HOUSE OF ASSEMBLY

Thursday 14 March 1985

The House met at 2 p.m.

The CLERK ASSISTANT: I have to announce that, because of absence on Australian Constitutional Convention duty, the Speaker will be unable to attend the House this day.

The DEPUTY SPEAKER (Mr Max Brown) took the Chair and read prayers.

The DEPUTY SPEAKER: I have to inform the House that, because of his absence on Australian Constitutional Convention duty, the Clerk is unable to attend the services of the House, and his duties will be performed by the Clerk Assistant under Standing Order 30. I have to inform the House also that, in accordance with Standing Order 31, I have appointed the Second Clerk Assistant to act as Clerk Assistant and Sergeant-at-Arms.

PETITION: HOTEL TRADING

A petition signed by 87 residents of South Australia praying that the House reconsider legislation allowing hotels to trade on Sundays was presented by Mr Rodda.

Petition received.

QUESTIONS

The DEPUTY SPEAKER: I direct that the following answers to questions without notice be distributed and printed in *Hansard.*

OBSCENE T-SHIRTS

In reply to **Mr MAX BROWN** (21 February).

The Hon. G.J. CRAFTER: The general legal principle is that a person who aids, abets, counsels, or procures the commission of an offence is liable to be tried and punished as a principal offender. If the wearing in public of T-shirts with obscene messages cartooned on them constitutes an offence, then the manufacturers and retailers of such shirts may be prosecuted for aiding, abetting, counselling, or procuring the commission of the offence.

There are relevant sections in both the Criminal Law Consolidation Act and the Justices Act. Section 267 of the Criminal Law Consolidation Act provides:

> Any person who aids, abets, counsels, or procures the commission of any misdemeanour, whether the same is a misdemeanour at common law or under any Act, shall be liable to be prosecuted and punished as a principal offender.

Section 53 of the Justices Act provides:

> Every person who aids, abets, counsels, or procures the commission of any simple offence may be proceeded against and convicted for the same, either together with the principal offender, or before or after his conviction, and shall be liable upon conviction to any penalty and punishment to which the principal offender is or was liable, or would be liable if he were convicted.

SECURITIES INDUSTRY LICENSING

In reply to **Mr FERGUSON** (13 November).

The Hon. G.J. CRAFTER: A five member Licensing Review Team has been established within the National Companies and Securities Commission to examine all aspects of licensing under the Securities Industry Act and Codes. The completion of this assignment has been delayed by staff constraints within the National Commission. However, it is anticipated that a discussion paper containing the view of the Team will be available for public comment in June. Following consideration of those public comments, the matter will be referred for discussion by advisers following which a recommendation will be made to the Ministerial Council for Companies and Securities.

In the meantime the Corporate Affairs Commission is monitoring the activities of persons giving investment advice. Where there is evidence of breaches of the Securities Industry (South Australia) Code the Commission will institute prosecution proceedings. The Commission has taken proceedings with respect to one person and this is presently before the court.

Likewise where there has been a failure to comply with licensing requirements the Commission will hold a 'hearing' at which the licensee is required to attend. As a result of the hearing the Commission may revoke or suspend the licence if there has been a breach warranting such action.

BREAD PRICES

In reply to **Mr PLUNKETT** (14 February).

The Hon. G.J. CRAFTER: In January 1980, price control of bread prices was changed from formal control to a format known as 'justification'. Under the justification procedure, the leading bread manufacturers can increase retail prices when and to the extent desired, but are required to lodge with the Prices Commissioner, within five working days of the increase, costing information to justify the price increase taken. If the Prices Commissioner deems the increase is not justified, the matter is referred to the Minister of Consumer Affairs for consideration.

A brief outline of the main causes of recent bread price increases may assist to clarify some of the apparent misconceptions of the reasons for such increases:

(1) April 1984—2c per loaf increase: 4.1 per cent national wage increase.

(2) June 1984—1c per loaf increase: wage increase due to variation of Bread and Yeast Goods Award.

The predicted price reduction due to the October 1984 decrease in flour prices did not eventuate as bread manufacturers had incurred compensating operating cost increases during the previous 12 months which fully offset the reduced flour cost.

(3) February 1985—2c per loaf increase: price increases of flour (January 1985) and other ingredients, workers compensation premiums.

The problem of excessive bread waste and wholesale discounting is of concern and is being addressed by the Government at the present time.

QUESTION TIME

MEMBERS' SUPERANNUATION

Mr OLSEN: Can the Premier say whether the former member for Elizabeth, Mr Duncan, received a lump sum superannuation payout of $221 000 following his resignation from this House, and whether action has been taken to ensure that this sum is transferred to the Federal Parliamentary Superannuation Fund? As this matter involves taxpayers' funds, I assume the Premier, as Treasurer, is able to advise the House whether this payment has been made to Mr Duncan. When this matter became one of public controversy last December, the Federal Minister for Finance, Senator Walsh, announced that the Federal Government

would close a loophole which allowed some MP's to collect two life-time pensions.

The action proposed by the Federal Minister involved the requirement that any former State MP who commuted pension entitlements to a lump sum must pay the full amount into the Federal fund. The Premier endorsed this action, saying in the *News* on 21 December that his Government was also looking at changes to the existing arrangements to ensure that Mr Duncan was not able to participate in what Senator Walsh has called 'a particularly lucrative form of double dipping'.

However, I understand following reports that Mr Duncan has taken his lump sum, but has not yet deposited it in the Federal fund, that the Federal Government is most concerned that its intended legislation may have been circumvented. I therefore ask the Premier to tell the House what action has been taken to ensure that any lump sum taken by Mr Duncan is transferred to the Federal Parliamentary Superannuation Fund, as both the Federal and State Governments intend.

The Hon. J.C. BANNON: I do not know whether that sum has been paid, but I guess that the question should be more properly addressed to the trustees of the Parliamentry Superannuation Fund. When I commented on the position as outlined by Senator Walsh regarding entry to the Commonwealth Parliamentary Fund, I made the point (and I stand by that point very strongly) that the transition provisions in our Act were not intended to allow this type of double benefit to apply, and I foreshadowed then, as the Leader of the Opposition mentioned, that the State Parliamentary Superannuation Fund Act be amended to ensure that that could not occur. However, it was not intended that that be made retrospective to apply to someone who had already taken advantage of it.

There was discussion about the position of Mr Hall when he transferred, as well as some other members, although not many, who had transferred one way or the other. On the other hand, the Commonwealth legislation, I understand, is to apply from the date on which it was announced, but I have had no notification on that and that is something we will only have to take account of when we introduce legislation. In short, I cannot say whether Mr Duncan has claimed the entitlement that was due to him under the Act. Further, while it is still the intention to ensure that that loophole, as I would regard it, is closed, it was not and is not the intention that it be made retrospective.

UNEMPLOYMENT

Mr MAYES: Will the Premier comment on the present employment and unemployment in South Australia?

The Hon. J.C. BANNON: The Bureau of Statistics employment and unemployment figures came out today in respect of Australia and South Australia as at February 1985. I think that one could say that the South Australian figures are pleasing. That certainly is an endorsement a little below the unmistakable proof that our policies are working and other phrases that we heard from a former Premier, and I retain the caution that I have maintained throughout on this matter. It is a matter of particular pleasure, which I know is shared by the Deputy Leader of the Opposition, that over the 12 months, from February 1984 to February 1985, employment in South Australia has grown by 4.2 per cent, representing 23 000 jobs. The rise for Australia as a whole was only 3.3 per cent for the same period, so it is good to see that we are doing better than the Australian average.

Unemployment, on the other hand, although it has fallen substantially, still remains at a fairly persistently high level. Regarding unemployment, we could see a dramatic increase in employment without making a great impression on unemployment, because an improvement in the situation brings a number of people who had dropped out (the so-called 'hidden' unemployed) on to the market and registering and making themselves available for jobs. I refer to people who had given up and no longer counted themselves as being in search for work. If there are opportunities and jobs in the market, these people will naturally offer themselves for those jobs, and that is a very good thing. So there is no cause for alarm at the fact that the changes in employment increases are not being matched by an equivalent drop in unemployment. There is cause for concern in the continuing high level of unemployment. The drop over the year represents a fall of about 7 per cent, and the fall in South Australia between February 1984 and February 1985 is commensurate with the national drop in unemployment.

Our situation is certainly better than it was in that period when persistently we had the highest level of unemployment in Australia. For instance, this month Queensland has a level of 11.3 per cent; New South Wales is on 9.7 per cent; ours is on 9.5 per cent; two States are on 9.2 per cent; and the lowest unemployment rate is 7.8 per cent in Victoria. So, it is good to see that our unemployment rate is dropping: let us hope it continues. We will certainly need continued vigorous action by all of us to ensure that that position continues.

PUBLIC WORKS COMMITTEE

The Hon. E.R. GOLDSWORTHY: Will the Premier ask the Attorney-General to withdraw his strong criticism of the Parliamentary Public Works Standing Committee about its investigation of the State Aquatic Centre? Yesterday, the Attorney-General made some grave reflections on the Public Works Standing Committee, suggesting that the escalation in cost of the Aquatic Centre raised questions about the quality of the work of the Committee and whether it had investigated this project to the extent it should have.

The Chairman of the Committee, the member for Price, has rejected this criticism, saying that the Committee investigated the project in a truly responsible manner. The statements made in this House by the Minister of Recreation and Sport make it very clear that the Committee bears no responsibility whatsoever for the cost overruns in this project.

The Attorney-General's statements are a serious and completely unjustified reflection of a Committee of this Parliament which is charged with very heavy responsibilities in relation to ensuring the proper and efficient use of taxpayers' funds for major public works. If the Premier refuses to direct the Attorney-General to withdraw his statements, this will be a clear indication that the Government has no confidence in the Committee.

The Hon. J.C. BANNON: I will ignore the comment at the end of the question. The Attorney-General's remarks were made in the context of a fairly heated debate on this issue in another place in which he was identifying—

Mr Lewis: Can't he keep his temper?

