the Premier aware at this stage of any modifications to, say, the hotel or convention centre to bring the scheme down to fit the cost?

The Hon. J.C. BANNON: I am aware that a constant design process is going on which involves changes in the actual details of design, the purpose of which is to ensure that the project maximises the economic return, that the facilities are of the highest quality and that it is within the order of costs that are envisaged in the project. I am not daily supervising the team. I am not going to Professor Andrews and his team and asking, 'Have you made any changes today and what are they?' I will wait until the designing group is ready and they say to me, 'Mr Premier, we now think we have the design that is necessary.' It will be noticed under this Bill that the design plans will then be laid before this House by promulgating a plan of development for gazettal.

The Hon. MICHAEL WILSON: I do not expect the Premier to have a daily overview of what is happening, but I would think that he would have a reasonably close association with the project, unless it is the Minister of Public Works who is carrying this out. Has Professor Andrews, the Chairman of the Superannuation Fund Investment Trust, or representatives of Kumagai Gumi or Pak-Poy, put to the Premier something like the following, 'We cannot get the project down small enough to meet the cost in its entirety, therefore we are saying to you: do we reduce the amount of office space from 22 000 square metres to some lesser figure, do we reduce the international hotel from 400 beds to some lesser figure or do we reduce the convention centre from a 3 000 seat convention centre to a lesser number'?

The Hon. J.C. BANNON: The answer is 'No'. The components as outlined are the components that we seek to achieve. When we talk about the design process, we are obviously talking about where those components are placed, what the height of various buildings will be, and so on, and that is termed as part of the design plan.

The Hon. JENNIFER ADAMSON: My question relates to the Act coming into operation and also to the plans, not so much along the lines questioned by the member for Torrens in relation to cost escalation, but in relation to the functions to be carried out by the convention centre in particular.

In the second reading reply the Premier referred to the visit of Mr Tom Leigler. I understand, and the Premier has verified, that Mr Leigler's visit and the advice that he gave the Government and its working parties resulted in some modifications to the plans, notably to ensure that the convention centre would have optimum use and that its multi-purposes would be expanded by special attention to the provision of exhibition space and entertainment facilities. That being the case, since Mr Leigler's visit the working party would have had time to examine his recommendations, apply them and provide, I assume, a modified brief for the architect. My question relates to that very matter. Following Mr Tom Leigler's visit and modifications to the design, which presumably were recommended by him in order to make the centre more viable, is the Government yet in possession of final plans? I ask this question because it is very closely related indeed.

The Hon. J.C. Bannon: I covered this in the second reading explanation.

The Hon. JENNIFER ADAMSON: The Premier did not cover this particular matter, with respect, because if the builders are to be on the site by 1 July it seems to me that time is running out. If plans are not in the Government's hands my mid-April it is difficult to see how the builders can get on the site. Mid-April is merely a week or 10 days away. I ask the Premier whether the Government is yet in possession of the final design plans for the project.

The Hon. J.C. BANNON: The answer to that question is contained in the second reading explanation. Why does the honourable member not listen to debate, and why does she waste the time of the Committee? She should read my second reading explanation on this particular aspect, in which I stated:

> At this stage it is not possible to be too precise. This is because the design process is not yet complete. The rental to be paid by the Government varies, depending on the capital cost . . . For

example, we are still studying the options available for the convention centre. It is already apparent that, by designing a centre that can also be used for exhibitions and perhaps even certain forms of entertainment, we will have a facility which could generate much more revenue.

Every point about which the honourable member asked is contained in that explanation. I ask for your protection, Mr Chairman, from this sort of question.

The CHAIRMAN: Order! Before I call the member for Coles again, the Chair points out that this clause simply deals with commencement. Unless honourable members can link their remarks with the commencement, and there were some doubts about that in my mind during the course of the member for Coles' remarks, they are really out of order. I ask honourable members to pay specific attention to the fact that the clause deals with commencement, and they must link their remarks to that clause.

The Hon. JENNIFER ADAMSON: I believe I can directly link my remarks to this clause and commencement. The point is that the agreement is not valid unless the construction commences by 1 July. That relates to the commencement date of the Act. There will be no reason to have an Act unless the agreement is valid. The Government must know whether it is able to commence construction on 1 July. Despite what was in the Premier's second reading explanation and despite the fact that I have been here long enough to know that one reads a second reading explanation thoroughly before participating in debate, the realities are that the timetable is close now; from estimates that have been put to me by people who should know, the Government has about a week or 10 days in which to receive those final plans, because if they are not received by that date there is no possibility of the builders being on the site by 1 July.

I know that the Premier's second reading explanation was presumably written early last week and delivered Wednesday or Thursday. Time is now so close that literally every day counts, but I ask the Premier whether the Government is yet in possession of the final plans.

The Hon. J.C. BANNON: No, and the honourable member was right in saying that the timetable is tight, and we are trying to keep to it. The sooner this matter goes through Parliament the easier it will be to keep to that timetable. I ask for members' co-operation.

Mr EVANS: In relation to commencement, and we are really considering an agreement we are led to believe has been entered into—

The Hon. J.C. Bannon: You're not led to believe that; it has been.

Mr EVANS: It has been, if that suits the Premier. I ask whether the contracting parties have agreed to provide further equity or loans to the project to cover escalating costs. Earlier, the Premier said he believed there would be no escalation in the cost. I do not know of any contractor in the State or any person in the building industry who would be able to say that there would be no escalating costs on such a major project when it has not even got past the design stage. I want to know, before I vote on the commencment of the project, whether the Premier or his department in signing an agreement have considered that the costs could escalate and that the contracting parties might have to contribute more than $132 million, which has already been suggested, in equity and loans.

Mr Mathwin: It's likely to be 5 per cent.

Mr EVANS: No-one can judge what it is likely to be, which is my point. Has that matter been considered? Even though the Premier may think there will be no escalation, surely in signing such a contract we should cover that possibility.

The Hon. J.C. BANNON: There is a formal agreement between the parties on a 10 per cent escalation. If, in fact, any higher escalation than that occurs there is a procedure laid down where the parties—Kumagai and APT—can work out how that can be handled and what aspects of that they share between them.

Mr BECKER: As the time table is absolutely vital, can the Premier say when he proposes to get this legislation through Parliament and have it proclaimed? Is it this week or next? As soon as it goes through Parliament will it be proclaimed by special meeting of Executive Council?

The Hon. J.C. Bannon: I do not quite understand.

Mr BECKER: The commencement clause has everything to do with the timetabling of the legislation. As I see it, it is urgent that this legislation be passed through Parliament. Is it the Premier's plan to have it go through this House and the other House this week and have it proclaimed Thursday or Friday morning at a special meeting of Executive Council?

The Hon. J.C. BANNON: As I said to the Leader earlier, we obviously want to have the legislation available to be brought into operation, particularly bearing in mind the provision under subclause (2) which allows for there to be different days of operation for different aspects of it, as soon as possible because we are working to a fairly critical time path on the whole operation. The actual commencement date we are seeking to meet is stipulated in the agreement, subject to the conditions, as 1 July 1984. Obviously we will not rush into the project and make mistakes in our haste to get something going. It must be done properly. There has to be some flexibility built into that by agreement. We have to have this legislation ready to be proclaimed, either in whole or in part, at such time as it is required, which is very soon. We are talking about a matter of weeks.

Mr EVANS: The Premier said that a formal arrangement in the agreement could be entered into if the costs escalated above 10 per cent. Would the contracting parties contribute an equal proportion of the cost over 10 per cent if that happens, which I hope it does not, or does it give the opportunity for another party or other parties to enter into the agreement to help pick up some of the escalation in costs?Also, is there a maximum in escalating costs in relation to that agreement?

The Hon. J.C. BANNON: Taking up the last point concerning whether or not a maximum has been entered into, if the project goes over any such maximum then it simply comes to a halt and we could have an empty shell on the side of the Torrens River. I can assure honourable members that that will not happen. If there is an escalation above 10 per cent, how that escalation is handled will be determined between the parties, involving the extent to which each will contribute and the extent to which other methods of financing may be sought in that eventuality. As I understand, there is an upper limit, but for reasons of confidentiality I cannot disclose it. It does not involve the Government: it involves the ASER property trust, Kumagai and those involved, so the Government is not exposed in that instance.

Mr EVANS: None of us would want to see an empty shell. The Premier is saying that in the interests of confidentiality we cannot know what the upper limit is. As an individual, I accept that, but if there is an upper limit, if it is reached (and we are not to have an empty shell), and if the contracting parties do not agree to anything above that because that is in the contract, I take it that the Government would pick up the balance to complete the project (because we would not want to have an empty shell).

The Hon. J.C. BANNON: I think that we should wait to see whether that eventuality arises. Heaven forbid that it should.

The CHAIRMAN: Order! Again the Chair must point out to the Committee that the line of questioning being adopted now, in the Chair's viewpoint, has nothing to do

with this clause. The present line of questioning now is dealing with an agreement. This clause relates to commencement and, as I pointed out before, unless honourable members can link their remarks to the commencement angle, then they are certainly out of order.

The Hon. MICHAEL WILSON: I rise on a point of order. Mr Chairman, I ask for your consideration at this stage. The legislation before us in relation to commencement, states that, unless the project starts by 1 July, it is all off. Therefore, with due respect I submit to you, Mr Chairman, that this line of questioning should be allowed on this clause.

The CHAIRMAN: The Chair must reiterate what it has said already. An agreement between two parties has nothing to do with clause 2 of this Bill, and there is nothing in the point of order that would alter my feelings about that situation. Clause 2 simply relates to commencement. The honourable member for Light.

The Hon. B.C. EASTICK: Thank you, Mr Chairman. I have noted your request of the members of the Committee. Clause 2 (2) provides:

> The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in a proclamation, or a day to be fixed by subsequent proclamation.

Therefore, we are providing an escape clause, in effect. Certain aspects of the matter may be proclaimed and others may be held aside. Why they are being held aside is the basis of a number of questions. There seems to be some difference of opinion between the Premier and perhaps his advisers as to the answers to these questions, if one can read faces, but more specifically I want to—

Members interjecting:

The CHAIRMAN: Order!

The Hon. B.C. EASTICK: We are getting nods from one direction and shakes from another. That is an expression which includes the face, because the face happens to be either under the nod or under the shake.

Mr Mayes: Come on, Bruce; get on with it.

The Hon. B.C. EASTICK: I will take advice from the Chair, but I am blessed if I will take advice from the member for Unley.

The CHAIRMAN: Order! We are straying a little.

The Hon. B.C. EASTICK: If it is thought that the words 'escape clause' are not really scientific enough, or that we are not seeking to escape from anything, I put to the Premier that he has signed a document, it is vital that the commencement be 1 July, and the document agrees that certain standards will be reached. For example, one of the standards under subclause (3) is for an international standard convention centre to seat 3 000 delegates or thereabouts together with associated features. The same subclause refers to the number of beds being approximately 400. How precise is that? 'Approximately' and 'thereabouts' are not precise words. For example, what if it was reported to the Premier on the morning of the proclamation or immediately preceding the proclamation that the participants could produce only 200 beds within the funds available to them for the project? Would that be taken as part of 'approximately 400', or 'a convention centre of 3 000 seats or thereabouts'? They are the very words which are used.

What if it was reported, for example, at the eleventh hour that the number of chairs in the convention centre was 1 500, 2 000 or 2 500? Would that constitute an arrangement which caused the Premier to partly proclaim the measure? I believe that (and I am not disputing the Chair: I do not seek to do that) they are quite important issues for the Opposition, which is being asked by the Premier to support an open-ended clause. It is open-ended for a very good reason: no-one is denying that. But what is the end result? What degree of resiling from the heads of agreement is the Premier prepared to accept when he makes that proclamation if in fact one or any of the participants cannot perform?

The Hon. J.C. BANNON: It is not an escape: it is flexibility. For instance, the date (1 July) is not necessarily of the essence of the agreement as it develops. The sorts of tolerances involved in 'approximately' are probably no more than about 10 per cent either way, but fundamentally it will depend on viability. If the partners said, 'We can supply only a 200-room hotel', then the project would not go ahead, because I do not think that a 200-room hotel would be viable in terms of the economics. It is as simple as that. The whole thing is being designed in order to produce a viable economic enterprise, and that is what it will be.

The Hon. B.C. EASTICK: The Premier associates with the words 'approximately' and 'thereabouts' a figure of about 10 per cent plus or minus. If it was 11 per cent we would not worry, but certainly if it blew out to 15 per cent we would be very concerned. I want the Premier to confirm that he is happy with a 10 per cent reduction—not happy in the sense that he would like to see it; he would like it to be 10 per cent plus. But they are the thoughts of the Premier as the proponent of this proposal, aided and abetted by the Minister of Public Works. A variance of about 10 per cent from the figures which have been given in the heads of agreement would allow the Premier to proceed with the proclamation without taking the escape available by the subsequent proclamation.

Mr EVANS: I seek a point of clarification from you, Mr Chairman (and I realise that the Premier does not make Standing Orders). The Premier said, when that there was a lot of questioning about this project a couple of weeks ago, that there would be ample opportunity to query the contract, its terms, the development and the principles of agreement when the Bill was introduced. Of course, no-one knew what the clauses in the Bill would be. However, the Bill makes it difficult for the Opposition to gain information for the public. It is an important project on which information is required. I ask whether some leniency can be shown so that what was promised can be achieved through the process we are now going through.

Clause passed.

Clause 3—'Interpretation.'

The Hon. J.C. Bannon interjecting:

Mr OLSEN: That shows the cynical nature of the Premier in relation to this major Bill on which the Parliament and the Opposition has a responsibility to discharge its obligations. We are attempting to discharge our responsibilities but the Premier wants to belittle us. The Premier did say that we would have an opportunity to go through this process as part of our responsibilities as Parliamentarians.

The CHAIRMAN: Order! We do not want to get into a major debate on the matter. I ask the honourable member to come back to the clause before the Committee.

Mr OLSEN: Thank you, Mr Chairman. In a letter to the Crown Solicitor of 24 November last year legal representatives of the ASER investment group explained their view of the meaning of clause 2 *(m)* of the principles of agreement. In part, the letter states:

> Because the ASER Property Trust has first option to lease those parts of the railway station building to be used as a casino, that Trust in the final analysis will have the power to withhold any sublease for the operation of a casino if satisfactory terms cannot be reached between the Lotteries Commission, the operator and the ASER Property Trust.

Will the Premier say whether the Government accepts that interpretation as put forward by the legal representatives for the ASER investment group? Reference is made in the principles of agreement to a separate agreement between Kumagai Gumi and SASFIT. The Premier said in his second

reading explanation that, as the document involves matters of commercial confidentiality, it will not be tabled. Will the Premier say whether he saw this separate agreement before he signed the principles of agreement in Tokyo, that is, the confidential document to which I referred, and will he say whether this separate agreement—

The CHAIRMAN: Order! There is a difficulty at present, because the clause before the Committee has nothing to do with the actual agreement. An agreement is a legally binding document between certain parties. The clause before the Committee simply defines those contracting parties, and has nothing to do with the actual agreement.

The Hon. MICHAEL WILSON: On a point of order, Mr Chairman. The clause is certainly an interpretation clause, but it delineates the contracting parties to the agreement, which the Premier has tabled in conjunction with this Bill. With respect, what you are saying, Sir, is that in not being able to debate matters pertaining to the agreement to which these contracting parties are party we will be prohibited for the rest of the consideration of this Bill from doing so, and yet the Premier has tabled the agreement. In fact, the Leader of the Opposition has referred to another one, which the Premier mentioned in his second reading explanation. I submit to you, Mr Chairman, that if we cannot canvass this matter under the clause presently before the Committee we will not have an opportunity to do so, because no other clause will allow us to do that as the rest of the Bill deals with the site and specific technical matters.

The CHAIRMAN: I do not uphold the point of order. This clause simply deals with interpretation. The agreement, as such, is not the subject of this Bill. There are lines that can be adopted in debating the issues of an agreement. However, members of the Committee in considering this Bill can deal only with matters in the various clauses before us. Clause 2 does not deal with the actual interpretation or identification of the agreement: it identifies the contracting parties in the development. The Chair does not want to be difficult about this matter, but that is the position.

Mr LEWIS: I move:

That so much of Standing Orders be suspended as would preclude the possibility of the discussion of those matters referred to by the—

The CHAIRMAN: Order! The honourable member cannot do that.

Mr LEWIS: Under what Standing Order? I just have.

The CHAIRMAN: Order! I indicated that I do not want to be difficult about the situation. The honourable member's motion can be moved only as far as the House is concerned and is not relevant to the Committee stage of a Bill. That is a stipulation of the Standing Orders.

Mr OLSEN: The question that I asked was related directly to the ASER Property Trust, to which clause 3 refers. We are talking about enabling legislation which binds those bodies, that is, the State, SASFIT, Kumagai and the ASER Property Trust, to an agreement, and my question related to the ASER Development Trust. Clearly, the Opposition should be entitled to ask specific questions about that Trust and throughout my question and in explanation to the question to the Premier I referred to the ASER Property Trust and the agreement which seeks to incorporate all the bodies referred to in clause 3 of the Bill.

The only point I would make is that it is not a legally binding contract, because the Premier put out a fact sheet today saying that it is not a legally binding contract. I am pleased that at least he supports what we have been saying about this document. The other point is that, by swift mechanism, therefore, do I assume that the Government in drafting the Bill in this way will be totally subverting a commitment made to the Parliament by the Premier, namely, that the Opposition should wait until the Bill was before the Parliament and the principles of agreement tabled before debating the matter, at which time ample opportunity would be given to ask any questions about the legislation? What the Premier is now attempting to do is stonewall the Opposition's attempt to do so.

The CHAIRMAN: Order! As I have said, the Chair has been rather lenient about this situation. The agreement that the Opposition seems to want to delve into, as such, is not the subject of this Bill. The clause before the Committee involves the identification of the contracting parties in the development, the vesting of the land and the approval for the development. The Bill deals with matters in the agreement and, although it can be referred to the debate cannot be on the agreement but, rather, on the clause. I hope I have made myself perfectly clear.

The Hon. MICHAEL WILSON: I rise on a point of order. The title of the Bill refers to:

An Act to facilitate the development of the site of the Adelaide railway station by the construction of a hotel of international standard . . .

Without the agreement there is no Bill: without the agreement we are unable to facilitate the development.

The CHAIRMAN: Order! Before the honourable member for Torrens goes any further—

Members interjecting:

The CHAIRMAN: Order! The Chair is not stopping the honourable member from referring to the agreement. All that the Chair is trying to point out to the honourable member is that this clause in the Bill is simply identifying the parties to the agreement: it has nothing to do with the actual agreement. I am sorry, but that is the way that it is.

The Hon. E.R. GOLDSWORTHY: I seek a point of clarification. It seems there is some ruling from the Chair that indicates that the agreement is pertinent to this Bill. It then comes down to deciding under which clause it is pertinent to talk about the agreement, if clause 3 is not that clause. It refers to the development plan and clause 5 (1) also refers to the development plan. Does one take it that the agreement is part of that development plan? Clause 5 (1) provides:

It shall be lawful to develop the development site in accordance with the development plan.

We are talking about the way in which this development will be planned in terms of this agreement. I take it that the Chair is suggesting that it would be appropriate to talk about the terms of the agreement as part of the development plan in the way in which this project will proceed, rather than simply seeking to do so under clause 3.

The CHAIRMAN: Order! Under clause 3:

'the development plan' means a plan promulgated by regulation for development of the development site.

There would be nothing to stop the honourable member from dealing with that development plan, but again it has nothing to do with the agreement. I further point out, and it is not my duty to do so, that certain aspects of the development are covered under clauses 4 and 5, which broadens the debate a little further. Clause 3 simply identifies the parties.

Mr LEWIS: I would ask that the Premier direct his attention to the definition of the development site, which means the land comprised in section 766 Hundred of Adelaide and the land marked 'V' in the schedule. If honourable members turn to page 5 of the Bill, they will see that the dimensions referred to are in metres. The length of the block is about 163 metres; its width on the eastern end is about 2.5 metres for about half its length; for the remainder of its length it is about 15 to 16 metres wide on average. Doing a few sums: $81 \times 2.5 = 200$ square metres and $80 \times 1.5 = 120$ square metres, giving a total of 320 square metres, a bit less than a square chain—it will be some pub!

The Hon. J.C. Bannon: You don't understand.

Mr LEWIS: The development site, as the Bill defines it, and as our debate in this measure must be constrained, is that piece of country between section 766 and section 653 in the hundred of Adelaide.

The Hon. J.C. Bannon: Read the clause again; you have got it wrong.

Mr LEWIS: And the land marked 'V' in the schedule—

The Hon. J.C. Bannon: Section 766 and 'V': 'V' is delineated.

Mr LEWIS: All right. Where the devil is 'V' in relation to any kingpeg or identifiable mark on a survey map? It is gobbledegook. Having looked at the plans which I obtained from the Lands Titles Office, I found that nowhere on those plans (No. 112 of 1984) is 'V' marked. It is not possible from this schedule to relate to its location.

The Hon. J.C. Bannon: Transpose it onto the map.

Mr LEWIS: I do know where. I ask the Premier to suggest then where the railway station is and where the Torrens River is in relation to the piece of land marked 'V', because it is not marked on this map.

The Hon. J.C. Bannon interjecting:

Mr LEWIS: Where the hell is it?

The Hon. J.C. BANNON: I do not know whether I should undertake a map reading lesson for the member. If the member looks at page 5, he will see a line poking out towards the right hand side of the page with a little stroke on it; that indicates the direction of north.

Mr Lewis: I understand that.

The Hon. J.C. BANNON: That will help the member orientate himself in terms of the site. The member's original impression was that we were talking about the land marked 'V'; in fact, we are not. We are talking about section 766, which is the railway station yards and 'V'. 'V' is the extra bit to which I referred in the second reading explanation. It is land that is not to be considered as part of the site. It is at present under the control of the Adelaide Festival Centre, but in order to facilitate the design and planning work, it is being treated as part of the site. It is not marked on the plan that the honourable member has, because it has been surveyed specifically for this purpose. It is as marked 'V' on the schedule, which is why a diagram was included in the Bill to make quite clear where it is. It is the land adjoining the Festival Centre on which there is at present a carpark (which Festival Centre employees use), to the west of the centre along the Torrens River and running west. It will not be found on any plan except the plan as provided under this schedule.

Mr LEWIS: Given that the proposed development site covers the land upon which the Adelaide Rowing Club and the Scotch Rowing Club have their boat sheds, and that the development site encroaches on that land, what is to become of those two boatsheds? What consultation was there with the rowing fraternity who use the lake and those facilities, and what compensation will be paid to them for the rearrangement or re-establishment of their facilities.

The Hon. J.C. BANNON: Those sheds are incorrectly placed. They encroach on land that is really part of the section that is connected with the railway station. However, in terms of design and planning, the design team does not anticipate that there will be any problems in relation to that site. If, for some reason, they need to do something in that particular area, obviously we would have to discuss what assistance or plans would be necessary to relocate them. But, at this time that does not arise. It is one of those cases in which building has been wrongly placed. In terms of design, I think we will be able to encompass that problem.

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

The Hon. JENNIFER ADAMSON: Which of the contracting parties mentioned in clause 3, namely, the State, South Australian Superannuation Fund Investment Trust, Kumagai Gumi Co. Ltd, and ASER Property Trust, or which combination of those parties, does the Government intend should administer and manage the convention centre; has the Government any other intention for the management of the centre?

The Hon. J.C. BANNON: At this stage, the State, as constituted, in terms of managing that centre.

The Hon. JENNIFER ADAMSON: Will the Premier elaborate on his reply? I cannot recall whether or not he was in the Chamber when, during my second reading speech, I indicated that how this centre will be managed is of considerable concern to the convention industry. I identified some options for management and in that identification indicated that the State, presumably, as represented by State Government departments, would not be regarded by the industry as being an appropriate manager of the convention centre. This is a highly specialised area requiring considerable skills, and, as I indicated when I quoted from the United States convention centre expert, Governments are not the best equipped authorities to undertake this kind of management. Flexibility of a high order is needed.

The recommendation, at least to the Dunstan Government, was that a trust with some kind of autonomy be formed to run the centre. When the Premier answers that the State is to be responsible for running the centre, bearing in mind that the management expertise and marketing capacity of the people involved are going to be the key to its viability, does the Premier have in mind that it should be a State Government department that runs the centre, does he intend that the State set up by Act of Parliament a trust, or is some other body such as a Commission or incorporated body to manage the centre? This aspect is of extreme concern to the tourism industry and, in particular, the convention sector of that industry. In view of the Premier's undertaking that so many of these answers will be given during this debate, the industry is waiting with some anticipation for an indication of how the centre will be managed and who, following the contract staff, employed to undertake the marketing which is obviously an interim arrangement, will be responsible for the marketing and promotion of the centre.

The Hon. J.C. BANNON: I will be guided by the Minister of Tourism about what the industry thinks rather than by the shadow Minister, who opposes one major aspect of this development. That has not yet been determined. As I indicated earlier, the advice of bodies such as the Adelaide Visitors and Convention Centre will certainly be sought to determine the best method of managing the centre. I can assure the honourable member that it will be entrepreneurial and aggresive and that we will be out there in the market place by whatever device is deemed most appropriate.

Mr OLSEN: I point out that 'property trust' is not defined in the Bill. It is assumed that there will be a trustee, or a trustee and a manager, and that the trust will declare that it holds a certain property according to the terms of the trust deed. I will put an assumption to the Premier and I would like him to indicate whether that assumption is correct or otherwise: when does the Government expect to approve the formation of the trust? Who is to be the trustee or manager of that trust? Who will be the beneficiaries of the trust? In what proportions are they to take in a capital income benefit? During what period will the trust operate, and what are the consequences of the termination of that trust?

The Hon. J.C. BANNON: The trust will comprise Kumagai Gumi, the Japanese construction company, and the South Australian Superannuation Fund Investment Trust (SASFIT). They have combined to form the trust. The precise arrangements involve a commercial relationship between the two companies that does not affect either this Bill or the Government's exposure. For reasons of commercial confidentiality I do not intend to put that information before the Committee. The Government is satisfied that both of these bodies, one an international and eminent Japanese construction firm and the other a trust which is not only governed by an Act of Parliament but has trustees appointed by the Government, will behave in a responsible and appropriate manner.

Mr OLSEN: I seek an assurance from the Premier that, if these matters are not to be put before the Parliament, at least the matters will be put before the Industries Development Corporation in full detail so that that Committee of the Parliament can at least discuss those matters to which the Premier has referred—that is, the commercial nature of some of these agreements. I want to take this matter a step further as it relates to the South Australian Superannuation Fund Investment Trust, which is a body reliant upon the Government for funding. In a letter to me dated 29 March, the Premier revealed that the trust has undertaken an extensive range of feasibility studies. I have asked for release of information on which the viability of this project has been based. The Premier has said that this information is part of a private business arrangement, a matter he referred to again tonight, and that he does not believe that SASFIT can be requested to release it publicly as it would make that information available to commercial competitors.

I think that it needs to be recognised that the Superannuation Fund is something in which the Government and taxpayers of this State have a direct interest. The Opposition believes, therefore, that taxpayers could be liable for any consequent short-falls and deficits that occur and that the viability of the project will depend to a large extent on the occupancy rates of the hotel. Will the Premier provide information to the Committee about this important matter in relation to occupancy rates and as they relate to feasibility studies done by SASFIT? I remind the Premier of my first point relating to the commercial nature of these agreements and ask whether they will at least go to the IDC.

The Hon. J.C. BANNON: Let me first, again, request that members of the Committee, before they ask questions or make statements, refer to my second reading explanation. I had occasion to say something about this to the member for Coles just before the adjournment, and I will have to say it again to the Leader now. I refer him to my second reading speech in which I said that the details of financial relationships between the two parties and the means by which they will finance the project will be available to the IDC when the question of guarantee is considered. That information is there, in my speech, and I wish members would read that instead of asking questions which have been answered.

Members interjecting:

The Hon. J.C. BANNON: I do not think that I could be more precise than the words just quoted. The Leader says that he hopes that the Government will let the IDC have this information. I have pointed out to him that in explicit terminology in my second reading speech I have said that it will. As to his question on feasibility studies, I have already covered that, too. Certain studies were undertaken, a series of studies which I have outlined, and which said that this project will be viable. It explained the basis on which it would be viable. In fact, the Hyatt Group has come in and said it will be involved in the hotel.

The group can only have said that on the basis that it believes that a hotel can meet its specifications of design and nature and will be usable. It is not coming in to make a loss. That is a matter of strict commercial judgment. None of us has the right to know that commercial judgment. I repeat again that it does not affect the exposure of the Government. It is not the business of the Committee. Those studies are confidential commercial operations, which were carried out as a lead-up to the viability of this scheme by Pak-Poy, by SASFIT independently, and the Government made its own assessment. Now a world-class international hotel operator has said it will come in. It has not come in on the basis of our studies; it has obviously done its own: it is a goer as long as we can get on with it.

The Hon. MICHAEL WILSON: I wish to move away from that matter and go back to the follow-up question asked by my colleague the member for Mallee. It refers to the schedule on page 5. I refer to the clause which provides:

'The development site' means the land comprised in section 766 Hundred of Adelaide and the land marked 'V' in the schedule.

I ask whether the Premier is aware that, from my understanding of the plan (and I raise this matter because of my former portfolio of Recreation and Sport), the Adelaide Rowing Club is on, as I understand it, section 766, which is the development site, whereas the two adjacent rowing clubs (Pembroke and Scotch), I think, are what we shall call the parklands section which will be vested in the Corporation of the City of Adelaide. I see no reason why the Adelaide Rowing Club should not also be vested in the parklands or in the Adelaide City Council section, because I do not really believe that it is appropriate that the Adelaide Rowing Club should be on a State Transport Authority site where we have this large development.

The Hon. J.C. BANNON: The rowing club is not part of the site. I pointed out in the second reading explanation that there were difficulties in relation to the title because of the rowing club's encroachment, and that in fact what has been done is to vary the boundary near the rowing club sheds because of that encroachment. I ask members again to look at the second reading explanation. I also said that, if any problems might arise in relation to that, there is no question that the design will take that into account.

The reason why there is section 766 and the part marked 'V' on the schedule has been explained fully in the second reading speech. I went through it with the member for Mallee. If the member for Torrens' question is, 'Will this affect the rowing club in some way?', my short answer is 'No, it will not. It is, in fact, clarifying the problem that has arisen in relation to that matter.'

The Hon. JENNIFER ADAMSON: I seek information from the Premier further to my previous questions. I stress that, in putting this question to him, I do so because neither the second reading explanation nor any of his answers so far have given me and the tourism industry the information that we seek on this aspect. It took two questions to elicit the information from the Premier that, although the State will be responsible for management of the centre, he has clearly no definite idea in his mind, even at this stage (with the Bill before the Chamber), as to how the centre should be managed. Although he has acknowledged that it is the Government's intention to appoint, under contract, such staff as are necessary to undertake preliminary marketing, he has not yet allocated a single dollar to that absolutely critical aspect of the centre's planning. The time is running out, just as the time is running out for the architect's plans to be in the Government's possession for final approval before construction can begin.

The Premier derided me for not having read the second reading explanation, because he said that was pointed out in it. The fact is that at least a week must have elapsed

since that second reading explanation was written, and in the close context of the time schedule a week is a long time. The Premier will find that the next two weeks will be a very long time because, if the plans are not in his hands by then, it is unlikely that construction can begin by 1 July. But I stress that the marketing aspect cannot be undertaken effectively until there is a management structure.

The Premier has not indicated, other than to say that he does not know, what that management structure will be. I repeat, in addition to the material I have already given to the House and the Committee about the importance of marketing as being the most imperative aspect of convention centre management, I use the authority of Mr Charles Gillette, President of the New York Convention Centre Bureau, who, in an American Convention Centre publication dated November 1982, states:

> A convention centre multi-purpose building or privately owned facility must be marketed far enough in advance to ensure that it will be utilised almost from day one. You cannot build a centre without having a very sophisticated marketing programme and effective sales staff.

Despite the little dribbles of information that have been dragged from probably the most unwilling Minister ever to appear on that bench in terms of responding in Committee to a Bill, a Minister who is running like a rabbit from the bench to the box to find out the answers to the questions the Opposition is asking—

The CHAIRMAN: Order! The Chair is being very tolerant with the honourable member. The present discussion has nothing to do with the clause.

The Hon. JENNIFER ADAMSON: The present line of questioning has everything to do with the project, which will, I submit, be enabled, as a result of the Bill. I ask the Minister in relation to clause 3 of the Bill, which states that one of the contracting parties is the State (and the Premier has answered that the State will be responsible for management of the centre), when will the public and Parliament be advised as to the Government's intentions in relation to the precise nature of the management of the centre? The matter is urgent, and we have waited far too long already.

The Hon. J.C. BANNON: The answer is 'In due course'. The member asks why not one cent has been allocated to it. I will not allocate any money to anything until it is necessary. I will not make putative allocations to something that is not needed. As soon as money is required it shall be made available. The fact is that the operations that are taking place at the moment are essentially to ask people applying for use of the centre to hold off until we are sure that the date of construction will enable them to occupy. We are not talking about running to the market and trying to drum up business; we are talking about people saying, 'We would like to use it.' Until we are in a position to do that we will not take bogus bookings and we will not spend money unnecessarily. That is the responsible attitude and it will be maintained.

Members interjecting:

The CHAIRMAN: Order! If the member for Davenport wants to seek some information on clause 3 I wish he would proceed.

The Hon. D.C. BROWN: I was waiting for the Committee to come to order, Sir. The question I would like to ask of the Premier when he is ready, because there is not much point in my standing here and asking questions if the Premier is not listening—

The CHAIRMAN: Order! That remark is definitely out of order. All the honourable member has to do is to seek information on clause 3, and not refer to other matters.

The Hon. D.C. BROWN: I seek information from the Premier concerning the contracting parties. Most of the information about those contracting parties is revealed in the principles of agreement. In going through the principles of agreement I find that nowhere is there any provision for the State Government to control the extent to which expenditure is incurred in building the convention centre.

Considering that the lease agreement is on the basis of the cost of construction being inflated each year by 6.25 per cent, it is extremely important that the State Government has adequate management control over the cost of construction. I pointed out in the second reading debate that we did that with the Law Courts building by taking complete—

The Hon. J.C. Bannon: That one could have cost $40 million.

The Hon. D.C. BROWN: It did not cost $40 million. That is why the Premier does not know what he is talking about.

An honourable member: Did it blow out, or did it not?

The Hon. D.C. BROWN: No, it did not. I would ask the Premier to consult with his Deputy, who happened to be Minister of Works for some time—

The CHAIRMAN: Order! The Chair has allowed the honourable member to stray again far beyond the clause. The Chair has continued to point out that this clause deals with contracting parties, and that is all. The honourable member for Davenport.

The Hon. D.C. BROWN: My questions to the Premier are: first, where is there any safeguard whatsoever to protect the contracting party (the State) in making sure that the costs of construction of the convention centre are held at an absolute minimum so that the State is not paying an inflated rental, because it is paying 6.25 per cent of the actual construction cost? Secondly, under the various contracting parties and also the proposed development (all under clause 3), who ends up the ultimate owner of the convention centre at the end of 40 years? If, as the Premier has indicated in his second reading explanation, the agreement is identical to that in regard to the law courts building, why does not the State end up the owner of the convention centre after 40 years? From what I can see of the detail on the contracting parties, the State does not end up the owner of the convention centre at the end of 40 years. Therefore, it appears that we have been given false information, and perhaps the Premier could clarify the situation as to whether he did give false information in the second reading explanation or whether, through oversight, he has failed to tell us that the State would end up the owner of the convention centre.

Thirdly, why has the Premier in this Chamber constantly made the point that construction must start by 1 July 1984, and that the contracting parties under the agreement would withdraw unless it did, when in fact looking at the principles of agreement there is only an intention from the parties that, if at all possible, construction should start from 1 July? What further additional information does he have to indicate that the contract would be null and void if construction does not start by 1 July?

The CHAIRMAN: I think that the question is more in line with clause 2 than it ever was with clause 3. The honourable Premier.

The Hon. J.C. BANNON: We will be here all night, anyway, Mr Chairman, so I am happy to answer the question. There will be cost control exercised. It is in the interests of the investors to ensure that those controls are exercised, and they have indicated the limits of their liability. I have indicated the escalation clause that they have got. In fact, the whole design process is aimed at maximising the viability and financial return. As to the question of the Moores building and the end result of that, as I understand it, at the end of 40 years the State does not own it. It has to pay the site value, so the honourable member is wrong. He does not even understand the agreement that he entered into.

The Hon. D.C. Brown interjecting:

The Hon. J.C. BANNON: It does not matter: the State still has to pay it. It will not own it absolutely, as the honourable member said a while ago (and he has said it two or three times). We have to pay the land value which is quite extensive in Victoria Square. As far as these buildings are concerned, if the lease is extended we negotiate new lease terms. If it is not, the negotiation will take place on the reversion. Remember: the leasehold is in the State Transport Authority, a Government instrumentality. It is as simple as that.

The Hon. D.C. BROWN: The Premier did not answer the third point I raised about the construction date, so I will ask him again. Where did the Premier get the information or where is the obligation that construction should start by 1 July? I refer to the second point the Premier mentioned, which is the law courts building. Under the law courts building agreement, the Government owns the building. All it has to do is pay for the actual vacant site, but it owns the building. I did not say that it owned the land: I said that it owned the building and the fittings in the building, which is part of the orginal contract. Under this agreement, the Government ends up owning nothing, yet the Premier stood in this House in his second reading explanation and said that it is an agreement identical to the law courts building agreement. The point is that it is not an identical agreement. The Premier has misled this House, and he knew damn well he misled the House.

The CHAIRMAN: Order! The Chair is finding it very difficult to be patient.

The Hon. D.C. Brown: So am I.

The CHAIRMAN: Order! First, the honourable member will please resume his seat. Secondly, I do not know how many times the Chair has endeavoured to explain to the Committee that we are dealing with certain clauses. This clause has nothing (I repeat: nothing) to do with the agreement in regard to the Moores building. It simply identifies in the main the contracting parties, the development plan, the development site, the Minister responsible and the proposed development—nothing else. I hope that the honourable member will come back to the clause.

The Hon. D.C. BROWN: It was the Premier himself who said in the second reading explanation that this is a Committee Bill. He said, 'You will get the details in the Committee stage. That is where these points should be raised.' We raise them in Committee, and what does the Chair do? It suggests that we are now contravening—

The CHAIRMAN: Order! The Chair will not accept the responsibility of telling members of the Opposition what clause they ought to be dealing with when they are seeking information. This clause deals simply with the identification of contracting parties, and so on. The honourable member for Davenport will please come back to the clause.

The Hon. D.C. BROWN: I will come back to the clause, and I am referring to the contracting parties. I ask the Premier to answer the two points I have raised and to clarify further exactly who will own the building at the end of the 40-year period, because it appears that this is one of the clauses in the agreement which is entirely up in the air. The Premier would have to agree that no principles of agreement could be more loosely drafted than the ones thrown down by him during the second reading explanation. If that is the basis on which he is trying to secure a major project of $140 million in this State, I am ashamed of our present Premier and the State Government.

The CHAIRMAN: Order! Before the honourable Premier answers that, I can assure the honourable member for Davenport that if he continues this line he will not be allowed to speak.

The Hon. J.C. BANNON: No doubt the shame of the honourable member will get him to vote against this. I would like him to put his name firmly on the record against this project. I would appreciate that. I would like him to be honest enough to do so, and I will take note of his comments and his shame and see that on the record. I appreciate his at least voting against it as well, because then he is being honest.

The fact is that the honourable member implied certain things. He said 'buildings', but he implied that, at the end of the 40-year period, the Moores building would revert free of charge to the State. That is not the case. Whilst certainly the buildings may revert to the State, SASFIT has to be paid the market price at the time for the land, and that is how that agreement works. In the case of ASER that is not so, because the land vests in the State through its instrumentality, the State Transport Authority. At the end of that lease period (at the end of the Trust's period of holding) the Government has a right to all the buildings.

The land is vested in the State anyway at a peppercorn rental: that is, free. If it needs to continue to re-use them, and if refurbishment is needed after that time, some sort of arrangement can be made at a cost and rental associated with that. However, that is the position: at the end of that period the State is not involved in any expenditure unless it so chooses (and we are talking about many many years) in keeping those buildings.

The Hon. D.C. BROWN: Let me make quite clear that I do not intend to oppose the clause or the Bill. The Government has negotiated this agreement: it knows that there are still doubts about it.

Members interjecting:

The CHAIRMAN: Order! For some time the Opposition members have continually tried to debate the matter concerning an agreement, and I have continually ruled their remarks out of order. In my opinion clause 6 provides some opportunity for the Opposition to question the agreement, but I must rule out of order any reference to the agreement under the clause before the Committee. Therefore, the member for Davenport is completely out of order.

The Hon. B.C. EASTICK: Under clause 3 'the Minister' is defined as being the Minister of Public Works. That portfolio will be held by other Ministers in the future, of whatever political persuasion. What degree of involvement does the Premier believe that the Minister will have in regard to the conduct of this project? Is it likely that a section in the Minister's department will be involved or that there will be a secretariat associated with this major project or as purely and simply a letterbox mechanism for contact between the project and Cabinet? What will be the degree of the Minister's involvement in this project? I see the involvement of the Minister as having far wider implications in this case than applies normally. What involvement is contemplated?

The Hon. J.C. BANNON: The involvement is quite clearly spelt out in the clauses of the Bill. I would have thought that the honourable member would pick up easily the references to the Minister in the clauses. The Minister of Works' involvement relates to development and to exemptions from the Building Act, referred to in clause 5. It is most appropriate that his expertise and overview should be used in relation to that clause. The Minister's involvement relates also to the development site in conjunction with the Corporation of the City of Adelaide Planning Act, referred to in clause 7. Again, it is appropriate that the Minister should handle that matter. The overall project development has been handled throughout by me, as Minister of State Development. That is how the general project has developed and is why I am handling this Bill, as I will be handling other aspects of the proposal. However, in regard to specific

matters, other Ministers will be involved; for example, the Minister of Tourism in relating to the convention centre and the Minister of Housing and Construction and Minister of Public Works in relation to other aspects of the Bill. The Bill is explicit in regard to where the Minister's responsibilities start and end.

The Hon. B.C. EASTICK: Mr Chairman, I will take your direction as to whether I should pursue the matter of the involvement of the Minister of Public Works now or later in relation to another clause. The Premier indicated that there were two specific areas of involvement, one of which is in relation to Building Act provisions. Is it intended that different building requirements will apply in regard to this project as opposed to those which apply to other projects in the community?

The CHAIRMAN: Order! I think clause 5 would be more appropriate in dealing with that matter.

Mr LEWIS: In defence of my colleague the member for Torrens, I refer to the remarks that the Premier made in his second reading explanation and to those he made in answer to a question by the member for Torrens in regard to title and the position of boundaries as they relate to rowing club boatsheds. I have studied the second reading explanation carefully in an endeavour to understand where those boundaries would be placed. At most, only two sentences in the explanation shed any light on where the boundary is. The explanation states:

> It varies the boundary near the rowing club boatsheds close to the Morphett Street Bridge where some encroachment has occurred over the years.

The sentence preceding that one is as follows:

> The clause also clarifies certain difficulties that have arisen in relation to title.

From those remarks, and from reference to the plans that I obtained from the Registrar at the Lands Titles Office, it is simply not possible to determine which boundary is the old boundary, what is to be the new boundary, and what consequence that will have for those sheds. I believe that the member for Torrens and I were well justified in raising this matter. As I said, I raise this matter in defence of my colleague and the legitimacy of his inquiry; he has had as much difficulty as I have had in understanding this matter. This is therefore an explanation to the Premier gratuitously given by me about that matter. Actually, I resent having been told that the second reading explanation was explicit in this respect, when in all fairness it really was not explicit.

The Hon. J.C. BANNON: The member raised a matter concerning the Pembroke, Scotch and Adelaide Rowing Clubs. In relation to the Pembroke and Scotch Clubs, I said that they were not involved with the area in question. It is in relation to the Adelaide Rowing Club that the encroachment that I referred to occurs. I also made it clear that whatever changes are made in terms of ownership of the land, the development will not affect that part of the site.

Clause passed.

Clause 4—'Vesting of land.'

Mr OLSEN: In the Premier's second reading explanation he said that SASFIT and Kumagai had confirmed their understanding of the project site to include the railway station building. When was that understanding given, in what form was it given, was it given verbally or in writing, and why did the investors consider it necessary to record such an understanding?

The Hon. J.C. BANNON: The railway station building was specifically excluded from the original heads of agreement for two reasons. First, as I have stressed throughout, contrary to the practice of the former Government and its treatment of a casino of which some members, including the member for Mallee, might be interested to know the details—but that is another story—I made it explicit and clear that the casino issue was one to be treated separately. Secondly, if the development of the railway station building for a casino or whatever was to be involved (a casino, in particular), then it should be integrated and there should be some control over the way in which that development was progressed. So, at that time, in October 1983, the site was defined to exclude that. However, there was an understanding between the parties in relation to the possibilities pending the inquiry of the Supervisory Authority and the location of a casino that the railway station building could well be a site. It would certainly be a candidate as a site for the casino and, if that were so, then the guarantee would lapse.

Moving to the Leader of the Oppositions second question, this was made clear in the evidence given by the legal representatives of Pak-Poy and Associates before the Casino Supervisory Authority and in letters sent to the Crown Solicitor in November. It has since been confirmed very specifically. When the Opposition raised this matter and made a considerable fuss about it, and said that it could not be right and that the heads of agreement excluded it, I specifically requested both SASFIT, Pak-Poy, and the Kumagai group, to set down their understanding and belief, and in fact the legal position as we understood it, the modification of the heads of agreement, that the inclusion of the railway station as a site of a casino would mean that the hotel guarantee would lapse, and they responded positively and it is in writing.

Mr OLSEN: Would the Premier be prepared to table the letters from both SASFIT and Kumagai, accepting that understanding that the Premier has clearly indicated to the Committee, that he has in writing an acceptance of the understanding that the railway station building forms part of and is not excluded from the project site?

The Hon. J.C. BANNON: I will quote from the letter from the South Australian Superannuation Fund Investment Trust, the last paragraph which states:

> The words 'the site' in clause 2 *(f)* of the Tokyo agreement have always been read by the South Australian Superannuation Fund Investment Trust and the ASER Property Trust to include the Adelaide Railway station building.

In relation to the Pak-Poy group, the letter states:

> As you know, my company was responsible for the development of the ASER project and made the submission on behalf of the ASER Investment Trust of which we are a principal member. In this capacity I am writing to confirm that in our submission to the Casino Supervisory Authority, on page 26, we acknowledge that should the casino be located at the railway station the guarantee would be waived. A copy of this page is attached for your information.

Members can check those pages if they wish.

Mr Olsen: What pages were they?

The Hon. J.C. BANNON: They were in response to my request following it being raised in the third week of March by the Opposition.

The Hon. MICHAEL WILSON: Certainly, the Premier has the letter which has been asked for and received from the Superannuation Trust, but I find it extraordinary that anyone can get an understanding of the agreement which goes counter to what is said in the preamble to the agreement.

The Hon. J.C. Bannon: I have explained the politics of that.

The Hon. MICHAEL WILSON: Yes, the Premier has, but he keeps talking about an understanding. These are legal documents, and they are supposed to be binding. I find it absolutely extraordinary that anyone in business or Government could get an understanding from these documents that the Premier has just given to the House.

Mr LEWIS: Clause 4 (1) of the Bill provides:

> An estate in fee simple in the land comprised in section 766 Hundred of Adelaide is vested in the State Transport Authority.

Clause 4 (2) provides:

An estate in fee simple in the land marked 'T' in the plan deposited in the General Registry Office at Adelaide and numbered No. 112 of 1984 is vested in the Corporation of the City of Adelaide.

I took an interest in the question of the integrity of the title of that site, given that it was being promoted very strongly by the Government to the public and then in the Government's submission to the Authority inquiry as to where the location of the licence should be established. I expressed a view in December last year that we would need enabling legislation for the casino to be located on that land. As regards most buildings and premises, under existing law it would not be lawful to establish them there. At the time I was said to be stupid, ignorant, otherwise out of my wits and incapable of understanding that the land could be used for a casino, and that I was therefore mistaken, speaking out of turn and causing unnecessary public alarm, and the Premier himself was involved in making that kind of assertion publicly, following my own—

The Hon. J.C. Bannon: That's not what I said.

Mr LEWIS: I do not remember the Premier's exact words of rebuttal to the remark I made. The member for Ascot Park need not behave like a donkey. Government members hee haw when they are distressed, in the same way as their colleague the member for Ascot Park does. I simply put on record that my interpretation of the law at the time was quite clearly correct. The Premier's second reading explanation states:

The Bill vests the railway station site and its environs in the State Transport Authority. None of the land so vested is parklands. Most of the land has in fact been alienated for railway purposes since the Act No. 126 of 1878 and some of the land—

not very much—

is already vested in the State Transport Authority. The clause also clarifies certain difficulties that have arisen in the title.

If that is not an acknowledgement of the accuracy of my own analysis of the situation when I presented to the Casino Supervisory Authority my view that another enabling Act would have to come through Parliament to make it possible to put the casino in those premises, then I do not know what is. I take umbrage and I express that umbrage now in Committee that I was publicly castigated for drawing attention to what was quite obviously a deficiency in the existing order of the legislation.

Mr OLSEN: As it relates to the Adelaide Rowing Club building, I assume that the State Register is to be distinguished in accordance with clause 4 (3). That being the case, will the Premier give a clear definition of any pre-existing rights affected by the clause? What consultations took place with the Adelaide City Council in relation to that matter, and has full agreement been reached with the council on its effect?

The Hon. J.C. BANNON: I did not think that that was necessary. I have explained that the rowing club has encroached on to the site. However, my understanding is that the rowing club need have no fear about its occupancy because that will be resolved. We are simply clarifying what is the appropriate title. If we wanted to take the legal or technical point, the rowing club building should never have been sited where it was, as it is intruding on to the land in question—trespassing, if you like. However, nobody is seeking to hound, relocate or do anything else to the Adelaide Rowing Club, which is a splendid organisation and which I hope continues to operate. In order to clarify the position regarding the site, we had to make that quite clear on the title. That portion of the land will not be required and if, for some reason, in future something needs to be done, obviously we will talk to the council and the rowing club about it.

Mr OLSEN: I ask you, Mr Chairman, whether or not you have conferred with the Speaker on whether or not this is a hybrid Bill, and I ask for your ruling on this matter because, if it is a hybrid Bill, it has to be referred to a Select Committee. I ask this question because it is proposed to vest the land described in the Bill as a statutory corporation, and that raises the question whether or not the Bill should be referred to a Select Committee.

The CHAIRMAN: I understand that if the Leader of the Opposition desired this information the matter should have been raised at the end of the second reading debate, at which time it could have been debated. My advice to the Leader is that we are now in Committee and that it is too late to debate this issue. Perhaps I should also say that I cannot, as Chairman, give a ruling on this matter: I am simply giving advice on what I understand is the position.

The Hon. B.C. EASTICK: The question has been raised in the minds of members on this side as to whether or not this Bill should be referred to a Select Committee. Whilst I acknowledge that that is a decision that is rightly for the Speaker to make, I ask that we report progress so that this question can be put to the Speaker.

The CHAIRMAN: First, the Chair will not allow the Committee to enter into a debate on whether or not this Bill should be going to a Select Committee, because that matter is not within its power. Secondly, if the honourable member wants progress to be reported he has simply to move accordingly.

The Hon. B.C. EASTICK: I move:

That progress be reported.

The Committee divided on the motion:

Ayes (21)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Rodda, Wilson, and Wotton.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon (teller), Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Majority of 3 for the Noes.