The Hon. J.C. BANNON: An extraordinary statement from the member for Mallee, but I suppose he feels some sympathy or empathy if that is the situation. No, the Attorney-General did not lose his temper. I am suggesting that simply in the course of the debate he made certain remarks which have been quoted. I understand that since then he has had a discussion with the Chairman of the Public Works Standing Committee.

Members interjecting:

The Hon. J.C. BANNON: They have resolved the matter between them satisfactorily. I would make a serious point

though, in addition. Over many years, I think it is fair to say, there has been concern not so much about the operations of the Public Works Standing Committee but about the sort of terms of reference under which it operates. That is something that should be examined.

For instance, it could be argued that the Committee in considering a project at a particular point of time based on certain data and facts supplied to it, should in fact be put in a position that if there is some escalation of the costs as the project is hardened up or further developed there should perhaps be some reference for it to have a further look at it. However, at the moment that is not the procedure that is followed nor has it been followed in the 100 or so years that the Committee has operated. The Government has complete confidence in the work of the Public Works Standing Committee, both in this instance and in others. The Attorney-General's remarks must be taken in the context of that debate. As the matter has now been clarified between them, I do not think that any more need be said.

KINGSTON COLLEGE

Mrs APPLEBY: Will the Minister of Education advise the House of the correct situation with respect to the pre-vocational electrical course at Kingston TAFE College? On 27 February in an adjournment debate an honourable member made reference to this course, and I quote from two passages of that honourable member's speech:

> Fancy starting a 12 month course in the middle of the year! That is absolutely ridiculous and, I suggest, with due respect, that the Minister could well have done that purposely because he has a problem in this area and wants to make the situation very bad for the youth of the south.

The second section is quoted again by the honourable member and relates to a letter. It states:

> The Minister had the audacity—

Members interjecting:

Mrs APPLEBY: I suggest that the honourable member listen. It states:

> The Minister had the audacity to sign this letter endorsing this shocking and untrue information of the situation of those young people who wish to become, through their dedication, electricians, but who are now unable to do so by the Minister's action in moving the course from Kingston College.

That speech, followed by a media release by the honourable member, was, it has been put to me, detrimental to the overall morale of the college.

The Hon. LYNN ARNOLD: In prefacing my remarks I am certain that every member of this House who has been door knocking would know of a certain species of dog that is very silent as one walks past the house, ready to door knock, but when one is halfway up the street, it starts yapping madly and furiously as if it is shouting in dog language, 'Come back here and I will tear the limbs off you.' That is how the member for Glenelg handled this issue. We went through Question Time after Question Time without so much as a question from the honourable member about this issue, without so much as a chance to pursue me in the forum of this House, make those comments he made, challenge me in this case, and attempt to embarrass me, as he thinks. Instead we wait until 10.30 p.m.—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr MATHWIN: On a point of order, Sir, the question was on notice and the Minister well knows it. It was a Question on Notice and could not be asked in this Chamber. The Minister is misleading the House, deliberately.

The DEPUTY SPEAKER: I do not uphold the point of order. I understand from my investigations that the question was not on notice.

The Hon. LYNN ARNOLD: I am confident that it is not beyond the guile and wit of the member for Glenelg to imagine, plan or think of a question to come within the Standing Orders of this place that was slightly different from the question he put on notice. His Question on Notice was about, as its prime point, when he was going to receive an answer to a letter he sent to me about this matter. I am sure he could have put into his question some statement other than that matter about the letter. So, I cannot accept his suggestion that he was absolutely powerless to raise the matter in this House, but in fact he chose instead 10.30 at night to raise the issue. He did not even have the guts to do as some of his colleagues do when they want to give me a serve over something, and say to me, 'I am going to raise the issue. I draw your attention to it, and I hope you will listen.' Other of his colleagues do it, but not the member for Glenelg. Like the yapping terriers—

Members interjecting:

The DEPUTY SPEAKER: Order! If the honourable member for Alexandra wishes to carry on in the vein in which he is presently carrying on, the Chair can accommodate him very well. The present outburst of near insanity must cease. We are now in the process of asking questions and getting answers, and not interjecting like a lot of rabble.

The Hon. LYNN ARNOLD: The yapping dog had his say and attempted to score some points, but the only problem was that he did not read his own speech notes to check them for accuracy. He cast some aspersions about the members for Mawson and Brighton, but both had actively raised this matter with me some considerable time before the member for Glenelg chose to raise it. A number of points, therefore, need to be made which have already been made to those honourable members previously.

In his speech he made a number of comments. First, he attempted to advise those members of the House who might have been listening to him at that time of night that it surely was a most amazing event to start a course mid year. His words were, 'Fancy starting a 12-month course in the middle of the year!'

Mr Mathwin: That's right.

The Hon. LYNN ARNOLD: And he says it again. the amazing thing about this is that it is in no way unique. The decision to start an electrical pre-vocational course at Kingston in the middle of this year, he attempts to tell us, is a one-off. It is not. There are other courses in the pre-vocational arena that have started in mid-year. I have not heard the honourable member say, on those occasions, 'Fancy that'. On the contrary, there is some inherent logic in starting a course in the middle of the year because, being a 38-week course, it runs from the middle of the year nearly to the middle of the next year, and much of the recruitment for apprenticeships actually takes place in August. So, it is quite a logical feed-on into a natural recruiting time for apprenticeships. Indeed, the previous 20-week courses finish about mid-year, ready to feed into the recruitment for apprenticeships.

The honourable member then decided to take umbrage in relation to staff and physical resources at the Kingston college as detailed in my letter to him. He said that I removed, from the college, staff who could have conducted the course. However, he has not done his homework. In fact, the course had been re-examined by the ICTC and certain areas had been introduced into the course, such as, among others, refrigeration and instrumentation. It just so happens that the staff available at the college did not have all the necessary skills for both those areas of the pre-vocational course. We guarantee to have available by the middle of this year staff resources to do that. More importantly, if one is about to teach refrigeration and instrumentation sections to a pre-vocational electrical course, one

imagines that one must have equipment to do so. The blunt facts are that the equipment did not exist at Kingston college to enable the course to start at the beginning of this year. I have given a guarantee to the member for Brighton and the member for Mawson that that equipment will be there by mid-year. That is the situation.

Mr Mathwin: Tell the truth.

The Hon. LYNN ARNOLD: I am telling the truth, and it is about time that the honourable member did the same. The other point that needs to be made is that the honourable member says that I was venting my wrath on the southern suburbs. Again, he did not do much homework on this matter because he would have known that, whilst there was some concern from the Kingston college about what might happen with the pre-vocational course (which has now been settled), there was also concern from the Elizabeth Community College. In my reading of the honourable member's speech, I did not notice much mention of my venting my wrath on the northern suburbs as well. Once we have overcome those staff skills issues, and once we have provided the necessary equipment to the colleges, both the Kingston and the Elizabeth colleges will offer pre-vocational electrical trades courses from the middle of this year. That will enable those students who want to do it in those areas to readily enroll, and they will not have to take part in some of the matters raised by the honourable member when he endeavoured to suggest that their only possibility was to travel out of the area to Regency Park. I think that puts the lie to that matter.

The honourable member refers to the Industrial Commercial Commission—I presume he means the ICTC—and asks whether the ICTC knows about it. Clearly, Question Time in the House is the appropriate time to ask such questions—but that is not when he chose to raise this matter; instead, he yapped away at some distance. I advise the honourable member and all honourable members that the ICTC knew about it and accepted the fact that in 1985 there needed to be some revamping of the course. It is quite happy about that and it accepts it. It has been involved in the process right from the start.

Elsewhere in the letter, the honourable member tried to say I was misleading him and the House and had done so deliberately. It is correct that one sentence in my letter read incorrectly. That sentence attempted to suggest that in 1984 there was a 20-week course and in 1985 there would be a 38-week course. It is not correct when the honourable member states, 'The course that was conducted over the years at Kingston college was 38 weeks long'. That is the point made by the honourable member, and it is incorrect, as well. The *Hansard* pull states, 'Over the years'. In 1983 the course was 20 weeks, and in 1984—unlike the indication in my letter—it was 38 weeks and not 20 weeks. It is 38 weeks again in 1985. To that extent I accept that the letter misinformed the honourable member and I apologise for that misadvice. As to the other arrant nonsense—that the letter is an attempt to vent my wrath on the southern suburbs, that the staff who could have done the course were removed from the college, that in fact it is ridiculous to have mid-year courses starting, that in fact is was my attempt to cut down the course—all of those points are absolute unmitigated tripe.

AQUATIC CENTRE

The Hon. MICHAEL WILSON: Will the Premier support the call by the Legislative Council for a special Auditor-General's inquiry into the massive escalation of costs of a State Aquatic Centre? The Premier said in this House yesterday that the Government would welcome such an inquiry. He said that by way of interjection and, in fact, as I understand it he then said, 'We are happy to have it.' However, in this morning's *Advertiser* the Premier is reported as saying that he sees no need for one. This about face is yet another indication that the Government is attempting to cover up the reasons behind the Aquatic Centre fiasco. The Premier can allay those suspicions by advising the Auditor-General that he supports the call by the Legislative Council for such an inquiry to report to him by 1 September.

The Hon. J.C. BANNON: I think the member for Torrens misinterpreted what I said and my attitude. I said then, and I say again, that I am quite happy for the Auditor-General to make an investigation if he thinks fit.

The Hon. Michael Wilson: You said you would welcome it.

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: I would welcome the Auditor-General's making any investigation into this matter that he thinks fit. I have also said that in the ordinary course of his audit no doubt he will be doing just that. But I do not support the nonsensical political motion that was moved and carried in the Legislative Council.

'COME OUT' FESTIVAL

Mr FERGUSON: Will the Premier provide the House with information on the progress of the 'Come Out' Festival during this important International Youth Year?

The Hon. J.C. BANNON: Today marked the launching of the 'Come Out' Festival. We have already had previously an earlier sponsorship launch, which I am pleased to say was most successful. A number of private sector companies have come in behind the 'Come Out' Festival, which, of course, will supplement the assistance given by the State and Federal Governments. The question is why are they doing so, and the answer to that is that the 'Come Out' Festival I think can now really say that it has taken its place as the best and biggest cultural and arts festival for young people in Australia, and amongst the best and biggest in the world. That is not just trying to beat it up: the fact is that in terms of the number of events and participants it is way beyond anything else that is happening in this country. It is not just something centred on Adelaide. There are 20 regional committees planning a whole series of activities in all parts of the State.

Interestingly, there are many companies and participants who wish to come here and see what is being done. School groups are coming to South Australia in May to see what is going on and to take part themselves in the 'Come Out' Festival. In referring to its international reputation, again I am not indulging in rhetoric. In 1987 Adelaide will be the host of the ASSITEJ Convention, which will be a conference of all those bodies from many countries in the world involved in youth performing arts and cultural activities. They have chosen to come to Adelaide for this world conference in large part because of what they have heard about the activities undertaken in our education system, from the Carclew Youth Performing Arts Centre, and the 'Come Out' Festival itself. The conference will be timed around the festival.

The increased funding support that has been given by the State Government through both the Department of the Arts and the Education Department will be fully justified in terms of the enormous community and now increasing corporate support being given to this massive arts festival for young people. It is a very important part of South Australian life. By building in arts and creative activities early, we are in fact seeing that move on into other arts areas. It helps to reinforce the image of South Australia as the home of the arts—the capital of the arts in Australia

and the Festival State. So, it is a very important part of our community lifestyle of which we are so proud.

This year's 'Come Out' will be the most successful of the 10 years that it has been operating—the biggest and the best. I guess we will all find ourselves participating in it in one way or another.

TOTALIZATOR AGENCY BOARD

Mr BAKER: Can the Minister of Recreation and Sport say whether the police are investigating irregularities at a TAB subagency at the weekend and, if so, what were those irregularities and what sum is involved? I have been told that in response to media inquiries about this matter the Minister's office has said that it has nothing to do with him. However, the TAB is under Ministerial control and it has been traditional for the responsible Minister to answer questions in this House whenever irregularities are alleged in relation to the TAB. Instead of trying to evade his responsibilities yet again, the Minister should give the House details of these irregularities and the sum of money involved.

The Hon. J.W. SLATER: I have been advised by TAB management of the incident referred to by the member for Mitcham. I have been told that the matter is in the hands of the police, and I think it would be most inappropriate for me (even if I knew all the details requested by the member for Mitcham) to comment on the matter while it is under investigation.

The Hon. Michael Wilson interjecting:

The Hon. J.W. SLATER: All I will say is that the incident referred to and the article in the press this morning are substantially correct. The sum involved is about $9 000, and I understand that—

An honourable member: A bit less than Riverton!

The Hon. J.W. SLATER: It is much less than Riverton, an incident which occurred unfortunately some years ago and which was a major concern to the TAB.

The Hon. Michael Wilson: We told the House all about it.

The Hon. J.W. SLATER: Eventually, and only under a great deal of pressure and questioning from me at the time. As a result of that incident, I understand that the TAB was in this case able to immediately assess the situation and as a consequence place the matter in the hands of the police.

The Hon. Michael Wilson: Who is responsible?

The Hon. J.W. SLATER: The day-to-day operation of the TAB is the responsibility of the management of the TAB, and there is an appointed board to which the management is responsible.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.W. SLATER: Members opposite are experts at sniffing out what they believe to be scandal. They know all about scandals—the Liberal Party are experts on these matters. They have experienced them from time to time within their own sphere or influence. When the press questioned me about this matter, I declined to make any comment because I was not aware of the circumstances.

The Hon. Michael Wilson: You said it was not your business.

The Hon. J.W. SLATER: I did not say that it was not my business.

The Hon. Ted Chapman: Speak up, Jack, we can't hear you.

The Hon. J.W. SLATER: If you kept quiet and paid the courtesy that one would expect from a responsible Opposition in this Parliament, members opposite might be able to hear. I know that the member for Alexandra does not often hear anything. He nods off about this time in the afternoon.

Members interjecting:

The DEPUTY SPEAKER: Order! This is the second time this afternoon that I have had to pull up the member for Alexandra. It certainly will not be pleasant for him if I have to do it again. I find it amazing that this afternoon, as soon as a question is asked, everyone becomes an expert and answers it. I suggest that we allow the Minister to answer the question.

The Hon. H. Allison interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.W. SLATER: The incident referred to by the member for Mitcham is being investigated by the police. I have the greatest confidence in their ability to investigate it and, indeed, I have confidence in the management of the TAB. If there are other developments, no doubt I will be advised of them, and I will report to the House if I believe the matter is of public interest.

FACILITIES FOR HANDICAPPED

Mr HAMILTON: Will the Minister for Environment and Planning, in conjunction with the relevant local government authorities, investigate the possibility of installing access ramps to beaches, for handicapped persons, along the metropolitan foreshore and at selected country locations in this State? Further, will he also confer with his Parliamentary colleague on the provision of an access book concerning the beaches in South Australia, for distribution to the disabled? Last year, the Minister, through his Department, provided an access ramp at West Lakes beach for a constituent of mine who had become disabled as a result of a motor vehicle accident.

The publicity given to that provision has resulted in many inquiries being made to my electoral office. Therefore, I hope that the Minister, in conjunction with local government authorities, can provide these facilities for the disabled, as well as an access book similar to that which is provided for the Perth metropolitan area and many other parts of Western Australia. This book demonstrates what facilities are available in Western Australia for disabled persons, including those who are partially disabled and those in wheelchairs, as well as the type of access available along metropolitan beaches in that State. I hope that the Minister can provide such assistance for the many disabled people within the South Australian community.

The Hon. D.J. HOPGOOD: I should be happy to take up this matter with the Coast Protection Board. As the honourable member said, some work has been done in this respect. However, other parts of the metropolitan coastline are very much built up and other forms of access, provided for other reasons, are probably suitable for the disabled. It is not impossible sometimes for a boat ramp to be built and access provided for a person in a wheelchair. However, other parts of the metropolitan coastline have not, desirably, in most respects been so intensively developed. The effect of that is that there is a dune system, which makes access to the beach very difficult. There are times when it is difficult for the environmentally sensitive boardwalk that we might construct to retain its character because of the dynamic nature of the dune system. For example, a boardwalk was constructed some years ago through the dunes at Southport, and those members who from time to time attend the State surf lifesaving titles which are often held there would no doubt have trodden that walk. They would know that, over a period of years, it was almost destroyed by the shifting nature of the sands, and something more substantial, in financial and physical terms, than that would have to be built to admit of access by handicapped people. There are a few problems of logistics as well as technical

problems to be solved. However, I certainly endorse the general thrust of the honourable member's advocacy, and I shall be happy to take up the matter with the Coast Protection Board.

HOUSING COSTS

The Hon. B.C. EASTICK: Will the Minister of Housing and Construction now admit that his Government's policy which forces all subcontractors working on Housing Trust projects to join a union has resulted in a signficant increase in the cost of public sector housing? The latest figures show that in December 1984 the average price of a dwelling unit in the public sector was almost $45 500, which was only about $200 less than the average price in the private sector. There has been a dramatic narrowing of the gap between public and private sector housing prices since the Government introduced its policy of compulsory unionism early in 1983.

For example, in 1981-82 the cost of building a public sector dwelling was more than $10 000 less than for a private sector dwelling. It is now clear that the Government's compulsory unionism policy has had a dramatic impact on prices, as the Opposition and industry indicated that it would. While the Minister has been crowing this week about the agreement that he has initiated on industrial peace in the industry, it is clear that the unions are not letting up on their drive to unionise the whole industry, which means that even higher home building costs are inevitable.

The Hon. T.H. HEMMINGS: That question, once again, proves that the member for Light knows nothing about the housing industry. The Pryke inquiry was set up some 15 months ago at my suggestion to the Deputy Premier, because there was real concern within the subcontracting industry that the people in it were being ripped off. Those who have read the Pryke Report confirm that statement.

Mr Olsen: Commissioner Pryke didn't agree with it.

The Hon. T.H. HEMMINGS: Commissioner Pryke agrees entirely. If the Leader of the Opposition would like a copy of the report, I will make it freely available to him. In his recommendations, Commissioner Pryke said that those people in the subcontracting industry were receiving, in effect, far less than those people employed on day labour. The Government picked up the recommendations of the Pryke inquiry and, in fact, went one step further.

We set up a disputes committee, which will be operational within the next two or three weeks. It will have an independent Chairman, and representation from the Master Builders Association and the unions. The rates of payment that have been agreed between the Master Builders Association and the associated building unions will have little or no effect on the unit cost per home in the tendering and construction business. However, also by setting up the disputes committee we will introduce a seven-day cooling off period during which both sides can get together and agree to arbitration before the disputes committee. The end result will be industrial stability within the Housing Trust tender programme area.

The member for Light made a few statements last night. He said that within a few days the cost of Housing Trust homes would soar. The honourable member is ill-informed: in effect, there will be no difference in price. The main thing to emerge from the agreement that was signed yesterday is that there will be industrial stability in the Housing Trust tender programme.

The Hon. B.C. Eastick: At what cost?

The Hon. T.H. HEMMINGS: The member for Light does not like that, nor does the Leader, because they have been saying that as a result of the Pryke inquiry costs will soar. But, costs will not soar; there will be industrial stability and eventually I and this Government hope that the disputes committee will extend right throughout the industry, which would be the best thing that could happen to South Australia.