Motion thus negatived.

Members interjecting:

The CHAIRMAN: Order! If honourable members wish to have a private debate they should go outside. The honourable member for Torrens.

The Hon. MICHAEL WILSON: I am disappointed that people are not hanging on my words. Nevertheless, I will pursue the matter.

Members interjecting:

The CHAIRMAN: Order!

The Hon. MICHAEL WILSON: Am I to understand that, as the railway station building is vested in the State Transport Authority, therefore the casino premises will be vested in the State Transport Authority? I ask that because the recommendation of the Casino Supervisory Authority in its report to the Premier suggested that the casino premises should be vested in the Treasurer and if, per chance, the operator's licence was to go to the ASER Investment Trust (specifically mentioned in this Bill), then the Treasurer should enter into a direct lease with the ASER Investment Trust and not the property trust.

The Hon. J.C. BANNON: I thank the Committee for its indulgence. I was trying to clarify the position, which was in accord with what I understood it to be. The building is vested in the STA. It is part of the site over which the ASER Property Trust has control on a lease basis. To that extent, the recommendation of the Authority that the Treasurer hold the lease of the trust cannot be complied with under the agreement. However, that causes no major prob-

lems. If, for instance, the ASER Investment Trust, which is not mentioned in the Bill, because it is a separate body which is seeking the operator's licence, had that licence, it would have it under conditions so that, if it ceased to be the operator, obviously the STA's role as the head lessor or the freehold title holder (and bearing in mind that the STA as a statutory body is subject to the Minister and, through the Minister, to the Government) would be to pick up the reversion. So the sort of controls that the Casino Supervisory Authority is seeking to impose in terms of a longer lease would be able to be enforced indirectly but not directly in the way in which the Authority has requested. Nonetheless, they exist.

The Hon. MICHAEL WILSON: This is a very important question. Does that mean that, if the Investment Trust was to receive the operator's licence, it would enter a direct relationship with its parent, the property trust, or a direct relationship with the STA? That is really what I am trying to get at.

The Hon. J.C. BANNON: It would enter a relationship with the property trust, because the property trust has the lease over the premises. That would be true of any operator, whether it was the ASER Investment Trust or anyone else who was granted the operator's licence by the Lotteries Commission with the consent of the Authority.

In that respect the AIT would be in no different position from any other operator. The operator's licence would be subject to the terms and conditions that were laid down in that licence. But the STA, of course, still has the ultimate control—that is, ultimate ownership of the site—and through it the Government. One really approaches it from two ends, if you like, both of which ensure that there is that control over the licencee, the licensed operator, which is provided for in the Casino Act.

The Hon. MICHAEL WILSON: I point out to the Premier and to the Committee that I believe this causes some concern. There is a potential applicant for a casino licence. It could well be that the ASER Investment Trust, which I understand is a front runner for that licence, may be a very good operator. It then enters into a direct relationship with its parent. The ASER Investment Trust is one-third Pak-Poy and Kneebone and two-thirds SASFIT and Kumagai. It then enters into a direct contractual relationship with its parent, which is the ASER Property Trust (which is 50 per cent Kumagai and 50 per cent SASFIT). The STA being the landlord is at arm's distance. Where is the Lotteries Commission? Where is the licensee? Where is the licence holder? Out there on cloud 11! It is nowhere near the operation of the casino. I believe that this gives grave cause for concern. I make that point very strongly indeed.

The Hon. J.C. BANNON: The member has made his point, but I do not see that there are any dangers, as he suggests.

The Hon. JENNIFER ADAMSON: What will be the outcome if the property trust does not agree with the licensee of the casino? What is the legal situation in that event?

The CHAIRMAN: We are on clause 4.

The Hon. JENNIFER ADAMSON: I realise that we are talking about the railway station site and building in which the casino will be housed. It seems to me that this is the most appropriate clause, and in fact probably the only clause, in relation to which this question could be asked.

The CHAIRMAN: All right; we are getting very technical now.

The Hon. J.C. BANNON: I answered that in Question Time I think in the past two or three weeks. I am sure that the honourable member was present. I pointed out that the ASER Property Trust will have to enter into a sublease arrangement with whoever is granted the licence. The alternative (not entering into an equitable sublease arrangement) would mean that there would be no casino. There is no possibility of that.

Clause passed.

Clause 5—'The development.'

Mr OLSEN: I would like to ask a couple of questions and then move amendments. This clause places no limitations on the power of the Minister of Public Works to grant exemptions. As I pointed out in my second reading speech, no such exemptions were granted, and I refer to the Hilton Hotel. Can the Premier say whether any particular circumstances have arisen thus far which have led the Government to grant this exemption or are any particular circumstances foreseen which would delay the project unless this exemption is granted? Have there been any particular problems in relation to the location of fire escapes in the railway station building?

The Hon. J.C. BANNON: I assure the honourable member that all appropriate conditions will be met, particularly regarding fire escapes, because many people will congregate at this site. The purpose is not to avoid the requirements of the Building Act but to provide a fast track procedure whereby those requirements can be applied appropriately to the project. That is its only purpose. As I pointed out in the second reading explanation, the intention is simply to ensure that the necessary approvals are given with the minimum delay. It is not the intention that the project be absolved from the requirements of the Building Act, but that it be given a fast track through the approval process.

The Hon. D.C. BROWN: With due regard to the Premier's experience in this area, I point out that I had intimate knowledge of the law courts building and the fast track technique, which simply involves starting construction on the job before the final design details are completed. Why one has to suddenly brush aside the Building Act absolutely astounds me. We complied with the Building Act in regard to the law courts building. The fire brigade building was constructed by the fast track technique, as many buildings are. However, they all complied with the Building Act. Why suddenly for the first time, to my knowledge, under a fast track technique does one find that the Building Act becomes such a burden?

I point out to the Premier that the one area where the Building Act causes a delay in obtaining approval from the Fire Standards Advisory Committee, of which Mr Graham Brown is Secretary, is in relation to very complex developments, including an atrium. I think that one would find that the great hall of the railway station would be regarded in building terms as an atrium, because it covers more than one floor. I understand that the hotel will have an atrium and, therefore, that committee will need to give advice, and that is how it works. It is not as if standards are laid down. When it comes to an atrium, one goes to the committee and asks for its approval.

If one is to brush aside the Building Act, it means that one is brushing aside that committee. It is not as if there are necessarily standards already there: there are not when it comes to atria in South Australia, or there certainly were not 2½ years ago. Therefore, how will the Premier benefit by brushing aside the Building Act? Will he give an assurance that he will meet all the standards for fire protection and heed the advice, including submissions to the Fire Standards Advisory Committee, and will he comply with the Building Act in those regards? It is the fire protection aspect, which the Leader of the Opposition has highlighted, which is so important, particularly when it comes to atria, where the committee's advice and approval is required.

The Hon. J.C. BANNON: I do not know why the honourable member wants to keep repeating not only what he has said but also what I have said. I have stated that the fire control aspects are extremely important and the highest

standards must be observed. This procedure will allow the Government to ensure that it has the closest control over the way in which the building is constructed. It is not a case of brushing aside the Building Act: it is a case of ensuring that we have direct control over it and conditions are complied with exactly without long and unnecessary details.

The Hon. D.C. Brown: Why do you have to brush aside the Act?

The Hon. J.C. BANNON: We do not wish delays to be associated with this project.

Mr MATHWIN: I will get away from the fire aspect: I leave that to the member for Davenport. What does the Premier mean by 'brushing aside the Building Act'? What is it all about?

The Hon. J.C. Bannon interjecting:

Mr MATHWIN: The Premier did not, as far as I am concerned. I want to know why it should apply to this particular building. Why is the Premier asking for special dispensation for a building that is to be used for entertainment, to house people, and which will have a kitchen and catering facilities? What is he suggesting? Will he lower the height of the building? Will he lower the height of the accommodation? Is he asking for special dispensation for special materials? Let us have it out.

What is the Premier talking about? Let us get it on the board. He could be alluding to the use of special glass, where one does not want to use plate glass but a lower standard of glass. If the Premier is asking for dispensation for this building, which will be used to house so many people, he will be putting on himself a great responsibility. That is quite wrong. If the Premier does this, I believe that the people of South Australia have every right, when building houses in a hurry because they have no accommodation and could be out on the street, to approach the Department and seek special dispensation to get around the Building Act. I would like more information. The information that the Premier has given has been nought as far as my calculations are concerned. I believe that what the Premier is trying to do is quite wrong. He must further explain the matter.

The Hon. J.C. BANNON: We are talking about a $140 million project to be constructed to the highest international standard. It will be a complex of buildings. It is not a private residence, individual homes or even a factory: it is a sophisticated complex to be constructed to the highest international standard on a major basis. In order to do that most appropriately and within the time frame which is a part of the project's essence and viability, we require this provision. It is not to lower standards: it is to allow the Government to have very close supervision over those standards. It might not have occurred to honourable members that in some respect those standards may well be higher because of the nature of the project.

The Hon. D.C. BROWN: This is an extremely important aspect of the Bill, because to my knowledge it is the first time (and I might be wrong) that this Parliament has granted an exemption from the Building Act. If I am wrong, I would ask the Premier to let me know. All other major projects in this State have certainly had to comply with the Act. Having been involved in large construction projects which have complied with the Act, I do not quite understand—

The Hon. J.C. Bannon interjecting:

The Hon. D.C. BROWN: There are plenty of big projects that went up.

The Hon. J.C. Bannon: A gross travesty of planning regulations.

The Hon. D.C. BROWN: It certainly was not a gross travesty of planning regulations. We complied entirely with the Building Act. Now we find the Premier making these wild remarks.

The Hon. J.C. Bannon interjecting:

The CHAIRMAN: Order!

The Hon. D.C. BROWN: The Premier did not even bother to turn up. That is the regard that he has for the law courts.

The Hon. J.C. Bannon interjecting:

The CHAIRMAN: Order! The interjections are not helping.

The Hon. D.C. BROWN: The Judiciary found it the greatest insult that a Premier could pass upon them that he not bother to turn up.

The Hon. J.C. Bannon interjecting:

The Hon. D.C. BROWN: They took it personally.

The CHAIRMAN: Order! The honourable Premier is out of order.

The Hon. D.C. BROWN: I think that the way in which the Premier did not invite certain people to attend that function highlights his pettiness. Putting that aside, there have been many large projects in this State which have proceeded and which have had to comply entirely with the Building Act. The Premier has pointed out in the most general terms possible that this is a fast track technique; we need to get it finished as quickly as possible; it is a $140 million project; we cannot have delays; it is of the highest international standard. That is absolute rubbish!

It is a political answer. The Premier knows darn well that that is not answering the questions raised here this evening. We want a clear statement about the following: what aspects of the Building Act are so inhibitive and prohibitive in the way in which they have been drawn up that they will hold up this and any other project? To what areas does the Premier refer specifically? The Building Act lays down standards. For instance, it states that toilets must comply with the standards; structures must comply with these standards. Surely the Premier will not brush aside these standards. The architects, the engineers and the quantity surveyors of the State understand those standards and they will work to them.

Therefore, in what regard will there be a significant time saving by not complying with the Act? Where is the saving? The only area that I know of where there is a significant saving is that the Premier will not have to get approval on fire standards from the Fire Standards Advisory Committee, a process that could take four to six months of nesgotiation. If that is the one area where he can save time by not complying with the Building Act, then that is a serious matter, because it is directly related to the safety of the public in that building in the future. Can the Premier indicate specifically the inhibition in the Building Act that will hold up this project if the conditions laid down in that Act and regulations have to be complied with?

The Hon. J.C. BANNON: I would have thought that the member would know more about the Building Act. I repeat what I said in my second reading explanation, namely, that the intention is simply to ensure that the necessary approvals are given with the minimum of delay. It is not intended that the project will be absolved from the requirements of the Building Act but that it be given a fast track through the approval process.

Mr MATHWIN: That is an entirely unsatisfactory answer. The Premier is saying that the Government wants more control over the situation and by saying that he is suggesting that the Government has no confidence in the Building Act and that the Government wants more controls in regard to the materials to be used on the building. The Premier said that this would assist in speeding up the project, that the Government wants to get on with it. The member for Davenport and I have asked the Premier several times what

parts of the Building Act provisions he is concerned about, but no answer has been forthcoming. I think it is disgraceful that the Government should consider special dispensation in relation to the Building Act.

There are thousands of people in South Australia building homes and in no way can they or the builders get around the Building Act. There is no way that a person can successfully get past a local council inspector or a finance assessor. I believe that the Government has double standards in this respect and should not expect the Parliament to pass this clause, because I believe it is quite wrong. The best reason for this that the Premier can give is that the Government wants more control and because it is in a hurry, which I think is a disgusting attitude.

The Hon. J.C. BANNON: I will be patient: I hope that the honourable member is not suggesting that the Building Act is not there for the protection of the ordinary purchaser of a home against unscrupulous building practice, gerry building, or shoddy practices. I hope he is not suggesting that builders should not comply with the Building Act, because they ought to be complying with it, and that is the aim of this Parliament. However, in relation to this project the circumstances are such that it is not the intention that the project be absolved from the requirements of the Building Act, but simply to ensure that necessary approvals are given with the minimum of delay. I assure the honourable member that the quality and standard of construction will be of the highest international standard.

The Hon. D.C. BROWN: That highlights the ignorance of the Premier in regard to the operation of the Building Act. The Building Act requires the specific approval of a committee to which plans on fire safety are submitted. It is not as though standards are laid down for some of these aspects: therefore, how can the Premier say that the Government will not abide by the Building Act, which means that approval will not have to be sought from that committee, but that the Government will meet all the standards under the Building Act? The point is that there are no standards for some aspects of fire safety, particularly, as I understand, in regard to atria. If that is the case, the Premier is saying that in relation to buildings where standards have been laid down, the Act will be complied with, but, where it is up to the committee to approve certain procedures, that process will not be complied with? Will the Premier confirm that that is what he is saying? The Premier keeps saying very definitely that the standards will be complied with, but, in fact, there are no standards in certain areas. It is an advisory committee which approves certain standards that it thinks are adequate.

The other matter to which I refer concerns exemption from compliance with the City of Adelaide Development Control Act. The Premier has indicated that, because the development will be on Government land and because the Government will end up leasing the building, there is no need for the private developers to comply with the provisions of the City of Adelaide Development Control Act. Does that mean that any developer now involved with the project where the Government will be renting space does not have to bother complying with that Act, in terms of principle, at least, as I realise that legally they are still bound to the Act? Also, why has the Premier bothered to provide an exemption? I point out that this is an insult to his own public servants, because about half the membership of that committee is made up of senior public servants, namely, the Director-General of the Public Buildings Department, the Director-General of Local Government, and others, and also I think Mr Lewis from the E & WS is on the committee.

Is the Premier in fact saying that he has no confidence in that committee, or has he simply decided to snub his nose at the sort of standards that that committee would lay down, standards involving close consultation with the City Council of Adelaide? The city council has a right, as this is within its area, to lay down certain conditions that should apply to any major project, especially in regard to a large project worth $140 million, as the Premier keeps reminding us. That is all the more reason why it should have a say. This is the sort of project that will have an impact on the future planning of the Adelaide city area. I urge the Premier to think again on that aspect. I do not think the project should be exempt from that Act.

The Hon. J.C. BANNON: In regard to the fire safety standards, I repeat again and assure the House, as I will do every time I am asked in order to ensure that it is on the record, that they will be of the highest international standards. As to the second question, the answer is 'No'. In regard to this development a particular provision is being sought. That provision follows principles that were recently set out in a Premier's Department circular. That occurred during the time of the former Government. The principles are based on the Cabinet decision of 17 June 1980, a meeting which should have been attended by the honourable member (who was a member of Cabinet). They were promulgated by way of a circular of 26 June 1980, which is still used as a guideline in such cases.

The Hon. B.C. EASTICK: In regard to the City of Adelaide Development Control Act, the Premier would appreciate that a feature of deliberations has involved the proper amenity of the City of Adelaide being maintained, even to the point, for example, where the Norwich building on King William Road, which is being built to house certain Commonwealth offices, was delayed when it was decided to take it from a multi-storey development to two lower level buildings adjacent to each other.

For it to proceed on a six or seven floor basis would have destroyed the amenity, causing some conflict with the spires of the St Peter's Cathedral and being merged into the hotel behind and the Adelaide Children's Hospital opposite. I understand that this development will be a 15 or 16-storey building at its maximum, (maybe more). How will that conflict with the skyline and with the other developments in this area? Obviously, it will be in conflict with a number of the previous deliberations of the City of Adelaide Development Committee, in that it has not sought to have a major core of this nature in an isolated area where it has not been hidden or reduced in impact upon the environment by a series of stepped developments adjacent to it. Will it have any effect on the landscape associated with the Adelaide Festival Theatre? The Adelaide City Council would be given the opportunity under another clause to look at the various plans. Is it to be denied the opportunity of the input that it has through the City of Adelaide Development Control Act to have a major impact on the final decision as a result of subclause (2)?

The Premier indicated that to all intents and purposes he, the Premier, would be involved with the major development because of the State development aspects, and that the Minister of Public Works would interface because of his involvement with the Building Act. There are some questions of walking away from aspects of the Building Act which impact upon other people entering into building. Is it intended that the Minister of Public Works will have a two-tier Building Act approach in the future and that he will be called upon or required to allow building practices to proceed on this site which are an advantage or which are at major variance with the building procedures of every other developer in the City of Adelaide? The Premier has made some comment to my colleague the member for Glenelg and others, but what part would the Minister of Public Works be expected to play in facilitating (in a building sense) the completion of this project?

The Hon. J.C. BANNON: On the first question, which is that of design, it is a superb site. Everyone would agree that the Adelaide Festival Centre has enhanced the visual and aesthetic environment, whatever may have been the criticism of it at the time. I have confidence in the design team that has been assembled and I believe that it will produce a very exciting, arresting and aesthetically brilliant design: it will be a great feature for the city of Adelaide.

An honourable member interjecting:

The Hon. J.C. BANNON: The exact height of the building has not been determined. It will be a spectacular development and the honourable member, the City of Adelaide, or any citizen of this State will have nothing other than pride in the final result. We want it to be seen as a symbol of Adelaide and South Australia as far as conventions and tourist attractions are concerned, and that is what the design effort is being devoted to. The second question has been answered by a number of other members. The Minister of Public Works will be in the position of not absolving the project from the requirements of the Building Act, but giving it a fast track through the building process.

The Hon. B.C. EASTICK: I trust the Minister of Public Works will not have his work load reduced—as has happened with the Deputy Premier taking on a number of his responsibilities at the present moment. From a State point of view, recognising the development which is to take place and a long held view associated with a number of announcements by successive Governments to enhance the North Terrace area and its involvement with the railway station and the traffic that has been and will be developed by the casino project and the hotel project, has the Government stated that it is a necessity of the design programme that an under-pass, or more than one, of North Terrace be an effective part of the creation?

There is public expectation that that would be an eventual part of the development of that area. It would remove many problems associated with traffic movement which currently exist by giving a satisfactory alternative. I would hate to believe that rather than an under-pass an over-pass was being contemplated; that would be a disaster for the aesthetics of the area. The most recent announcement acknowledged that the property to be developed on the hole in the ground (the old James Smith or Karidis property, which was a furniture site) would have an integrated under-pass on North Terrace, as part of its development. Is the Government seeking that aspect in this major redevelopment?

Has the Government sought to impress upon the developers in this planning stage, and the interface that the Minister of Public Works will have on behalf of the Government, that a bus exchange be a part of this major transport centre? Some years ago the Franklin Street Bus Depot was created and it is proving to be rather less than the facility needed for this day and age. This area will attract many people, it will be a centre of convention activity, a major area for housing of convention delegates, it will interact between the railway station, it is close to the tourist centre and the major Adelaide facilities for the two airlines. Can the Premier indicate whether the Government has called upon the developers to give consideration or to involve that sort of development in this area?

The Hon. J.C. BANNON: In answer to the first question, at one stage the suggestion was made that some form of over-pass be part of the plan. This was one of the original Pak-Poy concepts at the time of negotiations with Malaysian interests. Whether or not that had been specifically approved by the former Government I am not sure, but it was certainly discussed at that time. It is the Government's view that an under-pass is much more desirable and functional. Although there is no requirement for such a facility, clearly the suggestion makes considerable sense. It is certainly true that discussions have been held in terms of an overall development that will see the so-called 'black hole' being developed in connection with an under-pass from the railway station—that is certainly under active consideration.

As to the second question relating to the bus interchange, this matter has not been considered either necessary or cost-effective. It was part of the original proposition that the former Government approved a bus interchange and it was, in fact, a fairly costly part of the plan. Indeed, the then Minister of Transport's original Cabinet submission pointed out that, even at that stage, when a bus station was actively being contemplated, it should be noted that the bus station may not be the most effective use of funds. That was the conclusion that my Government reached and a bus station will not be part of this development, because all studies and cost assessments suggest that it is neither neccessary nor cost effective.

The Hon. MICHAEL WILSON: I tell the Premier that the bus interchange he is talking about was an STA public bus-train interchange. That is what he is talking about when he quotes from the submission that I quoted from earlier today. The member for Light, I am sure, is referring to transferring the central private bus station from Franklin Street to Adelaide railway station, a move which should not be anywhere near as costly. I suggest that this idea is well worthy of consideration and that the Premier should refer this proposal to the design team and also discuss it with the Adelaide City Council.

The Hon. JENNIFER ADAMSON: I reinforce what the members for Light and Torrens have said about this matter. My recollection is that the transport interchange was included in the original proposal as a result of discussions I had with the then Minister of Transport, having ascertained from the tourism industry (particularly private bus and coach tour operators) that the existing facilities in Franklin Street were completely inadequate. Both terminals were built to accommodate 50 passengers, and each has 50 seats. At any given time on various days of the week each has to accommodate several hundred people simultaneously, and there are people, luggage and rubbish everywhere. The situation is quite unsatisfactory. In fact, it presents an undesirable impression to visitors to South Australia, both on arrival and departure, to go into the Franklin Street terminal. There would be justification for relocating that terminal in the new centre, because, as the member for Light pointed out, most passengers are directly provided to the buses from the airlines, South Australian Government Travel Centre, or the railway station. It is just good functional planning to put all these facilities in the one area, particularly when existing facilities are demonstrably inadequate.

I take up the point made by the member for Light about the Adelaide City Council and refer particularly to clause 5 (2) and the related clause 8 (2), which is subsequent and complementary to the first clause. It cannot be allowed to pass without comment that this proposal will be exempt from consent approval or other authorisation under the City of Adelaide Development Control Plan. Certainly if there is to be any diversion from the requirements of that plan, the Minister responsible shall invite representations in relation to the proposal and plan. There is no real power here in the Adelaide City Council. The reality is that, notwithstanding the Premier's confidence in the designers and his expectation of a mutual pride in the result, the core area of the City of Adelaide is the area designated for high rise buildings. The north side of North Terrace has only low rise buildings on it and when commenting on the superb design of the Festival Centre one of the reasons given for the success of that design was that the architects related it to the sloping bank of the river and it was built into that site so that it did not intrude above surrounding buildings.

This project will, which seems to me to be wrong. The point I make is that such an exemption was granted without consultation with the City of Adelaide.

It may well be, and I do not know whether or not it was the case, that the Minister may have had conversations with the Lord Mayor, as Chairman of the Tourism Industry Council, but the City of Adelaide was not consulted about that exemption, which highlights the innumerable instances of failure to consult by a Government that came to office on a platform of consultation and consensus. My question relates specifically to the development of the site in accordance with the development plan and to the State's potential liability in terms of costs. As the project is to be built over the railway tracks, who will meet the cost of necessary modifications and works related to ensuring proper lighting and ventilation of the railway tracks once the project is in place? Quite obviously, there will have to be some quite costly installations in order to ensure proper ventilation and lighting of the whole railway track area. What are the requirements under the Health Act and the Building Act (from which this project will be exempt)? I want to know approximately what is the anticipated cost and who will meet the cost of this lighting and ventilation—the State Transport Authority through its budget, the State Government, or the developers?

The Hon. J.C. BANNON: There were considerable capital costs involved in the redesign of this site as a result of ANR moving out its interstate facilities and so on. Whether or not the ASER project went ahead, there would have been platforms unused and considerable capital changes and rearrangements would have had to be made, anyway. Of course, there is a resignalling project and a number of other things connected with the railway operation to the extent that the ASER project is redesigning that site which, essentially, makes it obvious that the project operators, the developers, will be picking up that cost. The STA will be operating its tracks within the overall development. It is not anticipated that it will add to the cost of STA operations to any significant extent. If for some reason that did occur I am sure that that is a matter that would be open to negotiation, but no concern has been expressed by the STA about this matter. On the contrary, the fact that this development is taking place relieves it of a considerable amount of capital obligations that it would otherwise have had to meet.

Mr LEWIS: I support the views expressed by the member for Light about the desirability to give consideration under this clause to incorporation of the country bus terminal in the facilities.

The Hon. Jennifer Adamson: Don't you mean interstate?

Mr LEWIS: Yes. I support those views for the very good reasons that were outlined by the member for Coles in her remarks.

An honourable member interjecting:

Mr LEWIS: Tidy the place up a bit! One gets into some awful fixes in the present country bus depot at times. I also wanted to ask the Premier, given that he wants to put in grease rails, or mechanisms which would otherwise slow down decision making, would he nonetheless be willing to allow the Fire Safety Committee, without impeding the progress of the measure at all, to examine the plans in its capacity as a committee and to report to Parliament for the peace of mind of people like myself and other members about those fire safety aspects?

I believe that the Opposition has quite responsibly and properly raised this question. Now that we have raised it, no doubt members of the general public out in the big paddock will be concerned that there might be some sort of cover up or slackening in the rigorous application of normal standards, especially as it relates to the atrium. It would enhance the confidence of potential patrons if they knew that they were not going to be fried in another Whisky au Go-Go flare up in that setting.

Ms Lenehan: My God!

Mr LEWIS: The honourable member can moan and wail but if that were to happen we, as a Parliament, would be guilty of a dereliction of our duties because we allowed development to go ahead, sincerely believing that it was not necessary to comply with what that committee might otherwise require to be included under the Building Act. I am simply asking, now that we have raised that question, will the Premier allay public fears which may arise by permitting the Fire Safety Committee to examine, in the normal way, although not having power to require a change, and ask it to report to Parliament its opinion of those plans and of the proposed structure?

The Hon. J.C. BANNON: I assure the honourable member, as I have assured other honourable members who have raised it and will assure honourable members who will raise it in the course of these Committee proceedings, that all the appropriate measures in relation to fire safety are of the highest standard. We are not just talking about safety of citizens of Adelaide and standards we would expect here; we are talking about bringing convention delegates from overseas from international destinations. I assure the honourable member that the appropriate mechanisms will be used. If it is the Fire Safety Committee it will be that committee; if it is not it will be whatever other consultants, experts or whatever are needed. They will be of the highest calibre, offering the greatest depth of information and advice. The construction will be to the standards that are necessary for what we will be able to boast of in Adelaide, an international class facility—not Whisky au Go-Go, I assure the member. It will be an international first class convention facility.

Mr OLSEN: I move:

Page 2, after line 31—Insert new subsection as follows:

(4a) Within six sitting days after the Minister grants or varies any exemption referred to in subsection (3) or varies the condition to which such an exemption is subject, he shall cause to be laid before each House of Parliament a written statement—

(a) the nature and extent of the exemption;

(b) the person for whose benefit the exemption will operate;

(c) the conditions (if any) to which the exemption is subject;

(d) his reasons for granting or varying the exemption or the condition.

I do not think the amendment needs much elaboration. The Opposition has clearly indicated its concern that there are exemptions under the Act and that provisions of the Building Act will be exempted, as they relate to this project—a fast track. I concur in sentiments expressed by a number of members on this side that fast track approval can be obtained without giving total exemption from the Building Act.

This amendment would give the capacity for any exemptions given by the Minister of Public Works to facilitate the Premier's concept of fast track to be reported to the Parliament. I assure the Premier that his concept of fast track is different from ours. But to facilitate that fast track we do not intend to oppose any clause in this Bill, but we want to amend the Bill so that the Minister of Public Works has a responsibility, indeed accountability to the Parliament, for exemptions from an Act of Parliament—that is that he should report within six sitting days after an exemption has been given the nature and extent of that exemption, the person who will surely benefit from that, the conditions of the exemption and his reasons for granting or varying the exemption or the condition in the legislation. The matter is self explanatory. I believe it is a reasonable request of the Opposition that this amendment should be placed in the Bill before the Committee, because it brings accountability

in the end result back to Parliament and maintains that without interfering with the Premier's concept of fast track approvals. I stress that we will not interfere with the fast track procedures that the Premier wants to implement for this project. I commend the amendment to the Committee.

The Hon. J.C. BANNON: I do not accept this amendment, nor do I accept the reasoning behind it. As the Leader said, we have explored most of the issues connected with it in the course of this debate. I do not accept the basis on which this amendment has been drafted. We all know the basis, and it is not acceptable to the Government.

The Committee divided on the amendment:

Ayes (20)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Olsen (teller), Oswald, Rodda, Wilson, and Wotton.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon (teller), Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clause 6—'Exemption from certain Acts.'

Mr OLSEN: Under exemptions from taxes, subclauses (2), (3) and (4) allow variations to cut-off dates for those exemptions. The Opposition does not believe that it is desirable not to have a cut-off date. Can the Premier explain why the variations have been included? I believe that the Government ought to know why the exemptions have been granted and for how long? The Bill introduced by the former Government specified maximum periods for exemptions. What is the approximate cost (and I recognise that the Premier cannot have a definitive cost) of the exemptions granted under this clause?

The Hon. J.C. BANNON: One should read the second reading explanation in the context of the heads of agreement which point out that certain exemptions apply for a period of time after the opening of the hotel. As the date of the opening of the hotel is not determined yet, we have to provide for it in this way. The assumption is that that shall date from July 1986, but a variation of that time is allowed for on the basis that the opening is at some other time, and immediately the hotel is officially opened for business then these exemptions apply.

As to the cost, I cannot provide the Committee with estimates, bearing in mind, of course, that without the existence of this development none of these imposts would be payable in any way. Therefore, these are things that we would not be collecting without the development in any case. Of course, once the expiry time has occurred then it will be collected and the level at which it will be collected will depend on the values at the time at which that operates. However, I refer the Leader to the heads of agreement document to see a further explanation of that time.

Progress reported; Committee to sit again.

The Hon. J.C. BANNON (Premier and Treasurer): I move:

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

Motion carried.

ADELAIDE RAILWAY STATION DEVELOPMENT BILL

Adjourned debate in Committee (resumed on motion).

Mr OLSEN: In relation to the principles of agreement to which he has just referred, can the Premier say whether the agreement guarantees that the project will proceed? In his letter to me dated 29 March, the Premier said that the principles of agreement allowed detailed design work to proceed, but further documentation would be needed before actual construction commenced. When will that further documentation be prepared and signed, and is there an absolute guarantee in the contract that is not legally enforceable? I am taking some licence, where the Chair stated that we reserve the questions in regard to clauses 2 and 3. I am attempting to get in questions in relation to those clauses; we could not ask them earlier as they relate to the principles of agreement in the broader sense, relating it to clause 6, which the Premier has mentioned under exemptions, and the like, which is encompassed in the principles of agreement. Do the principles of agreement or does any subsequent documentation that has been tabled and has flowed backwards and forward since the heads of agreement were signed guarantee that the project will proceed? I refer to the Premier's letter to me. When will that further documentation be prepared and signed?

The Hon. J.C. BANNON: It is in the course of preparation. I might explain to the Leader that documentation in regard to projects of this size and nature is very extensive. A number of parties are involved. There are leases, subleases, and specific contracts in terms of aspects of the project, so the documentation overall in terms of legal obligations is very detailed and very extensive. The heads of agreement document provides the overview of the whole project; what the parties are contracting to do amongst themselves. It is subject to variation and modification as one moves to the detailed documentation stage, and that is precisely the process that is being undertaken here. As it becomes necessary, detailed contracts will be entered into. For instance, taking the hotel aspect, the hotel operator is determined by the APT, which has entered into an agreement with the hotel operator. That involves a separate list of principles, heads of agreement, detailed contracts, and so on. That work is being undertaken at the moment.

Mr OLSEN: The Premier was unable to indicate the extent of the exemption to be provided under this clause and the cost to the taxpayer of providing exemptions from certain Acts. I remind the Premier that when legislation on the Hilton Hotel in Victoria Square was going through Parliament the response from the then Premier to a question he asked as Leader of the Opposition was that $5 million would be the cost of exemptions granted under that legislation. That is in *Hansard.* However, the Premier has been unable to indicate to the House the approximate level of exemptions that have been granted in relation to leasing arrangements. I also want some information involving the property trust. In relation to the sub-lease that the Government will take from the ASER Property Trust for the car park and convention centre, will the Premierier say what will be the capital costs of the Government's liability? He has indicated that it will be $1 million in 1986 terms. On what terms have the Government's liability costs been calculated?

The Hon. J.C. BANNON: I cannot give an exact figure in regard to capital cost because that will depend on the nature of the convention centre. I referred to size and use when I was talking about the convention centre earlier. I point out that, particularly following Mr Leigler's visit, certain design principles are being introduced into the convention centre which will enable it to be used for other purposes. That may involve an increase in capital outlay in order to provide those extended facilities. However, that increased expenditure in capital terms will be matched by an increased revenue expectation. To the extent that any extra capital cost is matched by extra revenue, we will be

maintaining the level of exposure of the Government to about the figure mentioned, namely, $1 million.

That is the principle on which design of the facilities is being conducted. Detailed design work is still being undertaken, so the final capital costs are not known. The match of capital as against revenue will provide an exposure that the Government is talking about. I point out also that such underlying guarantees that the Government may give and the residual guarantee at the end of the period specified in the heads of agreement will be secured by assets which are vastly in excess of the actual exposure of the Government.

Mr OLSEN: I refer to arrangements for repayment of loans to be provided by the ASER Property Trust, by SASFIT and Kumagai. In answer to question 4 in his letter to me the Premier said:

> The loans from Kumagai are repayable not later than seven years after completion of the development, but will be repaid earlier to the extent that the cash flow of the ASER Trust allows after meeting the payments required to such loans from SASFIT.

Can the Premier say whether this means that the Superannuation Fund Investment Trust has a priority repayment of its loans? The Premier also said in his letter:

> Estimates prepared by Treasury on the basis of preliminary plans indicate that on average projection there would be an outstanding loan of $29 million after seven years covered by the assets of $162 million.

Will the Premier clarify whether it is $25 million or $29 million? We have been provided with two figures. Further, will the Premier indicate to the Committee what arrangements the Government envisages for refinancing the outstanding amount of Kumagai's loan at that stage?

The Hon. J.C. BANNON: Obviously, the Trust will have first call on the Government but, as was pointed out, if there is the sort of cash flow that could be envisaged (and, looking at our exposure, we are making a pessimistic projection, if you like) obviously it could be repaid more rapidly. We are currently using a figure of $29 million, and not $25 million, although that was the figure mentioned earlier. How it will be refinanced at the end of the time, that will depend upon circumstances. When one looks at the estimated net worth of the asset and the income generation of the asset, one realises that there will be no problem in refinancing it. It could be done directly by the Government through the South Australian Government Financing Authority, for instance, or it could be put out again on a private lease-back arrangement. Whatever arrangement is determined at that time, it will be done on the basis of getting the best terms and conditions and interest that is available. As that is still some way down the track, and because we do not know the amount, no decision will be made in advance on that point.

Mr LEWIS: I want to understand the revenue base that the Government believes it has, from which it will derive that revenue. In some part I understand that it will come from the betting tax on the stakes in the casino, but clause 6 provides that it will be possible for the buiness conducted in the proposed development to be exempt from water and sewerage rates, local government rates, land tax, and any stamp duties. What are the direct sources of revenue that the Government expects to obtain from the proposed development to service its indebtedness and to make it possible for Parliament to provide guarantees to the principles of agreement?

The Hon. J.C. BANNON: First, I want to clarify an answer that I gave the Leader of the Opposition concerning the amount of $29 million and refinancing the loan. In fact, the basic responsibility does not lie with the Government. We are standing guarantor of the loan: the responsibility lies with the ASER Property Trust. The Government will be involved only if there is some default. I am simply pointing out that in that regard there is no problem as far as the Government is concerned, based on the security of assets. Equally, it would be most surprising if the ASER Property Trust was not able to provide the refinancing at that time.

In regard to the member for Mallee's question, the casino costs and cash flow benefits, and so on, are not included in this calculation in the aspect that the Leader of the Opposition was talking about. That matter is separate. Where the Government derives its revenue will be from the leasing arrangements from the commercial elements: one will be the car park and another the convention centre. Also there will be the office block leasing arrangements to the extent that the Government itself is taking up rental accommodation. One must set off the costs of that against costs that would have been incurred by the Government, anyway, and so I think we can set that matter to one side.

Mr Lewis: There are cost savings?

The Hon. J.C. BANNON: Yes, and there is the *quid pro quo*, so where the Government is exposed is in connection with the car park and convention centre. If they do not get the maximum amount anticipated, and there is a shortfall in terms of revenue to expenditure, the Government must make up the balance, just as it provides an annual subsidy to the Adelaide Festival Centre Trust. Some of its activities it is required to fund itself, but the Government also picks up a deficiency each year which is its grant or subsidy to the Festival Centre Trust to see it operating. It is anticipated that there will be a deficit, on some projections, on the operation of the convention centre car park complex, and that is where this figure of about $1 million comes in.

The Hon. MICHAEL WILSON: I assume that the Government will appoint an operator of the car park and that there will be no rates holiday of any sort. If the Government appoints an operator, that person will be in competition with other car parks around the city, not only municipal car parks but private enterprise parks as well, and it would be most unfair if an operator were to receive an exemption from rates. Under the Hilton agreement, the rates holidays finish five years after the date of opening of the hotel. Subclause (2) provides:

> An exemption under subsection (1) *(a), (b)* or *(c)* shall expire before the first day of July, 1991—

which is five years from the opening date in 1986—

> or such other date as may be agreed between the State and the other parties concerned.

The Premier has explained that it is not possible to give the exact date of opening at this stage and therefore the date 1991 may be applicable. Can the Premier guarantee that it is five years that is talked about, rather than leave it open-ended as it is in the clause?

The Hon. J.C. BANNON: The method of operating the car park has not been determined but it will be intended to be a commercial operation. The Government wants to try to make some money on it. It will be in competition with other car parks but by its location and nature the facility will be of a size which is geared to the usage of that hotel. I doubt that there will be a great deal of surplus car-parking space to turn it into some form of general car park. There will be enough activity generated on site to see that car park fairly well occupied for most of the period it is open.

Concerning the other question, that clause must be read in conjunction with the heads of agreement. It is the intention that it be confined to the time after the period of opening that is laid down in the heads of agreement. The reason for it not being included in the Bill is that the Parliamentary Counsel found it impossible to draft a clause that would achieve that properly, in terms of defining what is the official opening of a hotel.

The Hon. Michael Wilson: But you can give an assurance?

The Hon. J.C. BANNON: The assurance is, yes, it is for that term as laid down.

Mr LEWIS: The expenditure involved to the State of South Australia will exceed the revenue derived by $1 million per year. Is that what the Premier anticipates in a direct cash flow context relevant to this development and the operation of its aspects that will generate income for the Government?

The Hon. J.C. BANNON: That is in terms of the actual income and expenditure involved in that operation. However, if one looks at a total benefit of the operation to the Government one must take into account all the other increments that the Government will receive, for instance, payroll tax, because of the employment generated by the project. It will immediately start to undercut and in fact take over any kind of subsidy that the Government is required to make for those two facilities. In the actual cost to the taxpayer, one does not look at the convention centre car park and say that the taxpayer is giving a $1 million subsidy to that centre: one must look at the whole complex (it would not exist without a convention centre) and the income derived from the other taxes and charges levied as a result of that activity, and set that off against the $1 million. In terms of net value to the taxpayer and the community of South Australia, as well as the business men, there is a very substantial profit involved in the overall operation.

Mr LEWIS: I have reservations about the Premier's optimism. Nonetheless, on balance, I would like to know whether the Premier has estimated the rent saving on the facilities which the Government would otherwise have had to find and which will be located within the precincts of the development. How much does the Premier estimate that the Government will save?

The Hon. J.C. BANNON: The overall result will come out in balance, because an equivalent rental will be paid similar to other rental premises in the city. One must double the size that the Government is taking of the rental space in the office block, and there are private businesses occupying it, which in turn generates revenue to the Government. In terms of Government usage of buildings at that centre, the cost can be balanced off, and it would probably come out in a roughly equal balance between the cost of similar accommodation in other parts of the city, or the Government having to build and occupy its own building.

Clause passed.

Clause 7—'Access to development site.'

Mr OLSEN: This clause involves the Adelaide City Council, and in his second reading explanation the Premier said that the question of exemption of council rates had been discussed with the Lord Mayor. Will the Premier say whether the Lord Mayor agreed with the exemption, and can he indicate whether the full council has agreed with that concept?

The Hon. J.C. BANNON: Originally, it was intended to say that the City Council had been made aware of this or had agreed, but technically that is not true, hence the reference in the second reading explanation. The Lord Mayor is not authorised by council to say whether she agrees or disagrees; she certainly supports this project strongly, indeed, as I am sure do members of the council. However, in relation to this particular aspect, bear in mind that the council is not suffering in any way. For instance, when speaking to an earlier clause we talked about rates. Obviously, if the site remains as it is, in STA hands, no rates are payable. In fact, a rate holiday is provided in the early stages of the development, but once it is in full swing there is immediate rate revenue, and therefore benefits to the city. In relation to these areas we are simply talking about access for purposes of development. I doubt that the council will have any problems here—access will be granted only to the extent it is needed and, obviously, restoration and restitution for any damage will be made.

The Hon. MICHAEL WILSON: I have a question similar to the one that I asked about the last clause. I refer to subclause (4) of clause 7, which states that any of the rights of access or occupation conferred pursuant to that section shall cease to operate after the completion of the proposed development. I am a year or two out of date, but as I understood that there was a proposed second stage of the development which could go on well beyond 1991. Therefore, it could well be that the corporation could be denied access to municipal property for some time. It is not specified. Will the Premier say whether or not he is prepared, at this stage, to give an undertaking that as far as he is concerned the completion date of the proposed development will be the opening of the hotel, or some other appropriate event that will signal completion of the project? There must be some fulcrum that we can look at for that purpose.

The Hon. J.C. BANNON: I refer the honourable member to the definition clause, which states that 'the proposed development' means the development of the development site in accordance with the development plan. The 'development plan', in turn, is a plan promulgated by regulation for the development of the site as provided under clause 8. That plan will be promulgated by regulation once established, that is, the proposed development as described. If there are any further stages then they will have to be separately negotiated and provided for.

The Hon. Michael Wilson: Will you give that undertaking?

The Hon. J.C. BANNON: We are talking about the development site as provided under clause 8. The regulations under this clause will represent the development and the scope.

Clause passed.

Clause 8, schedule and title passed.

The Hon. J.C. BANNON (Premier and Treasurer): I move:

That this Bill be now read a third time.

Mr OLSEN (Leader of the Opposition): I will not detain the House long, but merely make one or two points. The discussion in relation to this Bill has been somewhat protracted, I believe unnecessarily in some respects. On three occasions, 20 March being the last, the Premier, when I asked a number of questions about this proposal, said that the legislation would be brought into this House along with an enabling Bill covering the ASER development and that all these matters would be placed before the Parliament and debated in their entirety. We had great difficulty in obtaining answers to our legitimate questions in relation to the heads of agreement. The Bill before the House is enabling legislation. The real bones of this legislation are the heads of agreement, which had subsequently been amended and to which the Premier has referred.

I want to make clear to the House that the Opposition supports this legislation but is concerned about a number of aspects of the heads of agreements signed in Tokyo. It has only been through consistent and persistent questioning that we have got some (and by no means all) of the answers to the questions that we put. I believe that the Opposition in this place, when matters relate to a project of this nature, has a responsibility and an obligation to the people of this State to pose legitimate questions to the Government of the day and to expect in response from that Government reasonable answers.

I think that it is fair to say that in the early stages of the passage of this legislation through Committee there was some difficulty with that because of the interpretation by

the Chairman in relation to questioning on the clauses. However, after dinner, with a relaxation as it related to clause 6 so it could be expanded to take in the heads of agreement, in the past hour or so we started to make some inroads with responses to specific questions about this matter. I put on record that the Opposition supports this project for the reasons enunciated in my second reading speech. It will be an important project for this State, provided its commercial viability can be clearly demonstrated and those questions asked by the Opposition in showing its genuine concern about the heads of agreement and the incompleteness of the contracts being entered into are answered. It is concerning that the principles of agreement is not a legally enforceable document—that is just one aspect.

The Hon. J.C. Bannon: They are enforceable.

Mr OLSEN: The fact sheet issued by the Premier earlier today acknowledges they are not—that is the one distributed to the media.

The Hon. J.C. Bannon interjecting:

The SPEAKER: Order! The rules of the third reading debate are very circumscribed.

Mr OLSEN: Thank you, Mr Speaker. The point has been made, so I will not continue this discussion. I trust that, after this project passes through the Parliament, some of the questions we have put on notice to the Premier and the people responsible for the project will be taken on board and that consideration will be given to the points we have raised. I trust that this project will get up and be a commerciably viable one that will be a significant boost and great asset to this State.

Bill read a third time and passed.

REGIONAL CULTURAL CENTRES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 March. Page 2935.)

The Hon. D.C. WOTTON (Murray): The Opposition supports this important legislation. It is not my intention to take much time of this House on this matter. My colleague in another place, the shadow Minister for the Arts, the Hon. Mr Hill, will have much to say on this legislation when it reaches the Council. The purpose of the Bill is to help achieve what is described in the Premier's second reading explanation as a 'long term objective'. That long term objective is that each trust be given responsibilty to provide for the overall cultural needs of the community served by it.

Of course, that is why these trusts were set up some time ago and why they were so strongly supported by the then Minister for the Arts, Mr Hill. The principal Act presently focuses on the centre in relation to which a trust is established. This Bill really means that the focus can be widened. Each trust will be required to consider the overall needs of the region it serves. As a result, there will be a greater appreciation of the arts throughout the community, while a venue within which the arts may be enjoyed will be maintained.

Of course, as a direct result of the financial assistance provided by the previous Liberal Government we have excellent venues to facilitate the various art forms to be presented to the community. The Bill requires that at least six of the trustees who are appointed (and I am pleased to see that the Bill does not expand the trust or increase the number of trustees) be resident within the region served by the trust. That is important, because it will ensure adequate representation within each region. Of course, that was the aim when these trusts were set up.

The Bill also provides for a widening of the powers of each trust to encourage the development and appreciation of the arts within the community served by it. I know from personal experience that this is happening. There has been a considerable revival in the areas where these trusts have been established—in Mount Gambier, Port Pirie, Renmark and Whyalla. The opportunity has also been taken in this legislation to transfer provisions dealing with the budget, accounts and annual reports from regulations into the principal Act. I am sure that that is seen to be necessary as well.

This Bill really is a machinery matter. I am sure it will be welcomed by those who are involved in the trust. Under the Act four regions were designated in the State and trusts were established in respect of each region, the purpose of each trust being to provide a venue for the performing arts within its own region. I have already described how that is happening. At the same time the trusts, together with the Arts Council and the Department for the Arts, have formulated regional arts policies. I know that there has been a local input into those policies in each of the areas covered by the trusts.

As I said earlier, the long term objective of each trust is to provide for the overall cultural needs of the community served by it. I repeat, this is a machinery matter. The Opposition supports the legislation. In doing so, we wish the trusts well in the important work which is part of their responsibility.

The Hon. J.D. WRIGHT (Deputy Premier): The Opposition has indicated clearly its support for this legislation, so I will not delay the House any longer. We have had a long debate and I do not think that the honourable member would appreciate my getting into full flight at this stage. But, if he wants me to, I certainly will. It is very much dependent on what he requires me to do. On this occasion, I think we will simply thank the Opposition.

The Hon. D.C. Wotton: You will be able to answer the technical points in Committee?

The Hon. J.D. WRIGHT: Certainly I would do that. I would answer any technical questions from the honourable member. I have been a long time in this House and he has not yet asked me any technical questions, but if the honourable member has some technical questions, I am sure that someone on this side, more particularly the Premier when he comes back, will be able to answer them. On this occasion only I commend the Opposition for its genuine support and short submission in relation to the Bill. It is a pity it did not deal with the last Bill in the same manner, so that the House could be seen in a much better light. I accept the Opposition's support on this occasion.

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

CONTROLLED SUBSTANCES BILL

Received from the Legislative Council and read a first time.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2), 1984

Adjourned debate on second reading.

(Continued from 3 April. Page 3152.)

The Hon. MICHAEL WILSON (Torrens): I am almost attempted to repeat my trick of last night and seek leave to continue my remarks, but I do not know that the Minister would be so helpful tonight—perhaps I will not.

Mr Ferguson: Try it.

The Hon. MICHAEL WILSON: No, I do not think I will tonight, because I want to represent to this House the views of the local government bodies in the District of Torrens, which will give me very great pleasure. While the Deputy Premier is here I will say that, although I look after two wards of the Adelaide City Council at this stage and the Deputy Premier looks after the remainder, after the next State election I believe I will be looking after all the wards of the Adelaide City Council. It is with great pleasure that I look forward to representing the whole area.

The SPEAKER: Order! When the floating conversation has finished I hope that the honourable member will get back to the Bill.

The Hon. MICHAEL WILSON: It is about local government, Mr Speaker.

Members interjecting:

The Hon. MICHAEL WILSON: He tried before and he fought a very vigorous campaign, but he really did not make a dent.

Members interjecting:

The SPEAKER: Order! Interjections are out of order. In any event, that is irrelevant.

The Hon. MICHAEL WILSON: Thank you, Mr Speaker, for your guidance, which I always appreciate. At the outset I wish to pay a tribute to the tremendous speech made by the member for Light in this debate. It was a very comprehensive speech indeed and showed the tremendous amount of work that the honourable member has put in on this legislation. Indeed, we in this Party are very fortunate that the member for Light will be the next Minister of Local Government. I want to address my remarks to only four very controversial matters in the Bill and the Minister is well aware of what they are. They are: the register of interests, the voting system, meetings after 5 p.m., and terms of office for councillors. I will not detain the House for very long: I will merely outline the opinion of the local governing bodies in the District of Torrens, which I have consulted on this matter.

First, in dealing with the register of interests, I will quote from the submission of the Adelaide City Council which was sent to me (and to most members I believe) by the Lord Mayor. I commend the Lord Mayor and the council on the presentation of their case: it is excellent. I have known the Lord Mayor for some time: she is one of my constituents, and it is nothing less than I would expect of her. The Adelaide City Council's submission on the register of interests is quite explicit, but I will quote only two paragraphs as follows:

> The Corporation of the City of Adelaide strongly supports the concept of declaration of pecuniary interests, and believes a register should be kept of members' interests where they directly relate to areas of council activity. Information from this register should be available to members of the public only after the written approval of the Minister of Local Government had been obtained.
>
> In all other Australian States, records of pecuniary interests are kept in this manner, that is, only for matters directly related to areas of council activity. None of this information is available for unrestricted public access.

That at least differs from the other submissions of councils in my electorate, which are totally opposed to a register of interests for local government. My own feeling is that a register of interests for local government is completely unnecessary and I will back that up with evidence from the other councils. The Prospect council's submission states:

> Council is totally opposed to any form of a register of interests for elected members of local government who give their services to the community on a voluntary basis. The number of instances where members with an undeclared interest have persuaded a council to make a decision to their personal benefit would be so few that the measure can only be described as a 'sledge hammer to crack a nut.'