JAPANESE TOURISM

Mr TRAINER: Will the Minister of Tourism say what special consideration is being given by this Government to encouraging Japanese tourists to come to South Australia? An article in the travel pages of the *Australian* last weekend pointed out that Australia needs to do a lot more homework into the potentially very lucrative Japanese tourist market, according to an independent study commissioned by Qantas, which was carried out to help determine whether airline capacity between Australia and Japan was adequate.

In this context the House could note that the views has often been expressed that a direct Adelaide-Japan flight could be advantageous. The study claims:

1. Australia's image in Japan is hazy and not linked specifically with its potential role as a major travel destination.
2. The supply of suitable tourist information in the Japanese language is deficient.
3. The study warns against putting too much reliance on surveys of Japanese visiting Australia. Although these show that Japanese tourists' most favourable impression of Australia is its 'friendly people', the study warns that the Australian tourist industry cannot afford to be complacent because this might simply reflect the Japanese custom of being polite and not complaining even when it is justified.

Most important of all it is stated:

Of all the Australian States wanting a bigger share of the Japanese market, only South Australia had conducted formal research of its own into Japanese tourism.

The Hon. G.F. KENEALLY: I am pleased that in an article in the national press recognition is given to the research into the Japanese market being undertaken by the South Australian Government through its Department of Tourism. I am not prepared to say that the extent of the research being undertaken is sufficient. I do believe that the image of the Australian market for Japanese visitors is as hazy as the article from which the honourable member quoted would suggest. We had in Adelaide only last week a South-East Asian and Japanese seminar, to which we sought registration from within the tourism industry in South Australia, and we had speakers from Japan, the Australian Tourism Commission and other areas of the tourism industry. It is quite clear from that seminar that we in Australia do not know enough about the lucrative Japanese market, as has been stated.

I was disappointed that more people within the tourism industry in South Australia did not seek registration. However, it was a very successful seminar and I believe it had great benefits to those who participated. Nevertheless, the tourism industry in South Australia has yet to face the challenge that the Japanese market presents to it. From the viewpoint of the Department of Tourism, we employ Japanese representatives in Japan to market South Australia, and we have employed a Japanese speaking consultant in the Department in South Australia. We have produced what I believe (and is generally conceded in Japan) to be the best marketing brochure presented to the Japanese market by any country anywhere in the world, and it has been well received.

We certainly encourage and help fund visits to Australia by the travel trade industry in Japan and South-East Asia. Despite all that, the Government cannot do all the work itself, and I do not think that the industry expects the Government to do the work for it. There remains a lot for both the South Australian Government and the industry to do. I would certainly encourage the Australian Tourism

Commission to continue its very excellent programme of promoting Australia overseas. South Australia will tap into that programme, and we will be prepared to work with any other tourist authority in Australia in promoting our country to Japan.

South Australia would be looking for its share, and hopefully more than its share, of the tourism dollar generated by such activity. I do acknowledge that a lot of work and research needs to be done in Australia and, although South Australia is acknowledged as being the only State making progress in this regard (and I appreciate that compliment), I am not prepared to say that the extent of the research that should be done here is in fact being done. We would hope to continue increasing the emphasis on trying to penetrate that lucrative market in Japan to promote not only the tourist industry in South Australia but also the tourist industry generally.

GRAND PRIX

Mr INGERSON: Is the Premier aware that the catering contract for the Grand Prix has been let to a Melbourne company and, if this is so, will he initiate immediate discussions with the Grand Prix Board to ensure that South Australian companies are given more participation in the major Grand Prix contracts? The Opposition has been reliably informed that the catering contract for the Grand Prix—a most valuable contract in view of the anticipated 50 000 attendance at the race—has been let to a Melbourne company. This would be the second major Grand Prix contract to be let to interstate organisations in the past week.

It was announced last week that PBL Marketing had been allocated the major part of the marketing of the Grand Prix. When the Grand Prix legislation was before this House, the Premier said, on 15 November last year:

> As much as possible, the expenditure, production, and so on, will be sourced in South Australia.

However, this does not appear to have happened with the marketing and catering contracts.

The Hon. J.C. BANNON: I am not aware of the details as to the people to whom the catering contract has been let; in the normal course of events I would not be informed. The whole point in establishing a Grand Prix Board is to allow it to make these decisions. In fact, as one of its briefs, the Board has the aim of maximising South Australian employment opportunities and activities. I would say that there would have to be some fairly compelling reasons for the Board to have let the contract to a firm outside South Australia, although I do not know the circumstances under which that might have occurred.

In relation to the marketing contract, I think there is a misconception about what has happened. In fact, there is a consortium of marketing, because a whole range of elements are involved in the marketing and promotion of the Grand Prix. The head contractor, if you like, is NWS channel 9, and the General Manager, Mr Talbot, is in charge of the group. There are five companies involved in the group, one of which is channel 9, and there is another local company. The services of PBL have been used, and I think without a doubt it is the premier national and international marketing organisation in this area in Australia.

PBL has a subsidiary company to work with it on the aspects of the contract which are based outside South Australia. In this activity I think we have to have a mix, especially since we are talking about a massive international event. It will be centred in South Australia. The majority of the expenditure, employment, and so on, will also be centred in South Australia, and we must ensure that it is of the highest international standard. Indeed, the Grand Prix gives South Australia an opportunity to introduce into our economy some of those national and international companies which will be attracted to this State to in fact establish offices and operations here. I do not think that we should feel at all concerned about that.

I think South Australian companies, similar to companies anywhere else, do not mind being exposed to the sort of competition that is provided elsewhere: in fact, it can provide distinct benefits. That is within the context of a general brief to ensure that as much as possible of the activity has been centred in South Australia. I notice that the honourable member did not refer, for instance, to the major contract that has been let to Humes Limited for the construction of concrete barriers. Some millions of dollars—I forget the exact figure—has been let to a South Australian company. That is appropriate: it obtained the contract competitively and on its merits and that is how it should be.

POLICE ENTRY

Mr PETERSON: My question is directed to the Deputy Premier in his capacity as Minister of Emergency Services. When police officers force entry into unopened private premises under the terms of a warrant, are they responsible for the security of those premises when they leave? A constituent has told me that the house was entered by the police, in possession of a warrant, when no-one was home. I am told that entry was forced through a window, and that afterwards all the exterior doors and gates to the property were left open. When the police had completed the search, the premises were left open and unoccupied: the house was open for any person to enter from the time when the police departed to the time when the occupant arrived some time later. Can the Minister clarify the responsibilities of the police in a situation such as this?

The Hon. J.D. WRIGHT: I would like to know a little more about the circumstances. I doubt that the police would force an entry unless very serious circumstances prevailed. In this case there is some doubt about who the occupants of that place were and what was going on inside it. Therefore, I would like some more information, if that is available, so that I can further investigate this matter. However, the general situation in these circumstances is that the police do have a right to enter premises if they have a warrant. I would be very surprised if the police did not leave premises as they found them and did not lock doors and windows and anything else that they had opened. I am not disputing the allegations made by the honourable member's constituent in relation to this matter but, in fairness, to enable me to provide the honourable member with a balanced answer to this question, the honourable member ought to provide relevant details, addresses, and so on, and I will obtain a report from the Commissioner of Police.

BANKSIA PARK HIGH SCHOOL

Mr ASHENDEN: Will the Minister of Public Works provide funds immediately to enable essential maintenance work to be undertaken on transportable units that were recently placed at the Banksia Park High School? This high school is one of the few schools in this State that is actually growing, and in 1983 the Education Department advised that the school should have extra rooms, as they were needed. An application for these rooms was made in late 1983, and the school continued to approach the Education and Public Buildings Departments during 1983, 1984 and

1985. Finally, in late February this year the rooms arrived, after a delay of 18 months.

Although they are on site, at present the rooms cannot be used. I have been advised (and I have seen them) that they are in a shocking state of disrepair and the Principal and the staff have indicated that they are not usable. There is an outer wall missing, and the PBD has acknowledged that funds will be provided to rectify that matter. There are broken windows, and these will be repaired. However, the school has been advised that no money will be provided to repair holes in the external walls. Further, on one of the buildings the timber is rotting to such an extent that it will give way simply by placing a hand against it, but the school has been advised that no money will be provided to replace that rotting timber.

The buildings are filthy and require painting, but the school has been told that no painting will be done. There are no floor coverings, and the school has been advised that no funds will be provided for floor coverings. It has also been advised by the Public Buildings Department and the Northern Area Office that no money will be provided except that which is required to make the buildings safe and secure. No painting or other repairs will be undertaken. A suggestion was put to the school council that it prepare a submission in regard to undertaking the repairs and painting itself if materials were provided by the PBD. However, the council was subsequently informed that it would be a waste of time because the money for the materials would not be provided. In other words, this is an exercise in total futility. I contacted the Minister's office direct on a number of occasions in an attempt to have these decisions reversed, but without success.

The Mayor of Tea Tree Gully has approached me and told me that his council is very unhappy with the appearance of the buildings. Further, residents in the area have approached me about the way that the buildings detract from an otherwise most attractive suburban area. Parents of schoolchildren have contacted me, saying that the buildings are in such a condition that they cannot be used by their children. Also, the school council has approached me advising that the buildings have been vandalised since being placed on site. The end result is that it is absolutely essential that the Minister provide funds desperately needed to bring those buildings up to a standard suitable for use.

The Hon. T.H. HEMMINGS: I sympathise with the honourable member in relation to this problem. Many members in this Chamber have approached me with the same sorts of problems, and I have discussed this matter briefly with my colleague the Minister of Education. If it is humanly possible to meet the requirements referred to, I shall be only too happy to expedite the matters.

ONKAPARINGA ESTUARY

Ms LENEHAN: Can the Minister for Environment and Planning say why he was at the Onkaparinga River, in the township of Old Noarlunga, yesterday, as reported in the media? I ask this question for two specific reasons. First, the Onkaparinga Estuary is a most significant natural estuary and an important habitat for bird and aquatic life. It is also a valuable resource for both recreation and tourist activities and must therefore be protected and preserved.