That opinion is mirrored in the other submissions I have received from the Walkerville and Enfield councils. I will not quote them at length, but the Walkerville council's submission states:

> Public access to the register of interests is opposed as it is seen to be an invasion of members' privacy and will certainly deter people from becoming members of council. It is suggested that the Ombudsman be empowered to investigate incidents of conflict of interest if and when they arise.

The Enfield council is quite definite about it and states the following:

> My council desires that this part be removed from the Bill, as the council is totally opposed to the proposed register.

In regard to the voting system, the Adelaide City Council's submission, with which I have a great deal of affinity, states:

> The introduction of preferential voting is not suitable in the local government sphere. Preferential voting is effective where all seats are contested by a number of candidates. Often council positions are contested by two or less candidates. Under a preferential system, local government electors may be denied the full opportunity to exercise their vote in a multi-office election. This is because the second vote on papers in the majority bundle may not be taken into account.
>
> Technically, preferential voting is a more difficult system to understand and implement. Its introduction would result in unnecessary delays in counting and hence delays in the announcement of results. Additional expenditure may be incurred owing to increased counting time.

The Walkerville council was very adamant in its submission, which stated:

> The optional preferential voting system be deleted as it is believed that it would result in Party politics being introduced to local government.

I interpolate here. The Minister knows very well that the invasion of Party politics into local government is being voiced around the community, and that is a real fear of the people out there. The submission continues:

> The optional preferential system would also increase the administration and expense of elections. It is suggested that the existing first past the post system be retained.

In regard to meetings after 5 p.m., the Walkerville council's opinion is also very brief, and it states:

> Council opposes the inclusion of commencement times for council meetings and council committee meetings in the Local Government Act as this matter should be entirely at the discretion of the individual councils.

What could be more reasonable than that? Leave it to the people who have to do the job. Of course, we are dealing with a censureless Government and we must remember that. However, why not leave these decisions at the local level? What is local government but the level of government which is closest to the community? The Enfield council states that it is totally opposed to commencement times of council meetings and council committee meetings being prescribed in the Act—a simple statement of fact. The Prospect council stated that it is prepared to go along with the view of the Local Government Association on the matter, and the Minister well knows that. The Adelaide City Council has a rather interesting comment to make on this, and I have much affinity with what it says, because it speaks of family life. The submission states:

> Night meetings generally discriminate against family life while in rural areas, day meetings may be impossible. If council meeting times are not suitable for an individual electorate, then that electorate should have the ability to express its opinion at the poll. Enactment of the proposed legislation would deny voters this opportunity. As an example, compulsory meetings after 5 p.m. for the Adelaide City Council would result in:
>
> loss of interaction between members and administration;
> less productive decision-making time being available;
> increased costs associated with administration servicing of 'after-hours' meetings and additional security requirements;
> additional commitment of members' time and disruption to their family life; and
> limitation of potential candidates, for example, parents of young children.

The comments made by councils within the electorate of Torrens are succinct and put the case quite well. In regard to the matter of terms of office, the Walkerville council expressed the following view:

> The concept whereby the membership of a council is elected on an all in all out basis is totally opposed by council. It is essential that the system of retirement of members allows for a carry over of experience as the existing system does, with half the council retiring at any one time.

The Prospect council's opinion is expressed as follows:

> The council is strongly of the opinion that only half the members of council should retire every general election. Four-year terms of office are preferred, but no strong objection is held to three-year terms, although it is realised that this will entail an election every 18 months.

That council is not opposed quite as strongly to the proposal as are the others. The Enfield council does not have a strong conviction on this issue. But the Adelaide City Council put forward the concept of a four-year term as well as an election every two years for half the council with the Lord Mayoral election being held every two years. I believe that that would be a very reasonable situation, and it is one that the member for Light canvassed at some length. I shall conclude my remarks by referring to comments made on this matter in the Adelaide City Council's submission, as follows:

> The Bill proposes that all members of local government serve a three-year term, and that the full council retire simultaneously. The Corporation of the City of Adelaide believes that the specific needs of local government would be better served by members serving a four-year term with half the full council and the Lord Mayor, Mayor or Chairman retiring at biennial elections.
>
> Under the legislation before Parliament, the elector must wait for three years before being able to exercise his or her democratic right. A biennial election allows voters to voice an opinion on the majority of the council through the polls more frequently. A set three-year term introduces the risk of losing a large number of experienced members at one time.

I certainly concur with that. It continues:

> Local government cannot afford such a possible loss of experienced members. Four-year terms with biennial elections would give local government the necessary stability, balanced with a reasonable opportunity for change. There is a trend for longer-term government at all levels, and a four-year term is in line with this thinking. The position of Lord Mayor, Mayor or Chairman is time consuming and requires the input of a most dedicated member. Under the proposal before Parliament, the leaders of local government would be committed to three years of total dedication. With a two-year term, the leaders of local government can look forward to a period of concentrated effort.

If it is good enough for Parliaments in Australia to move to four-year terms (and I believe that it is inevitable that that will occur over the next few years), it is good enough for local government, especially as it takes the view that the council elections should be biennial, with half the membership going out each two years and with the Lord Mayoral, Mayoral or Chairman elections being conducted every two years. I think that that is fair and reasonable, and I support that position very strongly.

The Hon. JENNIFER ADAMSON (Coles): I support the Bill but with the qualifications that have been expressed by my colleagues, notably by the member for Light in his detailed analysis of the Bill. I certainly pay a tribute to the Ministers who have attempted over a period of successive Governments to bring this Bill to fruition, and particularly to my colleague the Hon. Murray Hill, who I believe was very wise in his recognition of the fact that whilst he as a Minister held a philosophical view on certain issues (just as strongly as does the present Minister) it is wrong for one sphere of government to impose its will upon another sphere of government when it resists the imposition. That is certainly the case with certain aspects of this Bill.

As has been said, the member for Light has engaged in extensive—what one might call a painstaking process of—consultation, and with his colleagues I believe he has obtained the views of every local government body in South Australia.

The Hon. Michael Wilson: And all in tabulated form.

The Hon. JENNIFER ADAMSON: Yes. I want to express a view on behalf of the Campbelltown council, about half of which falls in my electorate. A small portion of the Burnside council falls within my present electorate, but the majority of that council is covered by electorates of the members for Bragg and Davenport. Since my election I have always had a happy relationship with the Campbelltown council: it is a council that has always been well led and well administered, and I am in sympathy with its attitude towards this Bill.

I believe that I can fairly represent the attitudes of that council on this legislation, because, in the main, they coincide with those of the Liberal Party. However, there is one area of difference (although it is not a strong difference) in terms of the provision for optional preferential voting, although the Campbelltown council is not strongly opposed to this proposal. Neither am I, because the Liberal Party, using its philosophical basis, principles and platform, would normally support the principle of preferential voting. However, the majority of local government bodies have strongly opposed this and seek to retain the present system of first past the post voting and, on the basis that it is not our role to impose a system of voting on a sphere of government unwilling to accept it, we believe that the first past the post voting system should be maintained.

The Campbelltown council supports the provision for a four-year/biennial election. It does not support the provision in this Bill which, in its unamended form, will require all councillors to retire and face re-election after three years. That could certainly result in unhappy political consequences and undue politicisation of local government. The Campbelltown council likewise opposes the notion that it should be directed as to its meeting times, and it opposes the concept of a public register of interest. As I have said on previous occasions, whilst the concept of a register of interest is not abhorrent to me (in fact, I believe there should be some form of accountability), the notion that it should be made public is abhorrent to me.

Further, I believe that it is dangerous in so far as it creates an illusion of probity. Last week I heard Jim Killen speak on the illusion of liberty, where he maintained that declaration of rights creates an illusion of liberty. Similarly, I believe that a declaration of interests creates an illusion of probity, without necessarily altering the realities of integrity or otherwise of the people who have declared their interests. Like most metropolitan councils, the Campbelltown council does not oppose the payment of an allowance or sitting fee, but it does support the power to decline both a sitting fee ffianexpenses. The present Bill makes no provision for a council member to decline expenses, and the Campelltown council believes that that provision should be embodied in the legislation.

The whole purpose of this Bill, which is the forerunner to others, is to update the Statute to enable local government to manage its affairs in a manner that is appropriate in modern times, and not to be saddled with outmoded legislation, which has been the case for some decades now. One of the aspects of management which local government will be increasingly faced with, both in South Australia and throughout Australia, is tourism, and I am pleased that the Minister of Local Government is also Minister of Tourism.

The Hon. G.F. Keneally interjecting:

The Hon. JENNIFER ADAMSON: Of course I am hoping that the Minister's reign is short lived, and I am expecting that it will be, but I can see in this instance a happy marriage of portfolios, and I would like to refer to them for the purposes of this Bill. I shall do so by making reference to

what I consider to be a rather sad outcome of this Bill, although a necessary one, and that is the removal of the words 'Town Clerk' from the Statute. I realise the reasons for it, and no-one will oppose it, but it is a passage of history which can only be regretted by those who have a sense of history.

For the benefit of the Minister on the front bench, because this anecdote relates both to local government and to tourism, I would like to draw his attention to the fact that the first known reference to the office of Town Clerk that I have been able to establish, with the assistance of the Town Clerk of Campbelltown, is a reference in the Bible, chapter 19 of Acts, verse 35, which makes reference to the Town Clerk who, after quieting the crowd, dismissed them. The background to that situation came about because when Paul went to visit Ephesus, in what we know now as Turkey, he was spreading Christianity, and one leading citizen of the town (which was in fact a tourist centre because it was a shrine for those who wished to worship at the temple of the Goddess Artemis) named Demetrius made silver models of this temple.

The Hon. J.W. Slater: He was a gladiator.

The Hon. JENNIFER ADAMSON: No, he was a model maker; he sold many souvenirs, and he saw a threat to his business if the citizens of Ephesus should become believers and consequently cast out false idols. He got the workers at his factory together, and he stirred them up to the point where they were protesting at the prospect of St Paul converting any of the population, and it is interesting to read from Acts, chapter 19, verses 23 to 35:

> Meanwhile the whole meeting was in an uproar: some people were shouting one thing, others were shouting something else, because most of them did not even know why they had come together.

Mr Morrisey makes an allusion in his speech on this subject to this sounding to be a familiar situation. At last, the Town Clerk was able to calm the crowd and, after making some fairly wise statements, he dismissed the meeting. So, from 1900 or so years ago there is that reference to the Town Clerk. We now come, with some regret I must admit on my part, to the stage where the words 'Town Clerk' for a variety of reasons are no longer to be seen in the Statute, although I am sure it will retain its position in common usage among councils.

To pursue the question of tourism, I would like to quote from a speech delivered by the Lord Mayor of Adelaide, as Chairman of the Tourism Industry Council, to the Local Government Association conference last week. She made the very strong points that local government has an important role to play in the expansion of the tourist industry, in determining the directions of expansion and in not only ensuring the successful impact of the industry but also ensuring that the community as a whole benefits from such expansion. She went on to point out that local government plays a very important role as a planning authority with regard to tourist projects. If unnecessary delays are experienced, costs of projects may rise beyond the reach of the developer, financiers may not be prepared to wait for the bureaucratic nonsense, as it is often termed, and someone may use the idea somewhere else, which could render a proposal non viable.

The Lord Mayor's view reflects the view of a number of developers who have found that costs have escalated because of the time that local government can take to come to decisions regarding planning. There is little awareness at local government level of the impact of that slow decision upon the cost of tourist projects. I therefore welcome any moves to make local government more aware of the impact of its decision making upon tourism, and indeed on any other kind of development, because I feel that once there is a sensitive awareness of the impact of those decisions they will be taken probably with greater speed but with I am sure no less deliberation and also in such a way as to enhance the amenity of local government areas and to ensure appropriate development.

The Lord Mayor made reference to the need for local government to be aware of the financial assistance which is available from the State Government for tourism development. I would say, and I am sure the Minister would agree with me, that such assistance is pitifully small in terms of the need, and a way must be found to overcome that deficiency. The Lord Mayor went on to make the point that local government should be looking at providing incentives to attract suitable projects and developments such as rate rebates, rate holidays, assistance with works involved with attractions and roads to service scenic locations or specific spots. One local government area I can think of that is very much involved in such a process at the moment is Port Lincoln, with the Porter Bay marina. There are others but I think none to a greater degree at the moment except for the Adelaide City Council, by force almost, as a result of the Bill that has just been debated involving the ASER project. However, an awareness needs to be generated among local government.

This legislation in so far as it streamlines management procedures should be of considerable assistance to local government in terms of its capacity to assist in tourism development. However, there is a long way to go, and the working party of the Local Government Association which reported on tourism in January 1982 came to some conclusions which were depressing, to say the least. I recognise that two years has passed since a report was released, 2½ years having passed since the surveys were sent out, and that there could well have been a considerable change of attitude. Nevertheless, it is concerning to learn that only slightly more than half of South Australia's local government bodies considered tourism to be of benefit to their region at the time of this survey.

At the same time, tourism was not considered to exert major impacts on business activity, although in some regions it was considered to be fairly significant; 16 per cent of all respondents considered that tourism had no impact on their retail business, with Adelaide local governments bodies foremost in this belief. Yet, of the $720 million spent by visitors to South Australia in 1981-82, $420 million, as I recall of that total, was spent in the Adelaide metropolitan area, not the City of Adelaide but the greater Adelaide metropolitan area.

The impact on retail business in local government areas is obvious and is obviously profound. There is an urgent need to see that that impact is understood and appreciated by local government. To that extent, my colleagues the members for Davenport and Bragg and I, are organising a seminar at the end of this month for small businesses in the local government areas of Campbelltown and Burnside to heighten awareness of the importance of tourism. The Local Government Association has responded to the need to develop policies in this area by developing what I consider at this stage to be a very simple policy, although a policy of any kind is an advance on none. Its policy manual for 1983-84 was released during Local Government Week and states that local government can promote and assist tourism development in local government areas by: 1. Information; 2. Services; 3. Promotion campaigns; 4. Planning policies; 5. Provision of recreation facilities; and 6. Transport Planning, which assists tourist growth. To that I would add local awareness as a very important factor in determining whether or not a local government facility will, in fact, be effective in its plan to promote and develop tourism.

That policy manual goes on to say that the Association believes that the tourism capacity of the State is untapped and that local government, State Government and private industry must work together to develop its potential. That, of course, is provided for in the South Australian Tourism Development Plan in which local government is included as a tool to help achieve some of its objectives. In debating much of the legislation that comes before this House I attempt to put the necessary perspective of tourism, because very little legislation that passes through this House does not have an impact, one way or another, on the tourism industry and on tourism development in this State. This Local Government Act Amendment Bill is no exception to that rule because of its goal of streamlining management. I believe that it can only, in that regard, enhance tourism development.

I feel very strongly about attempts to invoke political controversy of a kind that can only damage all local government bodies and, indeed, the State Government, in pursuit of their common goals. No-one disputes the right of an elected Government to express its views and develop its legislation, but alongside that right goes a responsibility to acknowledge the rights and privileges of another sphere of government, albeit that local government is the creature of State Government. For those reasons, the Opposition will be strongly advocating that local government rights be recognised on those contentions to which the members for Light and my other colleagues have referred. We are well aware that local government as a whole would rather see this Bill lost than have imposed upon it the restrictions and impositions that are anathema to elected local government members in South Australia.

Mr BECKER (Hanson): The general consensus today in the community is that local government picks up one's rubbish and repairs roads and footpaths. We know that that is not so. Local government is expected to do so much with so little, yet it is hamstrung by State and Federal Governments. There appears to be a syndrome today in politics that, if it is unpopular, let local government handle it. One has only to go back over the past few years to see what has happened to local government, how its role has changed, and how demands have been made for it to change.

There is now a Dog Control Act. As everyone knows, there is no piece of legislation that has caused more hassles or is causing more difficulties for local government than has this Act. Local government authorities are expected to police it and to act as arbiters in neighbourhood disputes in relation to the activities and behaviour of people's dogs. On many occasions it finds itself in the position of having to take a ratepayer to court. The cost to local councils in such matters can be up to $500, yet the penalty is only $20, so local government is out of pocket, and those out of pocket costs are paid by ratepayers.

Local government is expected to look after air pollution legislation which, as you know, Mr Acting Speaker, could well cost the Henley and Grange Council 6 per cent of its income. There are the Building Act, Health Act, controls over outdoor advertising by various types of businesses, and dozens more areas of responsibility for local government. We expect local government to police that legislation with a minimum amount of income and a minimum number of staff. I think that it is wrong that Federal and State Governments expect any organisation to take on such responsibilities without support. Also, local government is expected to be involved in welfare information services to residents and ratepayers and to generally—

Mr Hamilton: Do a good job.

Mr BECKER: It does an extremely good job. I believe that we are fortunate indeed in this State in the standard and level of local government. I think that it is wrong of us to expect local government to do what we are demanding of it. I believe that no level of government should tell another level of government what to do. In other words, I would find it intolerable if we had the Federal Government telling us how to run the affairs of this State. I know what the situation would be if we tried to tell the Federal Government what it should do and how to go about things, particularly with the El Presidente running the country at the moment, or 'Mr 74 per cent', or whatever he is called. I know that there is no way that the ego-tripping Prime Minister of this country would tolerate any demands from this State Government.

Mr Hamilton interjecting:

Mr BECKER: If the member for Albert Park does not believe that we have an ego-tripping El Presidente running the country, the closest thing to a Fuehrer I have seen for many years, the honourable member is going to get the shock of his life—

The Hon. G.F. KENEALLY: I rise on a point of order, Mr Acting Speaker. The honourable member, in his comments, described the Prime Minister as 'El Presidente—the closest thing to a Fuehrer I've seen in recent years.' I ask whether or not that remark is a reflection on a member of Parliament elsewhere and ought be withdrawn.

The ACTING SPEAKER (Mr Whitten): I cannot ask that that comment be withdrawn, but I ask the member for Hanson to temper his remarks and to return to a more orderly debate. I also ask other members not to interject.

Mr BECKER: The point I was making was that I see parts of this legislation as interfering in another level of government. The community accepts that there are three tiers of Government—Federal, State and local. The two local government authorities within my electorate are the city of West Torrens and the city of Henley and Grange. The city of West Torrens proudly boasts of the lowest council rates in Australia. For years I have supported the attitude and stand of that council and its management. I believe that it is a soundly managed council with a competent and caring staff.

I wrote to that body when the first draft legislation was presented and asked for its comments. I think that His Worship the Mayor, Mr Steve Hamra, summed it up very briefly indeed in a letter he wrote to the Minister of Local Government on 21 November 1983, a copy of which he sent to me. It states:

> In response to your letter dated 28 October 1983, I have to advise that, whilst my council appreciates the opportunity given to consider the proposed draft Bill, the consultation period of 28 days is considered to be impracticable to enable due and proper consideration to be given to the far-reaching changes proposed, and any practical or legal implications that may be involved in its administration, so that this response can be related only to the more important and philosophical proposals that are proposed to be initiated.
>
> Firstly, my council has previously expressed its opposition towards three-year terms with the election of all members; annual allowances for members; all meetings to be open to the public; compulsory meeting times; and any alterations to the present voting system; both to your Department and the Local Government Association and its attitude towards these proposals has not changed.

I know that, having spoken to His Worship the Mayor over the weekend, his council is still quite firmly of that opinion. The West Torrens council has indeed been very fortunate over the years to be served by some excellent local citizens. I am not aware of any councillor who would want an annual allowance. Certainly, I know of their opposition to the three-year term and that they do not want any alteration to the present voting system. That attitude still remains, even though the letter was written on 21 November. It continues:

> In particular, however, my council is unequivocally opposed to the provisions relating to a register of interests with public acces-

sibility and which is considered to be a grave intrusion into the private affairs of members representing the community in a voluntary capacity. The provisions and penalties relating to the declaration of interests are considered to be sufficient safeguard against malpractice so that a register serves no useful purpose other than to subject members to unnecessary indignity in exposing their personal affairs to public scrutiny and which, in itself, may well result in the discouragement of persons standing for office.

With our experience in this House with the register of interests, I again support Mayor Hamra in that statement. I do not think that it has served any purpose whatsoever so far as this Parliament is concerned. I do not recall at this stage any member standing up in a debate and saying that his interests are being affected or that he may have an interest in something.

Members interjecting:

Mr BECKER: I do not recall any member of the present Government stating that. However, I remind the member for Albert Park, who always has a lot to say, that I declared my interest during the Roxby Downs indenture legislation. The letter to the Minister continues:

Specific other matters contained within the proposed Bill to which this council is opposed include deletion of the mandatory provisions relating to a poll for boundary annexations and severances between councils as proposed by the previous Government; also, the inclusion of subcommittees in the definition of council committees which effectively means that all subcommittees must be open to the public and held not earlier than 5 p.m. My council would suggest this latter is totally impracticable, firstly, in that it may not always be possible to give adequate notice to the public and this, quite apart from the oft times confidential nature of their inquiries. Furthermore, this could become quite an onerous undertaking where numerous such meetings were held and in any event, does not recognise that in many instances, during the course of their investigations, subcommittees are required to meet and interview business and professional persons and to make inspections, all or any of which may be impossible to undertake outside normal working hours.

On the very few occasions on which I make representations to the local government authorities in my district I make very clear that I do not want to interfere with the workings of the councils. We have an excellent relationship in that regard, but occasionally I may take an aggrieved ratepayer to the council. The staff, Mayor and councillors have always been prepared to meet the residents or ratepayers at the convenience of the ratepayers. So, the councillors and staff put themselves out.

I believe that to regulate rigidly the hours of local government meetings—whether they be subcommittee meetings, inspections or whatever—would be totally erroneous. This false attitude has obviously been adopted by the present Government. Little thought has been given to it. That would cause hardship for many people within the area. I cannot see the reason for it.

The Henley and Grange council, another local government authority for which I have a tremendous amount of respect, works very hard for the people in its area. It is a much smaller council. We can contrast it with the West Torrens council, which covers quite a large area of the inner western suburbs. Henley and Grange council, on the other hand, is in the western suburbs and a considerable part of its boundary is along the coastline, which would be very expensive to maintain as it is open to the elements. That means, therefore, that Henley and Grange council, because of its smaller size and fewer ratepayers, must be very efficient to be effective. Over the years I believe it has worked very hard to achieve that efficiency. I am very proud of the councillors and staff, as I am certainly proud of what they have achieved for the area. The Town Clerk wrote to me expressing certain points on behalf of the council on 12 December 1983. Representations were to be made to the Local Government Association. Some of these points are excellent and well put. The letter states:

The council contends that this part should be deleted in its entirety. All restrictions necessary are incorporated in earlier sections of the Act, namely the provisions dealing with conflict of interest and disclosure. As members have to declare any conflict of interest and as penalties exist for non-disclosure a register seems superfluous. The council considers that it is already difficult to attract good people to stand as elected members of council and requiring such people to register their interests will not improve the situation. Such a register is considered contrary to the civil liberties of members of council who, it must be remembered, are acting purely in a voluntary capacity.

That has been overlooked by the Government. The role of volunteers within the community in many fields, whether it be welfare, charitable institutions, information, politics or local government, is a very important part of the Australian way of life. I believe that this Government, and some members in particular, is doing all it can to discourage the volunteers. I warn the Government that if it does that it will cost millions and millions of dollars to replace the valuable service of volunteers.

Mr Hamilton: Why don't you have the courage to name those people instead of making broad, sweeping statements?

Mr BECKER: The member for Albert Park makes some ridiculous interjections. I have given a considerable amount of time for some 30 years in a voluntary capacity to the community. Sure, I could have been out earning money or doing something else, but I believe I have a responsibility to put something back into my country. I am grateful to my country for providing opportunities for me, my relatives and my family. I believe that the majority of people in this country feel as I do. As John F. Kennedy said, 'It is not what your country can do for you: it is what you can do for your country,' and John F. Kennedy was a Democrat—the closest I have seen to some of the principles of the Australian Labor Party.

An honourable member interjecting:

Mr BECKER: The honourable member who interjects should remember that the trade union movement in this country would not be where it is today if it had not been for the loyal, dedicated service of hundreds, if not thousands, of volunteers. It exists today because of those volunteers. Some of those people gave everything: they ruined their health for the trade union movement, and they should be recognised.

Mr Hamilton: That's good stuff to have on the record.

Mr BECKER: I fully appreciate what they have done and I am very proud of their role, whether it be in the trade union movement, the Labor Party, the Liberal Party, or anywhere else. I think that the volunteers in this community are the greatest asset that we have, and we should do all we can to encourage and support them. If they wish to give their time to local government we should not hinder them with a register of interests. The representation from the Henley and Grange council continues:

A register may be necessary for members of Parliament where the conflict of interest penalties for breach of trust do not apply. In the event that the Association is unable to secure the omission of Part VIII, this council is of the opinion that any such register should relate to the source only of any financial benefit or income, not the amount thereof and, further, that disclosure should be made only to the Town Clerk so that confidentiality can be maintained.

It must be remembered that this letter was written to me before the Local Government Association had met to put further consideration and representations to the Minister. The letter continues:

Local Government Advisory Commission/Amalgamations: Section 20—

Five members is considered to be too many and it is suggested that the two people nominated by the Minister (one being a person with experience in local government and the other being a person holding office in the Department of Local Government) be combined, reducing total membership to four.

It is considered that the Chairman of the Commission should be nominated by the Local Government Association.

I totally agree with that suggestion. The letter continues:

Section 26—

Subsection (2) provides that an application for referral of a proposal to the Commission may be made to the Minister by the council for the area or 'by 20 per centum or more of the electors for the area or portion'. It is considered that the words 'or portion' should be deleted so that 20 per cent of the electors for the entire area must make application for referral of a proposal.

the moratorium provisions of subsection (5) are a significant improvement on the existing situation; however, it is considered that because of the length of time it is likely to take to process such a proposal a three year moratorium is inadequate. The council considers that a seven year period would be more appropriate and this is consistent with other parts of the Bill, particularly the provisions of Division XI dealing with the periodical review of ward boundaries by councils. Also, if a council becomes aware as a result of a hearing that ratepayers in part of its area are aggrieved because of inadequate drainage or lack of parks and gardens, a three year moratorium gives insufficient time for that council to actually rectify the problem. A seven year term would alleviate this problem.

Subsection (7) provides for hearings of the Commission to be held in public or in private or partially in public and partially in private. It is considered that all hearings should be held in public.

Subsection (9) empowers the Commission to conduct such private inquiries into a proposal as it deems expedient. The council is concerned about the implications of this and, whilst not necessarily opposed to the inclusion of this clause, seeks some clarification.

Subsection (11) provides that where public notice has been given with regard to a proposal the Commission shall not recommend an alternative proposal unless fresh public notice is given or the Commission is satisfied that those who may be affected by the alternative proposal have had opportunity to comment upon it or, alternatively, that the alternative proposal differs from the original in minor respect only. The council considers that 11 *(b)* (1) should be deleted thereby requiring the Commission to readvertise unless the alternative proposal differs from the original in minor respect only.

It is considered that a new clause should be added to provide that differences in the method of assessing property (i.e., land or capital values) or in rating property, or in the levels of rating between adjoining council areas should not serve as the basis for any proposal put to the Commission nor be a matter for consideration by the Commission in making any recommendation. Rating levels can change from year to year and it is not in the interests of the community for council boundaries to be varied solely because electors see some short term advantage in moving from one area to another. This would compel the Commission to look at other aspects such as community of interest.

The Henley and Grange council has had a long history of involvement in disputes with ratepayers because its boundary joins the West Torrens council's boundary, particularly through West Beach and Henley Beach South, and there one finds tremendous differences in the rates. The rates in the Henley and Grange council are at least 100 per cent to 150 per cent higher than are those in the West Torrens council in those two suburbs, so one can imagine, when the council's boundary runs through adjoining properties, that one neighbour will say to another, when comparing their rates, 'Why don't you come and live in West Torrens?' That has been one of the difficulties that the Henley and Grange council has experienced.

There were considerable moves some years ago, at tremendous expense to the council, for suggestions and proposals of amalgamation with other councils, and there was a tremendous fight to save the Henley and Grange council. I do not want to enter into that argument except to say that the Henley and Grange council knows what it is talking about. It has experienced it as far as the metropolitan area is concerned; its suggestions under this legislation do make some sense and reason, and I ask the Minister to consider them. The letter continues:

Section 29—

The council considers that any indicative poll should allow all electors of the area to vote i.e. electors from the whole of the council area not just the area directly affected.

It is also considered that the cost of any such indicative poll should only be borne by a council if the council itself initiates the poll.

Generally speaking, I think that the council concedes that the Government has gone a long way towards overcoming some of the problems apparent in earlier draft Bills and that the new sections dealing with amalgamations and other boundary changes are generally superior to those incorporated in previous draft Bills.

My council will be represented at the meeting to be held on 17 November 1983, but because of the difficulty in debating the complex Bill in such a short period of time, would prefer to make its views known to the Association in writing.

Section 30 (7)—

This subsection provides that no action in defamation lies in respect of the contents of a report written for the purposes of an investigation into deficiencies or irregularities in a council. It is considered that, in the interests of natural justice, this clause should be deleted in its entirety.

Section 32 (2)—

This subsection empowers the Minister to compel councils to follow the directions of the Ombudsman. Strong objection is raised to the inclusion of this clause which appears contrary to one of the principles determined by the Minister as the basis for the Bill, namely, that local government should be more closely modelled on the system of State and Federal Governments. The council has considered the extract from the report of the Ombudsman concerning local government and reproduced in local government bulletin dated October 1983 and finds no justification in his argument that local government should be treated differently to State Government.

Section 35—

The council notes with regret the retention of the *ultra vires* approach to local government legislation.

Section 41 (2)—

The council considers that the words 'charges or fees' in subparagraph (a) should be deleted so that councils can delegate the power to fix charges and fees as is common practice with regard to Town Hall fees and etc. With regard to subsection (2) (f) this clause may need rewording because of the difficulty interpreting the general power of delegation under 'this or any other Act' in conjunction with a council's inability to delegate any 'prescribed power function or duty'. The situation with regard to the Local Government Act itself appears clear enough but it is the relationship of this Act to other Acts such as the Building Act, Planning Act, etc, that may require clarification.

I would like to know what consideration has been given by the Minister's officers to the proposal put forward by the Henley and Grange council. I hope that we get some further response, because I think that the council has done an excellent job in pointing out some of the weaknesses as it preceives them. The letter continues:

Section 46 (1) *(b)*—

The council much prefers the wording in the existing Act (see section 51) rather than the wording in this Bill which may have the unintended side effect of encouraging councillors elected on a ward basis to view themselves as representatives of their ward rather than of the city as a whole. Certainly councillors are elected by the ward but, having been elected, they should represent the city as a whole. Council accepts the proposal that the terms of office for all elected members should be three years with all members retiring simultaneously.

The council endorsed the proposal before it went to the Local Government Association meeting. I am unable to advise the Minister at this stage whether that is still its view. It certainly conflicts with the view of the West Torrens council, and I would have thought that the four-year term would be ideal, with half the council retiring every two years. The council's submission continues:

Section 49—

If, as the Minister indicates, allowances are to be made so that those who are unable to afford to be elected members of council have the opportunity to participate then payment in arrears will not alleviate this problem. The council considers that subsection (5) should be amended to provide for either monthly payments in advance or, quarterly or annual payments in arrears as the Council resolves. With regard to subsection (8) of this section it is considered that it should be amended to preclude any discussion of allowances at meetings of a council or a council committee.

Section 50—

If this section is to be included, then for consistency, the Bill should also require councils to carry public liability and professional indemnity type insurance cover also.

Section 64 (4)—

Reports to the council or a council committee are to be public documents. The council considers that this is not in the best interest of local government as it will tend to discourage full and frank reporting by officers of the council to the council. It is considered that it is only the decisions of councils which have any real interest to the public and making council reports public documents may be detrimental to the interests of the residents. If, for example, the council, as is its right, rejects a report and recommendations concerning a planning matter then the report may be introduced as evidence during any appeal given its intended status as a public document.

Section 66 (5) (6)—

These clauses provide for the appointment of qualified clerks only. It is considered that the qualifications of its officers is a matter best left to the council itself to determine. State and federal governments determine the necessary qualifications for their own officers.

I agree with the sentiments of the Henley and Grange council. Why should local government be interfered with at this level? The submission continues:

Section 67 (3) (4)—

These clauses provide for the appointment of qualified engineers only and again it is considered that the matter of qualifications is best left to the individual council.

Section 124—

The council is concerned that this section may be more restrictive than similar State legislation in that appears to preclude the type of rally where for example a political party organises a barbeque outdoor type picnic attended by the Premier or the Leader of the Opposition with a view to encouraging people to support the party i.e. influencing their vote. To some extent it depends just how this section is interpreted and the council is of the opinion that these provisions should be compatible with comparable State and Federal legislation.

I ask the Minister to refer this matter back to his staff, and I think he should consult with the State Electoral Commissioner in regard to the full meaning and implications of Division X in the Bill concering illegal practices, which refers to 'a person who exercises violence or intimidation or offers or gives a bribe' and which defines 'bribe' as 'including any pecuniary sum or material advantage including food, drink or entertainment'. There is no doubt that this legislation concerns local government matters that I believe the Parliament and the Government should keep its sticky fingers out. I included the City of Henley and Grange's submission because that council has put a great deal of time, thought and effort in to it. I ask that the Minister and his officers pay attention to it and consider the points raised because I believe are valid. In supporting the Bill at this stage I endorse the remarks of the member for Light, who I believe expressed superbly his views about what should happen in regard to local government in this State.

The Hon. TED CHAPMAN (Alexandra): I congratulate the new Minister of Local Government on his gaining the local government Ministry, which is a very important portfolio. I think it is important to make recognition of a Minister's appointment to a new portfolio. The Minister of Local Government replaces in Cabinet another Minister who demonstrated, whilst Minister of Local Government, that he simply did not have the capacity to perform for or on behalf of local government in South Australia, or indeed in this Parliament. I support the attitude of other members in this Parliament concerning Parliament's sitting at this time of the night.

The ACTING SPEAKER: The honourable member is not here to discuss sitting hours; he will come back to the Bill before the House.

The Hon. TED CHAPMAN: The Bill has been the subject of considerable debate thus far and I understand that it is proposed to debate the Bill until the early hours of the morning, for God's sake, and I am very critical of that. I share in the criticisms made by colleagues on this side of the House concerning certain aspects of the Bill. I am not terribly concerned one way or the other about the matter of optional preferential voting: the councils in the District of Alexandra have not shown a great deal of interest in that subject, and I have no hard and fast feelings about the matter. But as a matter of policy I join with the Opposition in opposing that measure for the reasons specified by the shadow Minister.

The matter of monetary payments is not one about which I am fussed, either. It seems to me that there is a degree of justification for reimbursement to those who apply themselves vigorously and in a dedicated way, as do most, if not all, of the councillors in the district that I represent. There is some merit in sustaining a case for payments to be made. However the role of people in local government is of a voluntary and part-time kind, unlike the full-time occupation involved in both State and Federal Government. Out of pocket expenses should be readily available to councillors, as those expenses are incurred and paid to them as a matter of council policy.

Two matters in the Bill do concern me. I refer to the clause dealing with a requirement for one to disclose interests at local government level. I believe that is undesirable and I oppose it strongly, as I opposed the disclosure of interests of members of Parliament measure when that was before this Parliament. My attitude towards that subject has been canvassed in and about this Parliament and in the community at large. I do not believe that, because that proposition was adopted by the majority of members of Parliament, such a measure is necessarily right; therefore, I do not join with other members of Parliament who suggest that because we are burdened with such an undesirable measure local government should be also burdened. I support those in local government who oppose this proposition concerning disclosure of personal interests; whether it be a disclosure in a record held by the Chairman of the council, by the Minister or by anyone else. I am basically opposed to such a requirement. Concern has been expressed to me about a matter on which I have some understanding from about 10 years experience in local government, and I refer to the mandatory requirement calling on councils to meet after 5 p.m. in the evening.

For reasons which I believe have been or will be canvassed in this House by my country colleagues, if not by others, and which are sufficient to demonstrate that we as a Party are opposed to dictating to local government the hours that they will commence a meeting, or the hours at which they will perform at congregated public meeting procedures, I support the views expressed by the member for Light in this instance, and oppose such mandatory requirements.

The proposal to enable amalgamation at local government level is a very sensitive area, and one that belongs to the communities in question. The decision and the steps to be taken ought to be initiated at community level, and where one or more councils desire amalgamation for geographic and/or local, social or administrative purposes, if that initiative is shared by those involved in such amalgamation every effort ought to be made to facilitate their wishes. I would be the first to join with and support councils who have done their homework and considered the merits of such a move, and to assist them in any way I could. However, where the community of one or more councils in a group where such a move is proposed does not agree with the amalgamation, then I would oppose any interference from outside, whether from Government, departmental or other outside authority, for the purpose of pressuring, forcing or dictating an amalgamation procedure.

The Minister may know of a local council community in my District of Alexandra where this subject is prevailing.

However, I would like to lay it on the line in this House that the Kangaroo Island community has two local government bodies. There has been talk over a number of years about the desirability of amalgamation in that area. It was tried a few years ago when a report recommended the amalgamation of those two districts and the formation of a single council over the whole of the Island district.

The Minister of the day, the Hon. G.T. Virgo, supported that recommendation and set out to have it implemented. The records clearly show the level of objection raised at all the urging that took place in this direction and ultimately, after a considerable amount of evidence and local feeling was obtained, documented and considered, the pressure was withdrawn, so that to this day there are two councils in that district. A move is on again to have amalgamation occur on Kangaroo Island. Notwithstanding the merits of such a move, unless the two council bodies and the two communities express their desire for this to occur, I would oppose quite strongly and vigorously again any interference, however or from wherever it may be solicited, or insistence upon amalgamation against the wishes of either one or both of those areas.

Mr Lewis: That's it!

The Hon. TED CHAPMAN: I am reminded by the member for Mallee that my time has expired. I thank all the members who have stood by to allow me to make this short contribution, but it was certainly a contribution made with some feeling for the subject under discussion in this anticipated long, drawn-out debate that is apparently to go into the early hours of Thursday morning.

Mrs APPLEBY (Brighton): I support this legislation, which will ensure that local government and the communities served by this sector of government can pursue more effective methods of community development and communication at the local level. As our political structure in Australia consists of three tiers of government, Federal, State and local government, local government is and should continue to be the one tier closest to the local community. The social needs and the environment and development of the local community are best picked up and addressed by the participation and involvement of people living and growing in the local environment: the grass roots base of the community. We would be totally remiss if we did not ensure that there was opportunity at local level to participate and be involved in decision making and development of communities through local government.

The provision in the Bill for meetings to be held after 5 p.m. will prove to be an encouragement for people to participate in two ways: first, as a ratepayer able to stand for council, and any move to ensure across-the-board representation can only be classed as a progressive move; secondly, the opportunity for local people to take an active interest in the matters proposed and discussed at meetings, and to hear at first hand what decisions are being made on their behalf in relation to the development of their community. There have been arguments put that meetings after 5 p.m. would limit the potential members of local government. It has been put to me that the majority of people who wish to participate could not do so unless it was in their spare time which, for the majority, is after working hours. The same argument applies in relation to ratepayers who wish to take an active interest in what is happening at council level. If 60 residents from 8 000 ratepayers wish to turn out to show their concern in a matter they feel is important, encouragement to do so is very rarely extended.

The Bill proposes a three-year term of office for elected members. I support this concept, as it will increase the quality of nomination for local government and ensure that persons offering their service to the community in this way will, if elected, have a sound base from which to pursue matters relating to the advancement of the community's development. A genuine commitment to the proposed three years would encourage single issue persons seeking positions and not pursuing other relevant matters important to the district that they are elected to represent, and there are many examples of this activity.

The argument that only half the council should be required to be elected at any one time to maintain continuity I find difficult to accept. In the case of Federal and State elections I do not think there has been one instance where the total number of members offering themselves have been defeated all at the one time. The consultative process that has taken place between the Local Government Association, individual councils and the Government will result in a more effective system of local government, and strengthen the participation and involvement of a broader range of people to the benefit of the community and its development, and will effect a greater understanding of this important tier of government, to the benefit of the State as a whole.

In conclusion, I place on record a matter which I feel involves a strange method of business practice. I refer to the format of the document I received last Thursday, which I believe other members of this House also received, entitled 'Local Government Act Amendments', produced by the Corporation of the City of Adelaide. This document was accompanied by a letter from the Lord Mayor. My objection stems not from the distribution of that document but from the personalised, formalised fashion in which the letter was addressed, particularly as I have never been introduced to the Lord Mayor. The letter sought my assistance in having four major amendments changed, amendments that I believe hold the key to allowing local government (which includes the Adelaide City Council) to progress into the future with improved participation, active participation and representation from a broad cover of the community. I support the Bill and congratulate this Government on introducing the measure and the councils who have expressed their support for it.

Mr LEWIS (Mallee): I do not need to repeat what my colleague, the Liberal spokesman on matters related to local government, has already said about my Party's attitude to this measure. It can be taken that I support that position. I need, however, to place on record my concern at the obvious ignorance that a significant number of members of the Government have about the way local government operates in rural communities.

Mr Hamilton: How do you justify that statement?.

Mr LEWIS: If only I could hear better I might be able to help the member for Ascot Park in his ignorance.

Mr Hamilton: Albert Park.

Mr LEWIS: Ignorance is not an insulting word but rather a descriptive word about the level of awareness or knowledge in any one individual. It is in that context that I use—

Mr Trainer: Who's this ignoramus?

Mr LEWIS: And the jackass from the other park ought to watch his tongue. Rural areas have used their local government as an institution through which they co-operatively provide for the needs of all the citizens who live within that area. They regard their council's ownership of plant and equipment of a specified nature for roadmaking, and so on, as being co-operatively owned, if you like, and accordingly have little difficulty in getting their local government body, the council, to grade their road or do whatever else needs doing on their land (naturally, at an agreed rate of reimbursement to that body).

That is substantially different from the situation obtaining in urban communities, for several reasons, not the least of which is that most people living in urban communities do

not relate closely to the locality *in toto* of the local government area in which they live. They tend to regard themselves as being domiciled in a dormitory situation from which they travel to their daily activities or in which they make their home and raise their children. The total community is more homogenous, and the boundaries of local government areas, in the provision of services and in the geographic sense, are more blurred in the minds of people in those urban communities than is the case with people living in rural communities.

If one were to ask anybody living in Lameroo or Pinnaroo where their council boundary meets with the Lacepede District Council boundary or the boundaries of the neighbouring councils to the east or west, they would be able to say precisely where the boundary goes and who owns the land either side of it. Furthermore, they would be able to say fairly accurately how long it is since any major road works have been carried out on particular roads within the local government area and what they regard as the relative merits of that work being done in one place as opposed to another.

They have a clearer understanding of the functions of local government in their communities as it has been traditionally established in the local community than have people living in urban environments. Accordingly, they do not see membership of local government as an opportunity to grandstand, nor do they see it as a bore as do many people in urban situations. People in rural communities who aspire to and enter local government are not on ego trips. They generally decide from among the total number of ratepayers in any ward which of their number ought to contest an election, and whether there ought to be more than one, before an election is held.

The populations are generally far more stable than they are in the metropolitan or other urban environments and, accordingly, everybody knows everybody else, as well as knowing the relative merits of one project against another, the difficulties that will be encountered in doing one section of road before another, and so on—they are well understood. People in rural communities do not see local government as needing to involve itself in the provision of welfare services for local residents. They regard that as a quite unnecessary extra burden on the rate dollar. I am not talking here about classes of people. That is to say, I am not talking about farmers as a separate group. I am talking about all people living in rural communities. Regardless of whether or not they are fishermen, shop assistants, railway fettlers, bank managers, farmers or other retailers, they understand quite clearly how things get done and by what agencies they are done.

Much of the kind of thing that the member for Brighton referred to in her remarks, embraced in the descriptive but nebulous term 'community development', which she sees as relying on the rate dollar in local government, are not seen that way by people in rural communities. Rather, people in rural communities see those areas as being the province of service clubs and similar organisations in the community that collectively identify a need within their group and then democratically decide to set about raising funds to satisfy that need. They are people who derive a great deal of pleasure as individuals from participating in those activities, raising the funds and doing the work involved (very often voluntarily), as well as ensuring the continuing cohesion between individuals in the sociology of those communities. People are less anonymous. Anyone who falls on hard times has neighbours. That is meant in the best biblical sense. Accordingly, difficulties which individuals or families experience are easily understood and assistance is near at hand.

The problems that are therefore perceived by people in urban communities who have identified the necessity to change the Act in the way that the Government is attempting to do by this measure ought not to be addressed in that fashion. I believe that the Government has in mind the establishment of a much faster, more expensive turnover under the umbrella and auspices of local government, as indicated by the way in which it introduced the amendments to the Act contained in this Bill.

Having given that background explanation as to what I see as the substantial difference in anthropology and sociology of the people I represent compared with the people most members opposite represent, so that they may understand more clearly those matters about which I am speaking, I wish to refer to correspondence I have had from a significant number of local government bodies in Mallee. So far as I am aware, there are more local government bodies wholly or partly in Mallee than in any other electorate. There are some 19 altogether. It used to be 20 until a small portion of the District Council of Meadows became part of the District Council of Mount Barker, which reduced it by one.

In alphabetical order, the comments I have received in writing, quite apart from the telephone communications made to me from those councils, are as follows: from the District Council of Brown's Well I report to the House that that council is very strongly opposed to compulsory night meetings. It regards that provision as unreasonable and unacceptable, because the distances travelled by most councillors in areas such as theirs are very great. It would mean very late nights or early mornings for the councillors or, alternatively, additional meetings. Either way, they would have greater expense and be at greater risk. On country roads there are more hazards at night. In that district council one could appreciate that there is a risk when driving home of coming into collision with kangaroos or stray stock. That relates to section 58.

The other section about which they had strong feelings was 143 (2). They are opposed to the provision giving public access to the register of members' pecuniary interests. I cannot read all those letters in full, but I will refer to substantive parts of them. The District Council of Coonalpyn Downs strongly objects to the register of interests for the councillors and strongly objects to council committee meetings only being permitted only after 5 p.m. for the same reasons as Brown's Well. It also objects to the annual allowance for the councillors and to the word 'council' being deleted from the names of their local governing bodies. I see this as a precursor to the ultimate regionalisation of local government which the Labor Party has in mind after it has abolished the States and the Senate.

The representative from the United Trades and Labor Council on the Local Government Advisory Commission is seen as quite unnecessary. The District Council of Coonalpyn Downs believes that the authority to nominate the polling places should reside with the council itself and not with the returning officer. It also states that the register of interests should not have to be included. Officers of the council at least should have to be included, in the register if members of councils have to be included because officers in council often interview alone those people who would be involved in selling or providing services to council and make a recommendation to council which would, of necessity, perhaps need them to be seen to be above any corrupt or undesirable influence that might result from that interaction with the person attempting to do business with the council.

Regarding the appointment of engineers, understandably this council, along with a good many others in Mallee, was not in favour of having to appoint someone full time. It saw no necessity for that, and I concur with that view. The District Council of Lacepede, one of the biggest in the State

(the biggest is Tatiara, of which a substantial part is in my electorate), based in the township of Kingston, in the South-East, believes that section 43 (6) relating to the work of the mayor is omitted. It is not defined. No responsibility is delineated. Regarding new section 47, they say that the three-year term is too long and see no reason why the wishes of electors cannot be made known at the ballot-box on the present basis, with an annual retirement of half the councillors. In regard to new section 49, they say local government should remain principally a voluntary service. They are opposed to evening meetings for a number of reasons.

It needs to be recalled that not all members of rural councils are farmers or self-employed people. A large number are employees who work for employers. Those same people, employees working for someone else—employees, to use the common expression—are equally opposed to the idea of night sittings. They arrange their affairs in consultation with their employer to participate in council's affairs. There is no stigma attached to working for a wage as opposed to earning an income from investment in a firm or other business in the communities I represent. There is no stratification and class warfare. Because the Labor Party has always had a rather low profile, that sort of bigotry does not wash. They make their way to council meetings and make their arrangements with employers quite happily.

Lacepede is opposed to district councils having to appoint an engineer and is also opposed to a three-year term, and the way in which candidates appear on ballot-papers being determined by drawing lots. They are also concerned about whether a returning officer would have to go to the ward from which two people were nominated to get two witnesses from there. It is not clear in the Bill whether the witnesses, as electors in the council, have to be from the particular ward for which the two people have nominated or whether they can just be two electors anywhere.

As to proposed section 94, the council is in favour of compulsory preferential voting in that it believes that it is the fairest way to ensure that the voters' intention is clearly known. If the candidate of their choice fails to be elected the person they would next favour is indicated in the same fashion of State and Federal elections. They are opposed to proposed sections 139 to 144 relating to the register of interests. They believe that members of the public should make the request to see it, if it becomes law, in writing and that there should be a record kept of those members of the public requesting the right to inspect the register so that councillors know who is interested in their affairs

[*Midnight*]

They believe further that it should be maintained in a central location, that is, in the Department of Local Government, and not by the clerk. They believe his time to be too valuable to be spent providing members of the general public with a geek at the register of interests for whatever reasons that member of the general public may wish to peruse it.

The District Council of Lameroo has communicated not only with me but also (as I presume have other councils) with the Local Government Association of South Australia. It has set out its opposition to Division X relating to the Local Government Advisory Commission in much the same way as has the District Council of Lacepede. It thinks that the structure of five persons and the way in which they are appointed gives the Minister too much power. In relation to Part V, Division I, it is opposed to the proposition of night meetings. The District Council of Lameroo is also opposed to the idea of dropping 'council' from the title of its local governing body. It also favours first past the post in voting. In relation to Division V, it also opposes the payment of allowances and believes that it should be a calling in a voluntary capacity. It sees no reason why that should be found to be discriminatory. Moreover, the council thinks that it is legitimate for travelling and meal expenses to be provided, as is the case at present, and nothing more. In relation to Division IV, the council opposes the three year term. It is also totally opposed to the register of interests.

The District Council of Loxton has written to the former Minister outlining its views, and I will leave that matter to the member for Chaffey, who has less councils in his district than I have (and I have little enough time to conclude my remarks within the amount of time allocated anyway). I apologise to the District Council of Loxton for doing that: it is not out of any disrespect or concern for the views that it has expressed and which it was kind enough to send to me so that I might be aware of them.

The District Council of Meningie has pointed out that it is opposed to the lack of clarity in proposed new section 28, which appears to give the council control of its own periodical review. It states that the Advisory Commission holds the power of making recommendations to the Governor (that is literally the Government) to effect changes as per section 15 of the Act. It thinks that proposed new section 20 gives the Minister too much power in the appointment of the members of the Advisory Commission.

In relation to proposed new section 47, the council has put forward a positive proposition that there should continue to be a two-year or four-year term, with half the members retiring half way through. In relation to voluntary services under proposed new section 49, the council believes that it should continue with the existing forms of allowance. In relation to the penalties under proposed new section 54, the council is of the opinion that the penalty provisions should not be in the Act at all. In relation to proposed new sections 58 and 61 (starting time of meetings), it is flatly opposed to the provision for a 5 p.m. starting time at the earliest. In relation to proposed new section 64 (4) *(b)* relating to reports, it believes that they should remain confidential. In relation to proposed new section 67 (2) relating to engineers, the council posed the question to me (and I cannot answer it from looking at the Bill): does this new section allow a council to appoint an engineer as a consultant without having to seek dispensation from the Minister? I will ask the Minister that during the course of debate in Committee.

In relation to proposed new sections 74 and 75 relating to penalties for officers, it is considered that the proposed penalties are not in accordance with Public Service restrictions. Penalties should not be included in the Act as councils have already courses of action available to them where such a situation arises. In relation to new sections 139 to 144 relating to the register of interests, the council is totally opposed to that. In summary, it points out:

> In more general terms it appears that in trying to make the Act uniform for municipal and district councils the portions of the Act particularly relevant to rural situations have been changed to conform with that acceptable in urban areas and the rural areas are disadvantaged because of it.