The second reason for asking the question is that on 31 January this year a malfunction at the waste treatment section of the Noarlunga abattoir led to a large discharge of heavily polluted wastes into the environment near the Onkaparinga River. These putrid wastes flooded over South Road, ran along a small creek and ended up in a large swampy area adjacent to the river. As the Onkaparinga River will be the southern boundary of the new District of Mawson, I wonder whether the Minister's visit was related to the prevention of a similar discharge in the future.

The Hon. D.J. HOPGOOD: I commend the member for her concern for the putative southern boundary of her district. My visit to the Onkaparinga yesterday was not solely related to the unfortunate spill that occurred in that area some time ago, though, indeed, I was concerned to observe for myself any possible remains from the clean-up that occurred there or, indeed, any ongoing problem. Nor was I fishing, although the Premier tells me that on the television coverage that is how it looked. I did not see it myself. The Government, as honourable members are well aware, in the last financial year has spent a considerable sum, along with the Commonwealth Government, partly through direct grants and partly through the CEP scheme, in doing a great deal of work in the Onkaparinga Estuary area.

The Hon. D.C. Wotton: What has happened to the $200 000 we granted?

The Hon. D.J. HOPGOOD: Most of that has been spent, as the honourable member well knows. I really cannot understand the reason for the question, because a good deal of that money was spent in the dredging operations for the Onkaparinga which the honourable member authorised when he was Minister. I thought he would have remembered that. In any event, a good deal of work has been done and in many cosmetic respects the estuary is showing the benefit of it.

However, there are persistent reports, based not on hard scientific data but impressions of local people, that there is a continuing decline of water quality in the Onkaparinga. Perhaps in one respect that could be expected because with the increasing diversion of fresh water away from the Onkaparinga system through Mount Bold and the Clarendon dam, obviously, less and less fresh water is getting into the lower system. We have decided as part of the coming 12 months expenditure on the Onkaparinga that a significant sum will be spent on monitoring studies of water quality. We will be looking at the oxygen content of the water, bacterial levels, salinity, E coli and coloform content of the water. There is some data available to us from former years against which to compare material that we will be collecting, but it is by no means enough to get a clear indication of what measures are necessary to counteract the decline, if a decline is shown up by the material we will collect. I can promise the honourable member that we will continue to look after the southern boundary of her district because, as she says, it is a prime recreation, tourist, and conservation asset for the south.

PERSONAL EXPLANATION: FRIENDLY TRANSPORT COMPANY

The Hon. D.C. BROWN (Davenport): I seek leave to make a personal explanation.

Leave granted.

The Hon. D.C. BROWN: This morning I was at the opening of the Emerson crossing which was conducted by the Premier—a project, I might add, which was started by the former Minister of Transport, the member for Torrens.

The DEPUTY SPEAKER: Order! I take it that there will be a personal explanation and not a debate.

The Hon. D.C. BROWN: No, it is a personal explanation. Just as the function was about to be opened, in a state of excitement one of the heavy handlers of the Premier thrust into my hand a piece of paper and said, 'Read the last page.' In fact, I read the whole statement, which was a press release put out under the name of the Premier of South Australia with the heading, 'Government acts to resolve

council intransigent delaying tactics'. The penultimate paragraph states:

I welcome the statement last night by the shadow Minister of Transport, Mr Dean Brown, that direct Government action on this matter was necessary.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: I made two statements yesterday concerning Friendly Transport. One was contained in a press release which was sent out as a telex to the news media. Nowhere in that press release did I say what the Premier claimed in his statement I had said. In that telex I stated:

Due to a bureaucratic bungle by the South Australian Government, the new overpass at the intersection of South Road and Cross Road will open without the Government having first relocated Friendly Transport... For several years it has been known that this problem would occur. The Premier, Mr Bannon, has made repeated promises to have the company relocated but still the company remains. The responsibility for delays in the relocation of Friendly Transport Company from Black Forest to a new site at Mile End now lies directly with the State Government... Panic has apparently struck at the Cabinet level. On Monday four Ministers met to consider the problems. Then yesterday apparently five Ministers met to again consider it. An attempt to bury the problem is expected later today when a statement will probably be made by Government.

I point out that nowhere in that statement did I make a statement, the same as or similar to what the Premier has claimed in his press release this morning. I have a full transcript of what I said to the House last night. I have read it all and nowhere in that is there a statement the same as or similar to what the Premier said in his press release. I realise that the Premier—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: I realise that the Premier has panicked over the issue of Friendly Transport, through inactivity for more than two years—

The DEPUTY SPEAKER: Order! The honourable member is now commenting, and is not making a personal explanation.

The Hon. D.C. BROWN: I am pointing out that what the Premier claimed in his press release this morning was in fact a grossly inaccurate statement compared to what the truth is and what I said in the telex. If the Premier keeps insisting, I would invite him to stand and read to the House the full transcript of the telex (I would welcome it), plus the two letters which were attached to it. The two letters pointed out the promises made by the Premier in 1982 and 1983, which were blatantly breached for a period of three years.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: Because of the inaccurate statements made by the Premier this morning, and thrust into my hand by his heavy handler—

Members interjecting:

The Hon. D.C. BROWN: We all know who it is: 'the big G'. I ask the Premier to withdraw his statement and apologise for making it publicly.

The DEPUTY SPEAKER: Call on the business of the day.

DANGEROUS SUBSTANCES ACT AMENDMENT BILL

The Hon. J.D. WRIGHT (Minister of Labour) obtained leave and introduced a Bill for an Act to amend the Dangerous Substances Act, 1979. Read a first time.

The Hon. J.D. WRIGHT: 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.

Explanation of Bill

The Dangerous Substances Act provides for the safe keeping, handling, conveyance and use of toxic, corrosive, flammable or otherwise harmful substances. This Act repealed the Inflammable Liquids Act, 1961, and the Liquefied Petroleum Gas Act, 1960, which provided for the safe storage and use of flammable liquids and liquefied petroleum gas respectively. This Bill amends the Dangerous Substances Act to make two minor administrative alterations to the Act.

The first is to give the Director of the Department of Labour a power of delegation so that the licensing function and other functions vested in the Director can be carried out on his behalf. This amendment will significantly improve the practical operation of the Act by allowing a nominated officer in each of the Department's Regional Offices to authorise, on behalf of the Director, the issue of licences such as those required to keep petrol and liquefied petroleum gas in tanks and stores. Also there are occasions when it would be administratively convenient for the Chief Inspector to be able to act under the delegated authority of the Director. The second alteration to the Act concerns the arrangement under which licences were granted for existing premises, on or in which flammable liquids or liquefied petroleum gas was kept at the time the Act was brought into operation.

One of the significant advantages of the Act is its authority for regulations to incorporate the requirements of standards published by the Standards Association of Australia. The use of these standards greatly assists in achieving uniformity of requirements between States and providing requirements which have been developed with maximum industry involvement.

Two such standards, AS 1940 'SAA Rules for Storage and Handling of Flammable and Combustible Liquids' and AS 1596 'SAA LP Gas Code' have been called up in regulations made under the Act to provide for the safe keeping of flammable liquids and liquefied petroleum gas. The relevant requirements of these standards must be met before the Director can grant a licence for this purpose under section 15 of the Act. Generally, the requirements of these standards are more stringent than those of the repealed Inflammable Liquids and Liquefied Petroleum Gas Acts.

When the Dangerous Substances Act came into operation it was intended that all registrations and approvals under the Inflammable Liquids and Liquefied Petroleum Gas Acts in respect of the keeping of these substances would continue under the new Act. Where there was an inconsistency between the requirements of the two standards mentioned above and the condition of the individual premises involved, then steps would be taken to require the eventual compliance of those premises with the respective standards, in so far as that was possible, but in the meantime the premises could be licensed at the discretion of the Director.

This arrangement has not proved to be satisfactory from a strictly legal viewpoint in that some premises could not, for valid reasons, comply with these standards, thus creating the anomaly of being licensed but not complying with prescribed requirements.

The only feasible solution to this difficulty is to insert a saving provision which deems premises existing at the date of operation of the Act and complying with the relevant repealed Act to be lawfully licensed. The Bill gives the Director the power to require these premises to be brought

into compliance with any prescribed requirement which may be necessary to ensure the continued safe keeping of dangerous substances.

Clause 1 is formal. Clause 2 inserts a new section 9a empowering the Director to delegate any of his powers or functions under the principal Act to the Chief Inspector or any other officer engaged in the administration of the principal Act. Clause 3 amends section 15 of the principal Act which provides for the granting of licences in respect of premises used for the keeping of certain dangerous substances. The clause inserts new subsections (5) and (6). Proposed new subsection (5) provides that the Director shall be deemed to have been empowered to grant a licence in respect of premises that were not in compliance with prescribed standards (as required by subsection (2)) if the premises were being lawfully used immediately before the commencement of the principal Act for the keeping of any prescribed dangerous substance. Proposed new subsection (6) is designed to make it clear that the conditions of a licence in respect of any such premises may comprise or include conditions requiring the premises to be brought into compliance with any prescribed requirement.

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

PLANNING ACT AMENDMENT BILL (1985)

The Hon. D.J. HOPGOOD (Minister for Environment and Planning) obtained leave and introduced a Bill for an Act to amend the Planning Act, 1982. 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

In November and December 1984, Parliament passed amendments to the Planning Act, 1982, to suspend the operation of section 56 (1) *(a)* and *(b)* until 1 May 1985. Suspension of section 56 (1) was sought by the Government following a decision of the High Court of Australia in November 1984 in the matter *Dorrestijn v. South Australian Planning Commission.* While the matter before the High Court dealt with an application for the clearance of native vegetation, the judgment of the Court had two general implications. First, the Court found that the effect of section 56 (1) *(a)*, was to allow expansion of an 'existing use' without any planning approval, and secondly the Court found that section 56 (1) *(b)* had the effect of allowing a person who did not require approval for a certain form of development prior to the Planning Act, 1982, commencing in November 1982, to undertake that development after 1982 without any approval, despite any zoning changes since November 1982.