I tried to explain that to honourable members earlier in my remarks. Whilst the District Council of Peake does not object to a member of the United Trades and Labor Council being on the Advisory Commission, it cannot see the relevance of it. I can only see a mischief in it: I see no benefit to be gained from it whatever. Regarding the provision of allowances, Part IV, Division V, the council believes that the provision to decline acceptance of an allowance should be deleted from the Bill, and reasons are given which will take me rather longer to outline than I have. The council is opposed to meetings after 5 p.m., for the same reasons as other councils that I have mentioned previously. It believes

that there should be a provision within the Bill that, where it can be reasonably assumed that all members are able to be present, the proposed notice of four hours be waived where it relates to proposed new section 58 (7), which provides:

> ... whereby notice of a special meeting of a council shall be given at least four hours before the commencement of the meeting.

The council does not think that is necessary, and knowing the District Council of Peake, I can understand its view. In regard to proceedings of council and council committees the council points out that clarification is required as to whether the clerk can be excluded from a meeting or a portion of a meeting. That has not been made clear. Further, the council objects to the provision of general application. In regard to elections or polls dealt with in Division 1 of Part VII, the council is of the view that section 83 (4) should be amended by using the word 'shall' in lieu of 'may'. The council does not agree that there should be a register of interests.

The District Council of Pinnaroo is opposed to changing the title of a council using the words 'The District Council of' and using the words 'The District of'. That council supports the retention of a two-year rotating term for council members. It does not support payments to councillors. It objects to night meetings and also to minutes being on display prior to their being confirmed. It also objects to the register of interests proposal.

The District Council of Ridley has made specific comments in regard to Division X of Part II, which deals with the Local Government Advisory Commission. The council has made specific comments about that matter. It is opposed to the inclusion of a United Trades and Labor Council representative on the Commission, and the power that the Minister has to largely control that Commission. It sees no relevance in having a UTLC representative, and it believes that it is improper for the Minister to have the power that it is proposed that he will have in regard to the Commission. The council has indicated that the provisions of section 49 cannot be fully supported until the regulations stating the minimum and maximum range of payments have been published. In regard to section 58 (4), the council is opposed to the proposition of meetings being held after 5 p.m., for reasons that I have already outlined in relation to other councils as well as other reasons which I will mention briefly. This proposal would cost more, because it would involve an increased frequency of meetings; people would not have as much time between 5 o'clock and midnight for the conduct of a meeting as they would have between 9 a.m. and midnight. They sometimes sit until late at night, even though they have started in the morning. Staff who attend meetings after hours would have to be paid overtime, which would be a waste of ratepayers' money, and the travelling costs of councillors would increase because in their view more meetings would have to be held to get through the business.

The District Council of Ridley considers that in regard to section 60 (6) the removal of the casting vote facility could create an impasse on many decisions, which would cause a number of problems. I shall leave that matter to my colleague the member for Light. In regard to section 64 (2) the council considers that those provisions could create further costs in regard to postage of minutes. They see the change as being irrelevant and unnecessary and consider that the decision on this matter should be left to the discretion of individual councils. That council is also concerned about the stupidity of the provisions of section 93 (5) in regard to drawing of lots where it is unclear whether the clerk has to go to a certain ward. This applies to a rural area and it could mean a journey of over 100 km to another ward to find two electors to witness the act of determining who will start the higher on the ballot-paper, and then a drive back to the district council office.

Members opposite would not appreciate that. In respect of section 143 (2), the council cannot see any valid reason for a register of interest. The District Council of Tatiara, the biggest district council in the State, favours allowances for out of pocket expenses but opposes allowances for sittings. It believes that meeting times should not be after 5 p.m. unless agreed to by 75 per cent of the members. The same suggestion applies in respect of committee meetings, and the council says that four hours notice is insufficient and believes that three days notice should be given. That is in contradiction of a council opinion to which I earlier referred. In respect of a register of interests, that council is opposed to it and the District Council of Robe cannot see why a UTLC member should be included, nor does it see the necessity for 5 p.m. meetings.

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

Ms LENEHAN (Mawson): I rise to support wholeheartedly the introduction of this Bill in Parliament. This Bill is one of the most significant pieces of legislation to come before Parliament. It ensures that local government receives its rightful, proper recognition and status within the Australian structure of government. Under this Bill local government will take its rightful place as an equal partner in the three-tier system of government. It can be said that this Bill is the most significant reform in the area of local government this century. It brings the whole philosophy and operation of local government out of the nineteenth century and sets it on a progressive and dynamic path into the future.

The principles of accessibility, accountability and broad representation form the basis of the major changes contained within the Bill. I intend to discuss one particular aspect of the Bill, namely, accessibility. I believe that accessability to stand for local council is the fundamental right and issue to which we are addressing ourselves tonight.

In the second reading explanation the Minister of Local Government discussed the increasingly significant financial burdens being borne by elected councillors. Specifically, he talked about the high telephone costs, stationery costs and motor vehicle expenses that form the essential expenditure for an efficient elected member. To the extent that an elected member is unable, through limited means, to meet such costs, then his or her capacity to carry out such responsibilities effectively is reduced. Such costs may deter potential candidates from nominating for local government elections. Therefore, in order to ensure—

Members interjecting:

The ACTING SPEAKER: Order!

Ms LENEHAN: Obviously, what I have to say is so significant that members opposite cannot contain themselves.

Mr Mathwin: Have your read the 14 pages from Marion council?

The ACTING SPEAKER: I remind the member for Glenelg that he has the call next.

Ms LENEHAN: Therefore, in order to ensure that people of all means (I stress that) have access to elected office, this Bill provides that all council members will be entitled to an annual allowance. Regulations to the Act will prescribe minimum and maximum levels for allowances, and any members will be able to decline the allowance and participate in local government on a purely voluntary basis if they so wish. As well as providing for the receipt of an annual allowance, section 49 (1) *(b)* provides for the reimbursement of any expenses of a prescribed kind incurred in carrying out his official functions.

I understand that these regulations will contain provisions for travelling expenses incurred by a member in attending meetings of the council, its committees or other functions or activities which the member has been authorised by the council to attend on behalf of the council. Expenses that are necessarily incurred by a member in respect to meals when a meeting of the council has been adjourned before and resumed after the normal meal break will also be an allowable expense.

Mr Lewis: They can do that now.

Ms LENEHAN: I am sure that the member for Mallee will be interested in the final expense: child care expenses, actually and necessarily incurred by the member as a consequence of his or her attendance at meetings of the council or its committees or other functions or activities which he or she has been authorised by the council to attend on behalf of the council, will also be allowable deductions under the expenses. I believe that this last prescribed expense is extremely significant in providing greater accessibility for many members of the community to participate in local government: I particularly refer to single parent families (the single parent being mostly women) and also to couples with young children.

A second provision in the Bill, which will also greatly enhance the possibility for greater participation for members of the community, is the provision that meetings will be held after 5 p.m. Equality of opportunity for ratepayers to stand for council and to attend local council meetings has already been supported and discussed by other Government members. I do not intend to canvass that area any more fully. However, I wish to say that it is an extremely important and fundamental provision, because it will ensure that workers who are not able to attend daytime council meetings will not be excluded from either standing for council or from attending council meetings.

Mr Lewis interjecting:

Ms LENEHAN: The member for Mallee obviously assumes that all members of the community are either self-employed or are able to get time off from their employment to attend daytime meetings. That is just not correct and, as an example, I refer to the small business area. In the recent past the Opposition has trumpeted the cause of small business, yet is the same Opposition suggesting that small business should be able to afford to give people time off from work to attend daytime council meetings? I suggest it is only fair and equitable that we introduce—

The Hon. Jennifer Adamson: What about the person who has to drive through kangaroo country at night to get to a local government meeting?

Ms LENEHAN: That is very interesting.

Members interjecting:

The ACTING SPEAKER: Order! I ask the member for Mawson to proceed and to ignore the interjections.

Ms LENEHAN: Finally, I refer to an article in the *Advertiser* of Friday 31 March in respect to the retiring President of the Local Government Association, Meredith Crome. In so doing, I congratulate Meredith Crome on the very successful year that she had as President of the Local Government Association. I believe that she did an extremely important and valuable job, and her contribution is certainly recognised throughout South Australia. However, I wish to take up a couple of points raised in the article, one of which relates to a point recently mentioned by a member of this House. The article states that Meredith Crome said, 'Confining meetings until after 5 p.m. would disenfranchise young families.' I put the exact opposite point. In fact, by having meetings after 5 p.m. many parents of young children will be able to attend, because one member of the family will be at home to look after the children. I also refer to the child care provisions, which will enable people with young children to attend and participate on their local council. I have contacted the Local Government Association and the Department of Local Government, and I understand that presently no council in the State provides child care for elected members of council to enable them to attend meetings.

I have not contacted every council in the State but the Government Department and the Association assured me that they had no knowledge of any child care provisions. Under this Bill, child care provisions and the move to night meetings will provide much greater accessibility for a much wider range of people. It will encourage women to stand for local government, and enable people with young families who are vitally concerned with the issues of local government to stand. I must congratulate the Minister for bringing this Bill to Parliament.

Mr Baker interjecting:

Ms LENEHAN: The main council in my area does not meet at night. I have been approached by members who have had to resign from council in the past two years, and I have been approached by other members who can attend only because they are able to have a flexi-day and who are literally finding extreme difficulty in standing and representing their local area.

Mr Baker interjecting:

Ms LENEHAN: Of course, the member for Mitcham makes mistakes all the time, but we are getting quite used to that in this Parliament.

The ACTING SPEAKER: I order the member for Mitcham to contain himself. He is on the list and he will get a chance to speak later.

Ms LENEHAN: In respect to the three-year elections, the Opposition has said that it supports the objections raised by the Local Government Association. However, as recently as last Friday, the Local Government Association once again reaffirmed its support for the Government's proposition to move to three-year terms of office for councillors.

Mr Mathwin: Not all of them.

Ms LENEHAN: I am sorry, but that was a decision of the Local Government Association.

Mr Mathwin: My council didn't.

Ms LENEHAN: That is fine, but I am just pointing out the Opposition's inconsistencies. In conclusion, I wish to once again state that I wholeheartedly support this Bill, and I wish to congratulate the Minister of Local Government for bringing it before the House tonight.

The Hon. P.B. ARNOLD (Chaffey): We have just heard a vain attempt by the member for Mawson to justify the Government's decision to force on to local government its decision that no meetings of local government will be held until after 5 p.m: that is an absurd situation. Anyone with experience in country areas would realise how difficult such a situation would be. It should be left completely in the hands of local government to make that decision. It is the only logical way to go about it, and it is the attitude that has been expressed across the board by local government and by the Local Government Association.

My local government area includes the Riverland Local Government Association, where the councils are vital bodies, well aware of what is going on and very keen. There is a lot of good, honest, healthy rivalry between the towns in the Riverland, and this is to the benefit and development of the area as a whole. The comments made by the District Council of Loxton sum up the Riverland councils' concern. The member for Light made brief reference to the letter I received from them. It states:

I have enclosed a copy of a letter sent to the Local Government Association, to the Minister of Local Government, concerning amendments to the Local Government Act. Although the Minister

honoured his promise of consulting with local government, it is obvious from recent press statements that the Minister has taken little notice of the submissions received. This council supports the submission made by the Local Government Association. The register of interests and the requirement for all meetings to be after 5 p.m. are strongly opposed by this council.

That clearly states the attitude of the District Council of Loxton, and it is very much the attitude of all the councils in the Riverland Local Government Association area. The letter goes on to say:

On behalf of the council I seek your assistance in amending proposals to incorporate the Local Government Association's recommendations.

That is quite clear. A further note from the District Council of Loxton makes particular reference to the composition of the Local Government Advisory Commission. It also emphasises the time of meeting and the register of interests provisions. I believe that the matter is summarised in the document put out by the Corporation of the City of Adelaide. It clearly states its objection to compulsory night meetings, terms of office, the voting system and the register of interests.

So, it was my intention purely to bring the view of the Riverland councils before this Chamber in order to express their concern and also to endeavour to impress upon the Government that the proposals put forward in the Local Government Act Amendment Bill that endeavour to impose on councils in South Australia the wishes and philosophies of the Labor Party are just not acceptable to local government generally in South Australia. The Bill as a whole is a good piece of legislation and has taken a long time to prepare. A great deal of work was done on this measure by the previous Liberal Government and the development of this legislation has been continued by the present Government.

Since the change of government has come to pass, we find that the Labor Party has introduced into the legislation that we were in the process of developing its own political philosophies which are not acceptable to local government. Why on earth the Government is hell bent on imposing something on local government across the board in South Australia that it has clearly stated it does not want is beyond the comprehension of most people in South Australia. Local government is an important part of government in South Australia in its own right and should have the opportunity to determine its own destiny as far as possible. To try to introduce any one Party's political philosophies into the local government arena makes this a bad day for South Australia.

In conclusion, I commend the member for Light on the manner in which he has presented the situation on behalf of the Opposition. He has done a tremendous amount of work on this piece of legislation. There is no doubt that no-one in this House is better versed on this subject than is the member for Light. As has been said in this Chamber earlier tonight, no doubt exists that, after the next election, he will make an excellent Minister of Local Government in South Australia.

Mr FERGUSON (Henley Beach): My first remark relates to a matter raised by the member for Hanson earlier this evening. During my term in office I have had a great deal of connection with the two councils in my area, Henley and Grange and Woodville. More particularly, I have had dealings with the Henley and Grange council, for which I have done a considerable amount of work by way of deputations to the Minister, and in every other way possible. This council has done, and is doing, a fine job in providing a service to the community in my area and, so far as can be seen, there is great satisfaction with it. However, it has broached with me the problem of amalgamation, a problem that I promised I would raise on its behalf. Henley and Grange is a small council that has a fear that it may be taken over by its big brothers on either side along the coast. I have assured members of this council that I have made representations to the Minister about this and that their fears are unfounded; if and when the question of amalgamation is raised all necessary consultation will be taken on its behalf and in no way will it be forced into amalgamation with another council.

I will now make brief reference to some of the speeches made on both sides of the House in relation to this matter. I commend members on the quality of the debate thus far. All previous debates I have heard have produced some acrimony, but this debate seems to be proceeding in a reasonable way. Five issues appear to divide the parties here. I do not see why there is an objection to a Trades and Labor Council representative on the Local Government Advisory Commission. I have had a long connection with the Trades and Labor Council, which provides representatives to a large number of bodies, both Federal and State, either as a State branch of the ACTU or in its own right as a Trades and Labor Council. Once those representations have been made there have never been any objections to the delegates sent to any organisation, so I cannot see the reason for the objections.

So far as the voting system is concerned, I have no wish to comment on that. I am surprised at the objections that have been raised to a register of interests. I cannot see (and have yet to hear a good reason) why there should not be a register of interests. Why should councillors be frightened of a register of interests being kept? What have they to hide? Why would anyone standing for public office want to hide what assets and interests he has? Councillors are very close to decision making aspects in local areas. I know that there is an interests section in the present legislation. However, councillors are in a privileged position, a better position than are many lobbyists.

They are able to utilise their interest in the position they hold. I see no reason why the general public should not know what their interests are and what effect they might have on the decision making of local councils. I have had an opportunity to speak to members of both the Woodville council and the Henley and Grange council in relation to their terms of office. Neither council has an objection to a three year term of office for councillors, and I see no reason why there should not be such a term. The only relevant argument against a three year term of office that I have heard to date related to the fact that every councillor might be voted out of office at the same time. If this unlikely event ever happened there would be a reason for it and those people would deserve to be voted out of office. I do not see any reason why a three year term of office is not a workable proposition.

If this unlikely event ever happened there would be a reason for it and those people would deserve to be voted out of office. I do not see any reason why a three year term of office is not a workable proposition.

The two aspects of the Bill that I support strongly are the compulsory night meetings and the provision of allowances. Compulsory night meetings provide access. People who work in a normal situation on a daily basis are now unable to participate in certain council meetings. I realise that from time to time there are situations where employers are prepared to allow employees time off to attend council meetings but, by and large, and particularly in the metropolitan area, this is not a real possibility.

The test of what I am saying is the representation on councils where day meetings are held. If we look at the Adelaide City Council, for example, we can see that the representation is 90 per cent business men. There is not a truly representative cross section of the community on the Adelaide City Council. These provisions would provide for the introduction of working class people to participate in that area. At the moment I can understand the Opposition's

opposing these two propositions because it maintains the *status quo*. It maintains those people who are now in power and it resists opposition from working class people who are not able to enter into council debates because of their employment during the day.

Mr Groom: They are discriminated against.

Mr FERGUSON: I agree with the member for Hartley that they are discriminated against. I have had the opportunity of seeing one of the biggest centres of the world—London. Even the city of London has its own legends about the people who have risen from rags to riches, who came to see the streets of London paved with gold and were able to rise to be the Lord Mayor of London. When one looks at the same sort of analogy here in Adelaide one finds that that sort of proposition is not possible. No-one can point to somebody who has come penniless into Adelaide or who is penniless and rose to be the Lord Mayor. Even the greatest commercial centre in the world was able to at least produce one of those products, but here we have not been able to.

The reason for this is the restrictive nature of the meetings that are held and the fact that people would have to provide out of their own pockets the sorts of expenses incurred in getting themselves elected to high places. The provision of expenses and the compulsory night meetings will give the opportunity to people in this area to fully participate in local government meetings.

The Hon. B.C. Eastick: Are you suggesting that they should use the allowance to get elected? Public funding of elections?

Mr FERGUSON: Do not put words into my mouth. I am suggesting that they be able to attend things like charity balls. Honourable members cannot tell me that, if they expect to spend $100 or $50 a head to go to a charity ball to be seen by those people who will eventually elect them, they come from a working class situation.

Members interjecting:

Mr FERGUSON: The higher people shout the higher I shout. They will not shout me down. I will say it. They may as well sit there and listen. I suggest that unless certain councillors can utilise money in order to be seen at the right places they will not be elected. Provision of allowances will help overcome that sort of situation. I support the proposition.

Mr MEIER (Goyder): We are certainly debating a momentous Bill this evening. This year would have been the fiftieth anniversary of the 1934 Bill. It will not be, all things being equal. I believe that some 98.5 per cent of this Bill is good and is a real improvement on the previous legislation. I feel that members on this side, and certainly I support it. However, it is a great tragedy to find that this Government has seen fit to include 1.5 per cent of material in it as part of its plan to further socialise local government and to put Labor policies into practice. Also, it is a great shame to see politics coming into local government in such an underhanded way.

I say that 98.5 per cent of it is okay but the other 1.5 per cent (on my calculations) is rotten. Government members will use any tactic. I would have hoped that in this case they would not use the methods they obviously have. We have heard the present Minister complimented. He is probably doing his best, but I imagine that the previous Minister had most to do with bringing in this legislation. I fully compliment him for having circulated draft versions of the Bill to many bodies and organisations. One sees that the Government—and I do not know which Minister it was—took some notice of recommendations, particularly of local government bodies. Therefore, we find that the provision relating to changing the names of councils has been deleted, for which I also compliment the Minister.

Members interjecting:

Mr MEIER: Is it suggested that it has not been deleted? I could not find any reference to it in the rewritten Bill. I was under the impression, from advice I sought, that the name change had been deleted and that the use of 'district' would not be there. believe I see the nod now; it has been deleted. Thank you! It was a good thing that the Government saw fit to remove that from the Bill. Another correction was made in regard to nomination forms. I notice that some of my councils and others objected to there being only one person required to countersign a nomination, but I also notice that on the latest draft two people will need to sign the form. I am pleased that the Government took note of that reaction.

In the electorate of Goyder there are 13 councils, either full or subsections. I was very pleased to receive replies from 12 of them. I believe that there are 125 councils in this State. That is near enough to 10 per cent of councils represented in the electorate of Goyder and I believe that their views, therefore, give a fair indication of what local government is thinking. I guess that, if one could interview 10 per cent of the population before an election and ask them how they were likely to vote, one would get a strong indication of the result.

Looking through the correspondence on a point by point basis one finds that, of the 12 councils, two were opposed to preferential voting. One council was opposed to a United Trades and Labor Council representative being on the Advisory Commission. Six councils were opposed to three-year terms of office, and five did not make any mention of that. Nine expressed complete disagreement with allowances, and the other three expressed reservations about the allowances. All 12 councils were in disagreement with the meeting times, so that means that I know definitely that 10 per cent of the councils from which I received replies were in disagreement with the proposed meeting times. Six out of the 12 believed that the time given for minutes to be distributed was too short. I will go into that further later.

Again, all 12 councils disagree regarding the register of interests. One council was in disagreement with the enrolment procedure, and hopefully time will permit me to comment on that further. Six of the 12 councils disagreed with the earlier clause in the draft Bill on the name change: 'council' becoming 'district', I believe it was. Thankfully, the Government took notice of that. It also took notice of one other point, but it is a great shame that the Government seems to ignore the overwhelming majority opinion on the other factors.

I intend to refer to the submissions from the councils in my area and let them speak forth on what they wish to say about this Bill. First, I refer to the submission from the District Council of Blyth. The first point that council makes is that it does not object to three-year terms, although it does object to all councillors being up for election at one time. The main reason for this is that it is possible to have a complete new council, that is, no people re-elected. This would lead to extreme pressure on the clerk. Also, there are still no qualifications for the Chairman, so a completely new councillor could be Chairman. That is a very unsatisfactory state of affairs. The submission states:

> 2. The provisions in the Bill that force councils to pay allowances and expenses to all members should be removed . . .
>
> 3. Each local community knows its own circumstances and is different to any other community. Therefore, the elected members of each council should have the right to meet at a time convenient to them, not the State Government—

And I believe that this is a major point to make with respect to certain Government members who have said that it must be after 5 o'clock. It is up to the council members to decide

when they want to meet, and there will be further explanation from some of them a little later. The submission continues:

4. My council deems that in some cases a casting vote by a Chairman is unavoidable—for instance, if a decision cannot be reached on the purchase of a certain make of plant.

I guess one could extend that to equipment; it is a very interesting point. I wonder whether it could be overcome by the way in which the amendments to the Act are drafted. The submission continues:

5. Council agrees that minutes should be public; however, if it is necessary to put them on display, then the time period should be extended.

In relation to the terms of office, the District Council of Bute considered that there would be more stability within the council if not all members retired from office at the one time. The council's submission states:

It is considered that in the majority of cases those standing for council do so as a community service, and for the pleasure they derive from their actions. If any financial allowance is made, it should be a nominal amount to cover out-of-pocket expenses, and not an amount that could be classed as a salary or payment for service. Likewise, the amount of payment should be determined by the members of the council at the first meeting of each financial year, and not be subject to a minimum or maximum amount.

The council further stated:

Meetings of councils—It is considered that the time of meeting should be at the discretion of the council, and made to suit all members of the council. The time could be determined by a unanimous vote of all members of the council, or alternatively with the dispensation of the Minister.

Provisions of general application—Minutes of Meetings—It is considered that minutes of meetings should be available after five clear working days after the day of the meeting. This proposal would make allowance for any public holidays that may occur in the week following a meeting.

Register of interests—Considerable opposition was expressed at the inclusion of this part. It was considered that to have to supply the information was an invasion of the member's privacy, and that the section was not necessary.

In its response, the District Council of Central Yorke Penisula stated, in part:

Section 49—Division V—Allowances etc—No objection to the proposal; however, 49 (7) should be deleted as it is considered that members should not be given the opportunity to decline the allowance. Members could allocate it to a local charity if they did not wish to retain the allowance.

Section 58 (4) *(b)*—Part V—Division 1—Meetings of council—Strong objection was raised to section 58 (4) *(b)* and 61 (2) requiring meetings of councils and committees to be held after 5.00 p.m.

This council considers that an acceptable compromise would be to have the meetings after 5.00 p.m. unless councils unanimously resolved that they be held at some other convenient time. This decision would have to be made at the first meeting of a new council or following a supplementary election.

The council pointed out in a separate letter to me that one of its councillors is required to work from 5 p.m. at the local club house and that the proposed amendment would possibly prevent him from continuing to serve on the council. Yet the argument has been put forward that the meetings should be held after 5 p.m. so that people can attend. The example that I have cited contradicts that entirely. That supports the proposition that councils should have the opportunity to decide unanimously, that which suits the members of each council. The Government should not be stipulating that councils must meet after 5 p.m., thereby precluding people from attending council meetings if they work elsewhere after 5 p.m.

Mr Hamilton: That happens now; people miss out now.

Mr MEIER: But an amendment to the Act will not help at all; it will just mean that other people will miss out. We know that many shift workers might be interested in going to council meetings but, if they had to work after 5 p.m., surely they should—

Mr Gregory: Give us an example.

Mr MEIER: For example, an engineering firm at Minlaton operates around the clock with two shifts. If people working on the night shift want to go on to council, they should be allowed to do so.

Members interjecting:

Mr MEIER: Members refer only to certain examples and could not care less about those who do not fit into a particular category.

Members interjecting:

The ACTING SPEAKER (Mr Ferguson): Order!

Members interjecting:

The ACTING SPEAKER: Order!

Mr MEIER: Why does not the honourable member go back to sleep? I will be interested to hear his contribution, although it will probably be a negative one as most of his contributions seem to be that way. The District Council of Central Yorke Peninsula further stated that, in regard to minutes of council, the stipulation concerning public display should provide that five working days is given. That council did not oppose the provision concerning the three year term for councillors. Again, that council raised strong objection to the proposal concerning the register of interests. The District Council of Clinton made three major points. It states:

With regard to night meetings, council is of the opinion that this could remain optional. With regard to a country council, quite often officers from city based departments are invited to attend council meetings on specific matters.