As a result of the judgment, the Government sought first to repeal, and later to suspend the operation of section 56 (1) to ensure the maintenance of proper planning controls. At the time the suspension was considered by Parliament, the Government agreed to the establishment of a Legislative Council Select Committee into native vegetation clearance controls in South Australia. It is evident that the Select Committee will not complete its deliberations by 1 May 1985. Accordingly, the Bill seeks to extend the suspension period until 30 June 1986. During this period the protection provided by the planning controls (including those controlling vegetation clearance) under the Planning Act, 1982, will remain in force. Clause 1 is formal. Clause 2 extends the suspension of section 56 (1) as already mentioned.

The Hon. D.C. WOTTON secured the adjournment of the debate.

ROADS (OPENING AND CLOSING) 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 Roads (Opening and Closing) Act, 1932. 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

This Bill makes amendments to the Roads (Opening and Closing) Act, 1932, which will enable the South Australian Planning Commission to make orders with respect to the opening, closing and alterations to roads, where those proposals form part of a development for which the appropriate planning authority under the Planning Act, 1982, is the South Australian Planning Commission or the Governor.

The purpose of the Bill is to ensure that the South Australian Planning Commission is the authority that will decide proposals under this Act that are part and parcel of a development in which the local council has an interest or which is regarded as being so important that the Governor should constitute the appropriate planning authority under the Planning Act, 1982. Amendments along these lines have been suggested by judges of the Full Supreme Court in recent judgments and will enable road proposals hindered by those judgments to proceed for determination, pending a more extensive review of the legislation.

The Bill provides that road proposals will continue to be initiated and lodged by the Commissioner of Highways or by councils as heretofore, but, in the particular circumstances outlined above, moves the responsibility for considering objections and for making orders under the Act to the South Australian Planning Commission. The authority to confirm all orders is retained by the Minister of Lands.

Clauses 1 and 2 are formal. Clause 3 makes a consequential amendment. Clause 4 replaces existing section 8 and inserts two new sections in addition. New section 8 comprises consequential changes to the substance of the existing section. New section 8a sets out the three authorities, namely the Commissioner of Highways, the local council and the South Australian Planning Commission, which may make orders for the opening, closing and alteration of, or addition to, a road under the principal Act. The section also sets out the circumstances in which each authority may act. New section 8b provides that the proceedings under the Act leading to the making of an order will, as at present, be undertaken by the Commissioner or the local council. The council is better placed to fulfil this function than the South Australian Planning Commission even where the Commission is the body that will hold the public meeting and make the order. Clauses 5 and 6 make consequential amendments. Clause 7 amends section 12 of the principal Act to provide for notice of meeting of the South Australian Planning Commission to be published in the *Gazette.* Paragraph *(b)* makes

a consequential change. Clauses 8, 9 and 10 make consequential amendments.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

The Hon. J.W. SLATER (Minister of Water Resources) obtained leave and introduced a Bill for an Act to amend the South-Eastern Drainage Act, 1931. 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

The object of this Bill is to improve the remedies available to the authorities acting under the South-Eastern Drainage Act, 1931, against persons who leave rubbish in, or otherwise block, drains in the areas administered under the Act. The authorities are the South-Eastern Drainage Board, the Minister and the District Council of Millicent. The areas they administer are the South-East, the Eight Mile Creek area (both defined in the Act) and the area of the District Council of Millicent respectively.

In April 1984, Board employees discovered the carcasses of around 20 sheep which had been dumped in one of the major drains in the South-East, Drain M. The matter was reported to the police and local authorities and, after consulting with them on the adequacy of evidence collected, the remains were burned. The police subsequently identified the offender, who admitted the offence, and it was decided to prosecute. Section 76 of the South-Eastern Drainage Act, 1931, creates an offence of obstructing or damaging a drain or discharging dirty water or noxious liquids into a drain. However, 20 dead sheep in a drain with a bottom width of 40 metres can hardly be called an obstruction.

The police therefore chose to prosecute under the Police Offences Act, 1953. The case was subsequently heard by two justices of the peace in June 1984, and a small fine was levied. Board expenses for disposing of the dead carcasses were not recovered at this hearing but the Board was informed they could be, subject to a separate claim and hearing. Subsequently, the Board did not take any further action to recover costs.

This case drew attention to the limitations of section 76 of the South-Eastern Drainage Act, 1931. Dumping of dead stock, noxious weeds and other forms of rubbish is a fairly common practice by some irresponsible landholders. The recent occurrence was the first time that the offender was identified and prosecuted. The Board considers the dumping of a large number of dead sheep in a drain to be a serious offence and, further, considers that the small fine imposed for the offence manifestly inadequate. There is very little deterrent value in the small fine and the problems associated with the recovery of Board costs for the disposal of the carcasses has caused the Board concern.

Another problem that section 76 does not address at the moment is the planting of vegetation in drains. Drains are periodically machine cleaned and during one such recent programme difficulties were experienced with one particular drain where an adjoining landholder had planted trees in the drain. It is imperative that unrestricted access be available to all drainage works.

Clause 1 is formal. Clause 2 replaces section 76 of the principal Act. Subsection (1) of the new provision extends the ambit of the offence to include the matters already mentioned. Subsection (2) provides a daily penalty where an offender fails to comply with a notice to remedy the contravention. Subsection (3) provides that the offender is liable for the authority's costs in remedying the contravention and that these costs may be recovered as a debt or summarily. This means that the authority can sue in a court in the normal manner or alternatively can obtain an order for payment of the costs from the court of summary jurisdication which convicts the offender. To allow flexibility subsection (4) provides a mechanism by which something, which would otherwise be unlawful under the section, may be done. For instance an authority may wish to encourage the revegetation of drainage reserves. Subsections (5) and (6) are self-explanatory.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

SUPPLY BILL (No. 1) (1985)

Adjourned debate on second reading.

(Continued from 13 March. Page 3241.)

The Hon. D.C. WOTTON (Murray): I wish to raise a number of issues in this debate, but first let me say, as many of my colleagues who have spoken already have said, that I recognise the unusually early timing of the debate on this Bill. We realise that 1985 is to be an election year, and it may be significant that the Government wishes to get this legislation out of the way. It is an early time in the Parliamentary year for this debate to proceed.

Whenever that State election may be held, there is no doubt in my mind that a major issue to be highlighted at the time of the election on the part of the South Australian public will be the increase that we have noted in State charges and taxation generally since the present Government came into office. The Leader of the Liberal Opposition has often made clear the direction that the Liberal Party in Government would want to take in respect of State charges. Only last month in this House, he called for a tax freeze of at least two years and gave a commitment that a Liberal Government would immediately implement such a freeze to ensure that taxes and charges did not increase in real terms for at least two years. He also went on to commit a Liberal Government to give relief from spiralling land taxes and electricity tariffs. The Leader said that Government support for the move was vital at that time because of the impact of Government taxes and charges on Adelaide's rising cost of living, and proposals in Western Australia and Victoria of late for tax relief have been noted. In Western Australia, for instance, the financial institutions duty has been reduced in this financial year and the Western Australian Premier (Mr Burke) is now promising land tax relief totalling $5 million.

As was pointed out in that debate, there is no way that we in this State can afford to wait until the next election to match what is happening elsewhere. It is essential that we see a tax freeze, and the Leader was able to table figures to demonstrate the impact of rising land tax bills, especially on small business throughout the metropolitan area. Those statistics show increases of 130 per cent in land tax bills have been experienced during this financial year. The two most recent State Budgets, for example, have provided for a rise in State taxation of more than three times the rate of

inflation. Comparing the first two Budgets of the Tonkin Liberal Government and those of the present Labor Government, we see that in its first two Budgets the Tonkin Government reduced State taxation in real terms by 3.1 per cent.

Those facts are coming home to all South Australians. As I move around the various parts of the State and in my district, I find that more and more comment is being made concerning the difficulties that small business and industry generally are having in this State because of some of those State charges. In the international market place, if we look wider, we find that it is not just a matter of what is happening in South Australia: doors are being slammed in our face generally because of the costs involved.

Only recently, the *Journal of Industry* in this State, in one of its editions under the heading 'We can adjust our sails', talked about Australia's share of world exports and made the point that that share of total world exports enjoyed by Australia had fallen from 1.7 per cent in 1970 to only 1.2 per cent in 1983. The article states that Australia does not lack the ability to produce the goods, and points out that technology is alive and well in Australia. It states that hundreds of entrepreneurial firms are exporting high technology products to some of the most heavily industrialised markets, such as Japan, North America and Europe. According to the article, Australia is acknowledged as one of the world leaders in some areas. Indeed, a leading Australian scientist remarked recently that, in specialised fields, our reputation is so high that a common reaction is that 'if it came from Australia, it must be good'. That is something to be proud of.

If we are good, why are we not winning? It is pointed out in this article that the answer is simply that heavy and escalating non-wage labour costs have been the most significant problem. Further, it states that no employer needs to be reminded about on costs—these are compulsory payments such as pay-roll tax, workers compensation, superannuation, annual leave loadings, and so on.

They are not merely flea bite percentages stuck on here and there to ordinary wages. On costs are recognised generally as being a crushing burden. The article states that not very long ago the Business Council of Australia took a look at these fixed costs over and above explicit wage costs which are hampering our efforts in world markets and which may well be pricing many Australians out of work. That Council President said at the time:

> It is calculated that it costs the employer an additional $6 569 a year to employ a person earning straight wages of $12 320 a year.

I found that staggering. It costs the employer an additional $6 569 a year to employ a person earning $12 320 a year! On costs of this order must be a major inhibiting factor in international competitiveness, and on costs grow at staggering rates. If we look at what happened from 1981 to 1983, we see that the pay-roll tax bill leapt by 60 per cent; workers compensation by 121 per cent; superannuation by 145 per cent; annual leave and loading by 28 per cent; and others by 62 per cent.

Let us just take one example, namely, pay-roll tax. In 1983-84 State Governments collected close to $2 800 million in pay-roll tax. That is more than $400 for each employee. In South Australia, pay-roll taxes were a massive 33 per cent of total State taxes, and in the past five years they have grown by 54 per cent. In all other States, except Tasmania, the rate of growth was even higher: in some States pay-roll tax can be up to 6 per cent of a company's wages bill.

The article to which I have referred lists many other important factors that are having adverse effects on exporting in this country and stipulates some of those problems as they relate to South Australia. It is good to recognise some of those difficulties that are being experienced, because it is one matter that is being discussed continually by employers in South Australia.

I understand that a number of my colleagues, particularly those representing Hills districts, have expressed their concern about the power cost shock in relation to the proposed undergrounding of services throughout the Adelaide Hills. I refer to that briefly, because it is a matter that is of grave concern to me. I am not speaking personally: I am speaking on behalf of residents in my district and throughout the Hills generally. Those people could be paying five times over for the undergrounding of power lines if suggestions put forward by the working party were adopted.

Investigations on who should pay for undergrounding are being carried out following the release of the WD Scott Report late last year into power distribution in bushfire prone areas. The report recommended that power lines should be placed underground in areas of high bushfire risk and environmental significance. It also recommended that ETSA should pick up half the cost, estimated at $120 million over 20 years or $6 million per year. The working party set up to look into these recommendations suggested that the balance be paid by the State Government, landowners in the area and those directly affected who receive the underground service.

I point out that those in the latter category would also have to pay for the undergrounding of the power supply from the mains to their homes as well. Out of the $6 million per annum, the working party suggested that ETSA pays $3 million, the State Government $600 000, landholders in the area $1.5 million, and those directly affected $900 000. Again, the last figure would be a once only charge to individual consumers and could be paid over a 10-year period. However, it is causing considerable concern to residents in that some of them would be placed at an extreme disadvantage.

Many residents would be paying several times over—as electricity consumers, through their State taxes and as Hills land owners—all because power lines in their area were to go underground. It has been suggested by the Chairman of the Stirling District Council that it would be more reasonable if costs were spread throughout the whole State, not only in bushfire prone areas, and I support that totally. The proposed $0.6 million contribution by the State Government has also been criticised as being too small as well. By reducing the bushfire risk through undergrounding ETSA could also be saving itself some of the high cost of fires that have been experienced in the past. This matter has been of major concern to me and to those whom I represent in my district. We will hear much more about that in time to come.

I also refer to a couple of matters relating to the CFS. Recently, a survey has been carried out into the effects of fire fighting on CFS members. One representative of a brigade in the Hills has replied in response to that survey in the following terms:

> In our own brigade we have been singularly fortunate in escaping any obvious problems, and it seems that our actions following the major fire were on the right lines—a chance to talk about the fire and experiences with the members of the crew and in groups that included family members as well. Our training is regular and specific, with an emphasis on the interdependence of crew members. However, that is not the purpose of this letter.

The writer goes on to say that since Ash Wednesday II, there has been a new factor unwittingly entering the scene which may have a bearing on the ability of CFS volunteers to cope with the subsequent stresses. He states that, after Ash Wednesday II, Government, other fire fighting authorities and others, in an effort to prepare for any future disaster, made plans to involve many other groups in the fire fighting in the fire fighting plan. As a result there is an

increasing number of situations where there are almost as many (sometimes more) paid fire fighters as there are CFS members. The paid fire fighters come from MFS, local government, the National Parks and Wildlife Service or the Army. Volunteers contribute their after hours. I guess it could be referred to as family time, as pointed out in this letter. The writer continues:

When fire fighting duties call they sacrifice pay production, etc., and then face the criticism from family or employer along the lines of 'They're paid to do it, why should you go?'

At the same time as the CFS is struggling for funds and being told that there is no money available, funds are being made available for the other agencies to create or increase their capacity to be involved.

I use as an example a minute that has been brought to my notice from the Surveyor-General to staff in the Survey Division of the Lands Department. Headed 'Fire Fighting Assistance from the Department of Lands', the minute states:

The National Parks and Wildlife Service, a division of the Department of Environment and Planning, has a major responsibility for fire protection and suppression on its 205 reserves throughout the State. In particular, major emphasis is placed on fire protection in the Adelaide Hills and surrounding areas in close liaison with the Country Fire Services. Because of a short-term problem with staffing levels—

I suggest that it is a bit more than that, but that is how it is defined here—

the National Parks and Wildlife Service is seeking assistance from outside its own organisation from officers of the Department of Lands, who would be interested in being trained as fire fighters.

The minute goes on to say that the Service is seeking a specified number of people, and that these staff who would be prepared to make themselves available for this task would receive an appropriate level of training to ensure that they could handle the work proficiently and safely. The writer continues:

In the event of a fire, staff would be relieved of their normal duties and their pay and leave conditions not affected. Any fire fighting activities after normal working hours would attract an overtime payment.

That is all very well, but it is creating very real problems in the CFS, for example, where volunteers are giving an enormous amount of time and working alongside people who are being told they could be paid overtime for their involvement in fighting the same fires. It goes a little further than that, because problems are being experienced by employers and employees as well. The matter has been brought to my notice by those who employ a few staff in the smaller Hills towns. I am not in any way detracting from the dedication of CFS officers, because I know them well enough to realise that they are all extremely dedicated. They are torn between two allegiances: they have a responsibility to the CFS Brigade and a responsibility to their employers. Those who are in senior positions drop everything at work as soon as the beepers go off and attend Brigade headquarters. It is reaching the stage where some of these people are being called out many times a week—in some cases, day after day.

Employers are now putting to me that they need to look for some sort of subsidy or assistance if this is going to happen. I support that, as a need exists for those difficulties to be recognised. I guess that there are a couple of solutions. First, we could have a form of compensation—perhaps a general insurance cover for the fire itself. Secondly, we could extend the volunteer system so that there was less pressure on individual people. In fact, the present pyramid structure could expand laterally and the load for some persons could be shared to a point that employers could stand.

I wish to refer to a number of other issues, but time will not allow me to do so. It is becoming more necessary for the Government to decide how it wants volunteer emergency services to operate. We all realise that the Government recently sacked the CFS Board because, it said, the Board was not working. At the same time, the Legislative Council Select Committee inquiring into the St John Ambulance Service recommended that an ambulance board comprising a large number of people be set up; the Government sees supervision and responsibility under a Board as being the most appropriate way of running a volunteer service. With the CFS it is saying that the Board should be sacked because the structure does not work. However, with St John Ambulance—another emergency service—the Government is saying that that volunteer service would be best administered through a board.

I now refer to another matter that is causing considerable concern in my electorate and throughout the Hills, namely, the Supplementary Development Plan that is now before councils in regard to the requirement for tougher laws to protect water. I had considerable input earlier in my time as Minister and recognise the need for a supplementary development plan to be introduced to cover those matters. I am concerned, as are councils who have had the opportunity to look at the SDP, in relation to the matters that are raised and the restrictions that are imposed.

For example, landowners will not be able to rearrange the boundaries of their land if the development could lead to increased pollution. It is stated that this would prevent a landowner winning council approval to change the boundaries of land and moving an existing activity. Another is that, if an allotment of whatever size already has a dwelling, the owner will not be permitted to build another house on that allotment. At the moment, the construction of a second home is left to the discretion of the local council. A further point is that subdivisions resulting in additional building on allotments will be prohibited in the Hills area. The subdivision is also left to the discretion of local councils at present.

I have had the opportunity to speak to some councils. In fact, within the next week or so I have been asked, along with the Deputy Premier, to meet with four or five Hills councils to discuss this supplementary development plan.

The Hon. D.J. Hopgood: Do you mean the Deputy Leader of the Opposition?

The Hon. D.C. WOTTON: What did I say?

The Hon. D.J. Hopgood: The Deputy Premier.

The Hon. D.C. WOTTON: Of course I meant the Deputy Leader of the Opposition: why would I be meeting with the Deputy Premier on planning issues? The Deputy Leader is involved and would want to see that his own electorate and the Hills people were properly protected. The Hills councils and people to whom I talked, as a result of having some publicity given to this matter through local papers, have all expressed concern at the proposed new controls being unduly restrictive. As the Minister happens to be in the House presently, I flag that I have some very real concerns about it and that I will taken special note of the supplementary development plan.

The Hon. D.J. Hopgood: I look forward—

The Hon. D.C. WOTTON: I hope that the Minister will because it is important that we have a balanced approach to the needs involved. Whilst we all recognise the responsibility that the Government has and the need for appropriate water quality in the metropolitan area, we also need a balanced approach for those who earn a living and live within the catchment areas.

I now refer to a letter which I received from a Hills estate agent and which relates to the Engineering and Water Supply Department. The writer states that they have recently been negotiating with a young couple who wish to purchase a block of land. The area is not fully serviced by mains water supply. However, it is understood from past sales in the area that an indirect water service can be supplied in some

instances. On 5 December last the agent sold the adjoining block. He points out that the usual practice when selling vacant land or established homes in areas where there is some doubt as to water supply is to advise the purchaser to make their own inquiries with the E&WS Department.

In the case of the sale in December, the purchaser was advised that an indirect service would be available to that allotment. On the advice of the estate company, the couple wishing to purchase the allotment telephoned the E&WS Department and was told that an indirect service would be available at a cost of $230 to cover the necessary pipes, labour and so on. After signing the contract to purchase that property on 3 February of this year, the purchasers, being cautious and wanting to ensure that water would be available, again telephoned for confirmation regarding the water supply. To their horror they were told that, since the land was within the water catchment area, they would be unable to have an indirect service and that they would have to be connected to the mains supply, the cost for which would be $6 000 plus. So, within only two days they were given very diverse information. The first suggestion was that the cost would be $230 and, within two days, they were informed that their costs would be $6 000. Needless to say, during the cooling-off period these people reconsidered and, as a result, they were not able to proceed.