Here is another relevant point. How will councils work out when they ask the departmental officers to attend night meetings and then ask people normally working 9 to 5 to address council meetings? Who will pay overtime rates for those people? Surely the council should have the right to determine when it wants to meet and, if the person it wants to meet is better suited during the day time, the council should have the right to change that meeting time. The letter states:

Some country councillors have to travel long distances which could result in a feeling of fatigue and disinterest during the late hours of the evening after a day at work.

Mr Gregory: Rotary, Lions, pie and pasty nights, football nights—

Mr MEIER: I have had enough. The second point raised by Clinton council is as follows:

Council is also concerned about the declaration of pecuniary interests by councillors.

This is the third point:

With all members retiring at the same time after a three year-term of office could cause grave administrative problems in the event of a completely new council or even a very large majority of new members.

The District of Mallala—

Members interjecting:

The ACTING SPEAKER: I ask honourable members to stop the cross interjecting and give the honourable member a fair go.

Mr MEIER: The District Council of Mallala states:

Preferential voting—

Mr Gregory interjecting:

Mr MEIER: The honourable member has his chance to put his name on the Speaker's table and to speak later. The District Council of Mallala states:

Preferential voting:
Council opposes this and states its strong preference for 'first past the post'.
All councillors retiring simultaneously:
Council is fearful of the change of too many changes in personnel at the one time.
Councillors allowance:
Council opposes this.
Times of meetings:

Council feels strongly that it should be allowed to decide its own times of meeting by resolution.

Meetings be public:

No opposition to this requirement.

Councillors and officers financial interests:

Strongly opposed to these requirements.

The District Council of Minlaton states:

The term of office of members of a council: the council agreed that the terms of office for all council members should be three years. However, the council considers that it is undesirable, and would be detrimental to a council for all members to retire at the same time and for elections to be held only every three years.

The council later states:

One third of the members should retire each year . . .

Allowances and expenses: the council does not consider that mmbers should be paid an annual allowance. The present provisions of the Act to reimburse a member for out of pocket expenses in carring out his duties as a councillor are quite sufficient . . .

The proposed provisions whereby a member may decline to accept the allowance is very naive. Obviously in any council it would not be hard to deduce those who have accepted the allowance, and those who have declined.

Meetings of council: the council cannot see any advantages, but a lot of disadvantages, to country district councils if ordinary meeting, all committee meetings and special meetings must be held after 5 p.m. . . .

Problems and expenses would be incurred, as well as inconvenience to officers concerned and where councils are members of groups, jointly employing health and building inspectors, authorised weeds officers, etc, these people live in the main town of one council and, therefore, would have to travel, at night, to the towns of the other councils to attend meetings to give reports—

Members interjecting:

Mr MEIER: The council also points out that considerable overtime costs would be incurred to pay clerical staff to keep minutes. What provision is made for time off in lieu for senior officers such as the Distric Clerk and Overseer—

Mr Gregory interjecting:

Mr MEIER: Why does not the member for Florey listen instead of being so rude? He has to be the rudest person that I have come across for quite a long time. The member is not learning a thing.

Members interjecting:

Mr MEIER: I will try to ignore the interjections. These comments come from councils in my area, not from me. The council's submission continues:

What provision has been made for time off in lieu for senior officers such as the District Clerk and Overseer, who are required to attend these meetings for the full term?

That is a good question. The submission continues:

It is recommended that the wording of this section ought to be that the minutes will be available after seven clear working days of the meeting.

As I have said, every council is opposed to the register of interests. Minlaton council states:

There is no reason whatsoever to justify this intrusion into personal liberty. This section has no place in local government. It is not warranted.

The District Council of Riverton states:

Part II—Division X

Council can see no valid reason why a member of the Trades and Labour Council should have representation on the Local Government Advisory Commission.

Part IV—Division V

Council considers that voluntary work undertaken as a councillor is possibly the most rewarding work that anyone can do for their community.

I think that 'volunteer' is a key word. The submission continues:

Certainly they consider that no one should have the right to deprive people from undertaking this work on a voluntary basis. The requirement in the Bill which allows councillors to continue to give their service voluntarily, providing it is in strict confidence, is considered to be absolutely absurd, notwithstanding that it will be impossible to maintain confidentiality when all expenditure is required to be submitted to council to be passed for payment.

We have heard that argument before. The submission continues:

Part V—Division I

Council is totally opposed to any move to dictate when council meetings should be held. Having council meetings during the evening is considered to be only one small part of the whole sphere of local government service.

True involvement in local government also means attending regional, association and those many other day meetings and seminars. It means becoming involved in council inspections, subcommittees and many community/elector/council meetings which are invariably held during the day. During the harvesting/daylight saving period it will be virtually impossible for council to arrange an evening meeting to commence earlier than 8.30 p.m.

I certainly agree with that. The submission continues:

It is hardly conducive to good decision making to expect farmer councillors to attend a five or six hour meeting commencing at 8.30 p.m. after a full days work. In many cases country councils only have access to their part-time officers (health, building, planning, pest plants, dog control) during the day to enable discussion to take place on reports presented to council.

I believe that that council officer actually lives in Adelaide. It would be very inconvenient for him to come to Riverton and some of the other councils for night meetings. The submission continues:

Council is in favour of the Chairman retaining a casting vote. Council opposes the introduction of optional preferential voting. While council does not object in principle to having to disclose business interests, it does oppose any thought of introducing disclosure of financial interests and strongly objects to any member of the public having access to any information contained in the register.

The District Council of Saddleworth and Auburn makes similar points, and opposes allowances to councillors. In relation to meetings of councils, it states:

. . . the important fact of cost to council especially in the area of staff overtime has been overlooked. Also, the inconvenience to staff who often must travel considerable distances in country areas.

Disclosure of Interest—This council is divided on the necessity for the need for a Register of Interests. It was, however, unanimously agreed that councillors' private affairs should not be made available to the general public.

The District Council of Snowtown is also concerned about the time for ordinary meetings, and states in relation to allowances:

My council has mixed feelings on this matter and it appears that most consider that the cost of phone calls and car mileage involved in attending to council business should be all that should be payable.

Division VIII—Conflict of interest, section 53. If it is intended that members are required to disclose their interests as are politicians then there will probably be some resignations.

Mr Hamilton: Good!

Mr MEIER: Members opposite do not like local government and will not allow these people to continue the way that they were going.

Mr Mayes: We want everyone to continue.

The ACTING SPEAKER: Order! I ask honourable members to stop interjecting, and I ask the member for Goyder to address the Chair and not respond to interjections.

Mr MEIER: I have a very comprehensive document from the District Council of Wakefield Plains. As time is limited, I will not read it all at the moment, but I hope to refer to the relevant sections in Committee.

Members interjecting:

Mr MEIER: If members want to look at it I will give them a personal copy. It states in relation to periodical elections that council supports the concept of three-year terms. In relation to new section 49 relating to allowances, it states:

Council did not specifically oppose the philosophy of this clause. However, council believes that the proposed confidentiality of members not accepting an allowance as provided in paragraphs (7) and (8) would not evenuate in practice.

Regarding meeting times, two points were made:

This clause should be varied by:

(i) making the first ordinary meeting of council not to be held before 5 p.m.

(ii) at the first ordinary meeting of council, the question of meeting times shall be considered and unless it is unanimously agreed by council to hold its meetings before 5 p.m. they shall not be held before that time.

It should be left to the council, which is a very sensible suggestion. The council consider many provisions in great detail. The District Council of Warooka states:

Council does not agree with the proposal that all members' terms of office expire at the same time or that elections be be held triannually. It is the view of members that three years is too long a period to commit oneself to serving on council.

This is a classic district council: there are long mileages and kangaroos aplenty down the bottom end. It states:

Council strongly opposes the proposal that meetings be held after 5 p.m. It is considered that each individual council should decide the time their meetings are to be held. In our own situation, council has three councillors who travel long distances to attend meetings of council. For example, one woman councillor has to travel over 35 miles on roads hazardous at night due to kangaroos in the area.

Council employs with three other councils the same health/building inspector and pest plant officer who attend meetings of all four councils. If councils were required to meet after 5 p.m. then these persons may have to spend up to four nights in any week attending council meetings. Extra costs will be incurred.

Again the council points out that the time given at present is too short. The District Council of Yorketown made quite a few relevant points. It states:

Council is opposed to payment of allowances to members. People join local government knowing that it is a voluntary organisation and their intention is to serve the district without thought of any financial 'reward'. This additional cost to the ratepayers is unwarranted in the present economic climate.

Further, it states:

Council is opposed to meetings of council having to be held after 5 p.m. Council believes that councils should have the right to decide when and at what time they meet.

The reasons for this are as follows:

In rural councils it would be too demanding for farming members to have to sit through a night meeting after having put in a full day's labour. In most instances the normal month's council business could not be dealt with at one sitting—without having to continue into the early hours of the next morning. This would necessitate councils having to meet fortnightly—an added expense to the ratepayers for additional travelling expenses and meeting costs (stationery, light and fuel).

The council explains that in further detail.—In relation to display of council minutes to the public, the letter states:

Council believes that this should be amended to read 'five clear working days from the conclusion of the meeting' with weekends and holidays occurring in some weeks. The seven days is too short a time to complete minutes.

It refers in considerable detail to enrolment to say that, rather than having people make application for enrolment in certain circumstances, the suggested alternatives are:

(i) Both of the joint owners/occupiers be given a vote, or,

(ii) The first alphabetically be given the right to vote.

With regard to the register of interests, the letter states:

Council is vigorously opposed to the introduction of this type of control into local government. It may be acceptable at State and Federal Government levels, but politicians are paid servants and their decisions have more far-reaching affects than those made at the local level.

I believe that the council's view, although I have only been able to highlight several aspects, clearly shows its strong disagreement with clauses which have snuck into an otherwise very good Bill. The 1.5 per cent we must not let this Government get away with, because it would be a shame to see a good Bill wrecked by political philosophy that is determined to succeed at any cost. Unfortunately, the cost here will be the cost to local government, and any cost to local government means it has an effect on the State as a whole. These things could well be detrimental to the State of South Australia.

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

Mr HAMILTON (Albert Park): I support the Bill. The 1970 report of the Local Government Act Revision Committee noted that 'the Act is hopelessly outmoded on many important matters'. Fourteen years later the same situation applies and this Government, as part of its pre-election commitment, has continued with the process of rewriting and upgrading the legislative basis of local government. Local government, as we all know, plays a major role in South Australia, employing as it does some 7 000 people and spending about $200 million a year. I point out also, for the edification of members opposite, that local government taxation for each resident in our State is lower than in all other States, with the exception of Western Australia.

I come back to the main issue: the question of the time of meeting of councils being after 5 p.m. Why not? Why should not the average Joe Bloggs in the community be given the same opportunity as those privileged few who want to retain those positions? The naivety and stupidity of the statements by the member for Goyder, when he said there is no politics in local government, astounded me. Where has he been for 25 years? We hear a diatribe from the Mayor of Port Adelaide, who comes out attacking ethnic people with his brand of politics and yet we get the garbage that there is no politics in local government. My God! How naive is the honourable member? He must have been living out in the donga by himself for the past 25 years and reading fantasy books. He does not understand that there is politics in local government.

Mr Meier interjecting:

Mr HAMILTON: The honourable member does not want to see—that is the reason. That is patently obvious when we hear these comments. We then hear the garbage about shift workers. Does one member opposite come from a family of shift workers who have worked shift work most of their life? In fact, I worked shift work for 24½ years before I came into this place. I do not believe that many members opposite know what shift work is all about. For just about every minute of a 24-hour clock I have booked on or booked off. I gave up my time and, as the member for Hanson conceded, there are many great people in the trade union movement who give up their time voluntarily and do a terrific job. He said that he 'admires them'. I am glad that he recognised my 11 years in the trade union movement, which I gave voluntarily. It is great to have it on the public record. Time and again I will remind the honourable member of his admiration for the trade union movement.

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON: I see my friend nodding his head in recognition of my great role in the trade union movement and my voluntary contribution to it.

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON: I am pleased that members opposite have recognised what we have done in the trade union movement. Of course, the question of optional preferential voting is a rather interesting one. As members opposite talk about consistency, then let them have it: why should Federal, State and local government not be the same? The answer is because it suits the Opposition to do otherwise. We will certainly have consistency in voting in this State. I think that it is time members opposite got their heads out of the sand and stopped being dictated to by vested interests. It is patently clear to me, and to other members on this side of

the House, that members opposite do not want to see the *status quo* altered by this Bill. It annoys them to see the working man get an opportunity to stand up in local government and say, as can an average person or worker affected by rates in the community, 'This is the way I feel.' I am not knocking big business people, but why not have greater representation by these people, and why not give them an opportunity to get on councils? Why not have the same system where people, if they choose, can stand for Federal or State Government, or for the third tier, local government?

If these people were given an opportunity to stand and to go along many of them, irrespective of whether they are shift workers or not, will give up their time to do so. Another matter that has been overlooked, and one that members on the other side have been strangely quiet about, relates to child care. Not one word have we heard from members opposite about this matter. It was the member for Mawson who highlighted this issue. We now hear members opposite talking about the disadvantaged in the community, something about which many of them were very quiet while in government. There are many people in my district, and in country and metropolitan areas, who are disadvantaged sole parents and who should be given an opportunity to stand for local government and to express their point of view. I applaud that. There are sole parents, men and women, who do not have that opportunity because they cannot afford to pay for babysitters. There are many such people in my area.

About 18 months ago I went to see a woman who lived in Seaton. After I knocked on her door she invited me in. When I started talking to her she broke down and cried, saying that she had not been able to go out socially for four years as she did not have the money or the opportunity to do so. Her son used to say to her, 'Mum, why is it I cannot have a pair of football boots?' and things of that nature. This was because they were disadvantaged. I believe that the disadvantaged in the community should be able to get on to local government so that they can put their point of view about community entitlements. One classic example of this (because local government puts out a lot of information to the community) involved me when I went to see the Federal member for Port Adelaide in his office in May 1981. He was issuing a leaflet to constituents, elaborating on the benefits available to the unemployed and the elderly.

I said to Mick, 'I wouldn't mind a couple of copies of those, mate.' He said, 'How many do you want?' and I said, 'Give us 11 500 and I will put them out in my electorate.' Every household in my electorate got that leaflet concerning entitlements of the elderly and unemployed. From 11 May, the day after I put those leaflets out, inquiries poured into my office—over 176 from 11 May until the end of that month. I was interviewed by the ABC and I wrote a letter to the *Australian*, and it was printed.

Here is a classic example where these people were unaware of their entitlements. Why should they not know? This is what it is all about. Let us provide for those people—the disadvantaged in the community—to get on local government and express their points of view. I would like to say a lot more. I congratulate the Minister on the wonderful job that he has done on this Bill, and on some of the terrific contributions—from this side of the House, I might add. I feel sorry for the pathetic performances coming from the opposite side. I know that the member for Glenelg will put in a great contribution tonight; I will listen with a great deal of interest, because I know that he will not be here after the next State election.

Mr MATHWIN (Glenelg): This Bill has been a long time arriving here because there has been a concentrated effort to rewrite the Local Government Act since the 1960s and the 1970s. Those of us who were here will remember that Mr Virgo, a previous Minister of Local Government, burnt his fingers very badly by messing around with local government. His great punchline at that stage was compulsory voting, but that has been dropped by this Minister from this Bill. Although it is a large Bill, it is a stealth job with many hidden extras. We have a situation unique since I have been in this House, where one clause covers 60 pages. I have never seen a clause so big. There must be some reason for the Minister's putting that in there and maybe that also could be included as part of the stealth in presenting this Bill to the House.

Some members who have spoken this evening—the member for Mawson in particular—talked a lot about night meetings. I wondered why the honourable member did not mention how many councils in the metropolitan area do not have night meetings. I would like the honourable member, perhaps at Question Time or when we get on to the lines, to tell us how many councils she believes there are in the metropolitan area that do not meet in the evening, except for the Adelaide City Council. Obviously, the honourable member did not really do her homework thoroughly because she would know that all councils in the metropolitan area meet at night.

Ms Lenehan: Rubbish! Noarlunga doesn't.

Mr MATHWIN: Perhaps the honourable lady misunderstood me. I said 'the metropolitan area'.

Ms Lenehan: You do not know what you are talking about. Noarlunga is in the metropolitan area.

Mr MATHWIN: Did I hear a chirping somewhere there? In any case, the situation should be left to the council itself. It can decide, as the member for Goyder pointed out; councils should be able to decide themselves by discussion within their councils as to when they meet.

I was in council for many years. After each election it was decided by council as a whole what nights we would meet and what days were best for all members concerned. I understood that the member for Brighton said that all councils were in full agreement with this. However, the two councils about which I will speak tonight—Brighton and Marion—are far from happy about this situation. I will quote from correspondence from the Brighton council relating to the Local Government Act Amendment Bill:

> Earlier this year the council had the opportunity to consider the following key issues which were contained in the Bill now under discussion: *(a)* allowances for elected members—

about which they are very concerned—

> *(b)* three-year term for elected members; *(c)* convening of meetings after 5 p.m.—

that is, all meetings after 5 p.m.—

> and the alteration to the voting system. It is considered that it may be unreasonable to expect an aspiring mayor to commit himself or herself to a three-year term.

I completely agree with this. It is not proper to expect a mayor to nominate for a full three-year term. It is unfair. I agree that a number of mayors serve for longer than three years, some for five, 10, 12 or 17 years.

Mr Mayes: How long were you mayor?

Mr MATHWIN: I was Mayor for five years.

Mr Becker: By popular request!

Mr MATHWIN: As my friend and colleague says, it was by popular request! I believe it is very difficult for anyone going into council to really know what he or she will be involved in as mayor. Some people find it easy and some find it most difficult. Three years is a long time to take on such a job involving such high responsibility and great demands. The letter continues:

> Council does not reject a preferential system *per se*, being of the opinion that it would certainly be the appropriate method if voting ever becomes compulsory.

That is the proviso in relation to changing the voting system. The letter continues:

Council rejects the need for the United Trades and Labor Council to be represented on the Local Government Advisory Commission.

I entirely agree with that. Why on earth do we want a representative from the United Trades and Labor Council on this body? There is no need at all. The only reason, I suppose, as far as the Labor Party is concerned, is that it is in its platform and it has to be. We all know that Labor Party members here have signed the pledge. They do what they are told. If they do not do what they are told they have a big problem on their hands. The letter continues:

Council convenes monthly meetings—

This is in relation to meetings after 5 p.m., I believe it is quite wrong for the Government to force this upon councils. Individual councils must decide for themselves. We are not just talking about ordinary council meetings when a council meets as a council and often goes into committee. I refer to various other committees in which many councils are involved, such as hospital committees, building committees and others in the district, because local government is widely involved in the community in this day and age. The letter continues:

Council convenes monthly meetings of its Alwyndor Committee. This committee oversees the operation of council's aged persons' nursing home, day centre and hostels in the same way as would the board of management of any other similar establishment. For a number of cogent reasons the meetings are held in the nursing home dining room and council would not like this room regarded as a 'place open to the public'. However, it is most important that meetings are held within the confines of the complex and an appropriate dispensation to enable this practice to be continued is sought. It should be pointed out that Brighton council and committee meetings, except the one referred to above, have been 'open' since 1975.

Meetings of the Brighton council have always been open to the public, and these are the problems that one could get. I would add to that: a subcommittee might decide to meet. It might comprise the mayor and the alderman and two councillors, or the mayor and two council members, to consider a certain problem. To the convenience of all concerned it could meet at 9 a.m., 3 p.m. or any time. To make that an open public meeting, at different times they would have to pin up notices and give a period of time in which to warn people that this is about to happen, and I think that that is quite unreasonable. I think that it is entirely wrong to legislate for that sort of thing. Page 35 of the Bill refers to the displaying of minutes, in relation to which the Brighton council states:

Whilst objection is not raised on this requirement, it would seem sufficient to provide for minutes to be on display until confirmed at the next meeting. At Brighton two meetings of council are held each month.

In that case, I would say that that matter ought to be considered by the Minister and I do not think that there is any need for that at all. I do not see any point in it and I think that there is a far more reasonable way to get what the Minister wants without legislating in such a manner. The council also registered an objection against the direction for a council to appoint an engineer, and this has been pointed out by a number of my colleagues this evening. The Brighton council has its own staff, and in relation to that matter it states:

... quite simply the existing technical staff at Brighton have proved their ability, as evidenced by the fact that the services of its appointed consultant have been required only once in the past eight years.

Therefore, I believe that there is really no need, and I would like the Minister to explain when he replies why the Government deems it necessary for councils to appoint an engineer, even if the Government allows councils to share one, and that is not a very good idea. I agree that it works in some country towns but I do not think that it would work as well in the city. One must realise that, when we talk about local government in the city and local government in the country, they are different situations and they call for different types of rules and regulations. Therefore, I believe that it is only right that the Government should consider far more flexibility for local government and let it get on with its own business and run its own show in that regard, because there have been very few occasions in the past 100 years or so that anyone has ever had to step in and overcome some great causes of trouble.

In relation to the register of pecuniary interests, the Brighton council stated:

All members are appalled that the Government has seen fit to require dedicated, honorary representatives of local communities to divulge details of their own and their families' financial affairs, and, worse still to provide that any person shall have the right to peruse and copy it. It is my Council's earnest request that Part VIII, register of interests is removed from the proposed legislation in its entirety.

Of course, I would agree with that completely: I think that it is quite wrong. That objection is also reflected in the submission I received from the Marion council in relation to problems in this Bill. That council also raised the matter of allowances to members of council. I object to that proposition, as does the Brighton council. In the past any member of council who has been out of pocket due to attending a meeting, function, or whatever on council duties has always submitted a list of expenses for such expenditure and has always been given an allowance for it. The suggested amendment providing for an allowance of $1 500 per head could add up to a fair cost to the council, which would have to be paid for by ratepayers. Earlier, the member for Albert Park told us that rates payable in South Australia are the lowest of any State, which is something to be proud of. However, this proposal would mean that that situation would soon be reversed.

Mr Ferguson: That is the maximum allowance payable.

Mr MATHWIN: Maybe it is, but that is the amount that has been stipulated. This proposition will upset the whole operation of councils, quite apart from the fact that there are still some people around who like to do something for the satisfaction and pleasure of having done it. The Brighton council stated:

It would not be difficult for any member of council to justify an allowance in the range suggested. It is doubtful whether the amount of $1 500 would be an incentive to attract prospective members.

I agree with that; I do not think it would provide an incentive at all. If the allowance were to attract aspiring members, their aspirations may be suspect; in other words they might be doing a job just to get some assistance.

I have referred already to the matter of preferential voting, which was raised by the Brighton council. I received information about another matter from the Marion council. I am surprised that neither the member for Brighton nor the member for Mawson referred to the submission from the Marion council. After all, members of Parliament represent councils in their electorates, whether one likes it or not—whether one has a thing against the mayor or not, such as is the case for the member for Albert Park, who has something stuck in his craw about the Mayor of Port Adelaide. However, in relation to that, the Mayor of Port Adelaide does a very good job indeed: he puts his allowance back into his district. He is a gentleman and a very efficient Mayor, and he is a very good hearted person, too.

The Marion council has submitted 12 pages of suggested amendments to the Bill. Actually, there are 49 suggested alterations to clause 7, which is a very large clause, covering 60 pages; it probably rates a place in the *Guinness Book of Records*. The Marion council has suggested many other

alterations to other clauses, but I will not go through all of them at this stage. Given the opportunity, I will perhaps take up some of these matters during the Committee stages. I have communicated with many people and one person to whom I did talk was the Mayor of Port Adelaide. He said that he disagreed with council members being paid for their services, as ratepayers were already often over-burdened by taxation in its many forms; I agree with that.

Mr Mayes: Why doesn't he give back his allowance?

Mr MATHWIN: He does. It is nice of the member for Unley to remind me of that. I did mention earlier that the Mayor of Port Adelaide gives back his allowance through distributing it within his community. I am glad that the member for Unley reminded me of it, because I have now emphasised that point. The member for Unley, either late last night or early this morning, told us about his experiences on Unley council. The lad had tears coming down my cheeks. I wonder how long he was a member of the council?

Mr Mayes: Long enough to know as much as you and probably a bit more.

Mr MATHWIN: Now the boy is bragging. The submission states:

> I disagree with preferential voting.

He also disagrees that members should disclose their personal financial affairs.

Mr Hamilton: There is not too much that he agrees with.

Mr MATHWIN: There is. This is a fair sized Bill of 72 pages, with one clause covering 60 pages; and this gentleman has written only a few pages. He continues:

> I disagree with the proposed three-year term for all members of local government.

I agree with that entirely. I do not think that it is a good thing. There is a possibility that if all the members go out together a completely new council could come in at one time, and I do not believe that that would be in the best interest of ratepayers. Apart from personalities, it would not be in the best interests of ratepayers at all.

I will leave detailed examination of the clauses until the Bill is in Committee, although there a few clauses about which I seek further explanation. The clauses that worry me in particular include those dealing with three-year terms, particularly the full three-year term for the Mayor. That is quite wrong, and that provision should not be in the Bill. I seek further information about allowances, because I do not agree with that at all. That is bad legislation, and I hope that the Minister will see some sense in Committee.

I agree with Brighton council in respect of the appointment of an engineer, and that matter also should be explained more fully by the Minister when he replies. Of course, the register of interests does not appeal to me at all in respect of local government. From my experience in local government and from watching other councils, whenever anything has happened in respect of which a councillor or an alderman has a special interest, without any delay at all the person concerned has removed his chair and taken no part in the discussions or the debate. As far as I know, and certainly in the councils with which I have been involved, we have never had anyone renege on that. It has all gone well and, after discussions are completed on the matter, the member has resumed his seat and become involved again with the meeting, whether it be a council meeting or a committee meeting. I do not believe that there is anything to fear, because the system is working well as it is. There is no reason for the Minister to want to change that.

I was going to raise a couple of other matters, but I think I will leave them to the more intricate and hard working period when the Bill goes in Committee. With those reservations, I support the second reading.

Mr BLACKER secured the adjournment of the debate.

ADJOURNMENT

At 1.45 a.m. the House adjourned until Thursday 5 April at 10.30 a.m.