Naturally, they were extremely disappointed. The exercise also involved the time of the estate agents and negotiations with the purchaser, with the preparation and signing of the contract, the same time and effort being required in respect of the building agreement with the company concerned. The estate company felt obliged to bring the matter to my attention. The company goes on to say that it is only one of many complaints it has received and has been personally involved in regarding the efficiency of the E&WS Department. I have written to the Minister. As a matter of fact, I wrote to him at least two months ago and I have not yet received a response.

The Hon. D.J. Hopgood: Nothing at all?

The Hon. D.C. WOTTON: It has been acknowledged, but I have not received a detailed response. Some Ministers are taking up to six months to reply.

The Hon. D.J. Hopgood: Not me.

The Hon. D.C. WOTTON: I would not be too sure about that. In the near future I believe I will have an opportunity to wave in front of the Minister a couple of letters, replies to which are getting pretty close to it, if not more than six months. So, the Minister should not be too cocksure. In the last few minutes available to me I express my satisfaction and pleasure at the success of Operation NOAH.

The Hon. D.J. Hopgood: Hear, hear!

The Hon. D.C. WOTTON: The Minister agrees, and I am sure that most of the Opposition and the Government support the project. However, I was absolutely amazed when the Young Labor Movement and the Young Democrats came out in such strong opposition to the project. As we know, similar operations have proved very successful in the Eastern States, and there is no doubt at all that some of the figures coming in suggest that the South Australian operation was just as successful. Any move that can help in the fight against the scourge of drugs in South Australia, I would have thought, would be commended by the whole State. I believe that the Premier could have acted a lot more responsibly than he did in regard to the activities of the Young Labor Movement in opposing that operation.

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: Well, he came out and said a few things. I think the nonsense that they were going on with—

An honourable member interjecting:

The Hon. D.C. WOTTON: Well, perhaps it was not just the Premier. I would have thought that all members of the Labor Party would have a say in trying to convince the younger members of that Party that they should be taking a more responsible attitude.

Mr Trainer: The Premier did a lot more than the Leader of the Democrats did.

The Hon. D.C. WOTTON: I am not talking about the Leader of the Democrats; I am talking about the Premier in this case, because he previously came out in support of the operation. In fact, there was bipartisan support for Operation NOAH. When opposition came from Young Labor, I would have thought that the Premier could have had much more to say and could have been more forceful than he was in giving support and having the Young Labor Movement in particular—I know that he cannot do anything about the Young Democrats—stop their nonsense and act more responsibly. In closing, I am delighted that the operation has been so successful. I hope that it becomes an annual event and, more than that, I hope it is recognised throughout Australia as being a very successful way of combating some of the problems being experienced with drugs not only in this State but in Australia generally.

Mr LEWIS (Mallee): Mr Acting Deputy Temporary Speaker—

The ACTING SPEAKER (Mr Ferguson): Order! My correct title is 'Acting Speaker'. There is no need to add any other prefixes.

Mr LEWIS: Regrettably, Sir, I have incurred your wrath without realising the sensitivity with which you regard the essential form of connotation and address as it applies to your position. I was not aware that that was stated anywhere in Standing Orders. However, I would be pleased to learn of it if at some future time you could draw my attention to it.

It is lamentable and quite unprecedented that a Supply Bill should be introduced at this time of the year. It clearly indicates that the Labor Party is in the process of fragmenting, unsure of where it will be in three or four months time, so it will get Supply through now while things are fairly settled and while it has the numbers to do so.

Having done that, it could, I suppose, get Parliament up for anything up to 12 months without needing to sit again while it tries to sort out its internal difficulties and let a few of its old crocks die in peace. To my mind it is quite incredible that we should find ourselves confronted with this proposition—to appropriate revenue for the purpose of administration when there are still plenty of funds available. That is the position as far as I am aware, and every remark made by the Premier indicates that is so. Why are we doing this? What purpose is this exercise serving financially at this time of the year? I do not know. I wish to refute one anomaly, which I think was also mentioned by my Leader in his remarks when he opened the debate on this Bill. Someone is telling lies: it is either the member for Hartley or the Premier when he was formerly Leader of the Opposition.

Mr TRAINER: I rise on a point of order, Sir. I believe that the member for Mallee has used unparliamentary language to the extent that he used the word 'lies' in the context of remarks that may or may not have been made by members of this House.

The ACTING SPEAKER: I ask the member for Mallee to refrain from using unparliamentary language. I ask the member for Mallee to withdraw the unparliamentary language.

Mr LEWIS: Mr Acting Speaker, I refuse to do that on the grounds that the Deputy Premier used that word in that context during the course of a debate in this place 12 months

ago. When I raised the matter with the Speaker at that time, the Speaker said that it was not unparliamentary. Therefore, I ask you, Mr Acting Speaker, to reconsider your direction to me.

The ACTING SPEAKER: I am not in a position to know what the Premier said 12 months ago.

Mr Lewis: You were in the Chamber.

The ACTING SPEAKER: I am not in a position to know what was said 12 months ago. I cannot accept unparliamentary language, and I ask the honourable member to withdraw.

Mr LEWIS: Therefore, Mr Acting Speaker, I must respectfully and regrettably refuse your request.

The ACTING SPEAKER: I ask the honourable member to remain silent. The only recourse I have in the circumstances is to name the member. I am asking the honourable member to withdraw the unparliamentary language that he has used.

The Deputy Speaker having resumed the Chair:

The DEPUTY SPEAKER: I am directed that the member for Mallee has used the word 'lies' in the House which, as I do not have to remind honourable members, is considered unparliamentary under Standing Orders. I further understand that the Acting Speaker asked the member for Mallee to withdraw and that the honourable member has refused to do so. I point out to the honourable member for Mallee that I will give him a further opportunity to withdraw the remark, as I believe that it is proper for me to do that. I point out to the honourable member that if he does not withdraw the remark I will have no alternative but to name him. I know very well what the repercussions of that would be, and I certainly would not be happy about it, but I can assure the honourable member that if I am forced into that position I will undertake that course of action. For the last time, I am asking the member for Mallee to withdraw un equivocally his remark. The honourable member for Mallee.

Mr LEWIS: I withdraw.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Mallee has done as I asked him to do. I ask that all honourable members cease interjecting.

Mr Mathwin interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Mallee can now proceed with the debate.

Mr LEWIS: Mr Deputy Speaker, given that this is a debate about Supply and that the purpose of Supply is to enable all agencies financed by Governments to continue to function, one of which is the Parliament itself, I must refer to the fact, without any disrespect to yourself or anyone else who sits in the Chair, that there have been instances during the course of the term of this Parliament during which that word has been used.

The DEPUTY SPEAKER: Order! The honourable member for Mallee will resume his seat. As I pointed out last night, in this debate we are dealing with the finances of the State and, although honourable members have a fairly wide scope in this debate, it has nothing to do with the attitude of the Chair. I suggest that the honourable member come back to the debate and stop referring to the Chair in any way. I hope that I have made myself clear to the honourable member for Mallee. I ask the honourable member to get on with his contribution in this debate dealing with the finances of the State.

Mr LEWIS: Mr Deputy Speaker, on a point of order, I ask you why members of the Government can use that word and I cannot.

The DEPUTY SPEAKER: I do not know whether the member for Mallee is trying me out at present, but I can assure him that if he is I know who will win. I am trying to be as patient and fair as I possibly can about this procedure. I pointed out to the member for Mallee that the debate has nothing to do with the actions or inactions of the person presiding in the Chair. There is no point of order. I do not uphold any point of order, because there is no point of order. For about the fifth time I ask the member for Mallee to come back to the debate.

Mr LEWIS: I guess it is fair in a debate like this to quote what I regard as being reasonable statements, and to do that I will paraphrase some remarks that I have before me. Any prospect of a capital gain on rural land is the height of economic, environmental and political stupidity. Our Aboriginal brothers and sisters now legally own one of the largest slabs of country on earth. The collective wealth of their land is enormous, and yet are any of the elders to suffer an assets test? If a black station loses money, are the people dispossessed? Rural Australia believes that the blood debt of the Aborigines was paid by the AIF in the Second World War. However, you, Sir, and I both know that "had Hitler taken over in Australia the Aborigines would be extinct. If the Japanese had taken over in Australia the land rights claims would have fallen on deaf ears" and, equally, Aborigines might well be extinct. There is no doubt about the validity of that proposition.

Further, "the assets test as it applies to the rural aged brings the ALP into a philosophical quagmire." As I said, "any prospects of a capital gains test on rural land is the height of economic, environmental and political stupidity." I challenge any member of the Government to refute that view and would argue the case against them in this place or anywhere publicly, because what I have been referring to is the February 1985 edition of the *Herald* (page 3). For those who do not know, I point out that the *Herald* is the Labor Party's official monthly newspaper. The article was written by Norm Napper, someone for whom I have a lot of respect. He is a long time member of the Labor Party as he knew it when he joined it, but a far cry from the social organism which presently blights this Parliament and other Parliaments in this country. If that is not a true statement how is it that among members opposite we find two Independent members at present?

It is quite clearly the case that the public has recognised the ALP for what it now is: the play thing of the political extremists who bargain for and win power in the unions which have the greatest membership and which then determine whom among their mates they will endorse to become a candidate and, in their view ultimately, a member of this place. They have no regard for or responsibility towards the communities that they are supposed to represent. They do not care about the people who feel the same way as members like Norm Napper. The union membership gives people little, if any, voice in determining who from among their ranks ought to be endorsed to represent the Party at the polls and, ultimately, if successful, the Party in this Parliament.

The power exercised by the Statewide organisation of the Labor Party in determining who will stand as candidates for the Party and in which seats is quite immoral. In no way is it a competent body to make decisions about the destinies of the broader community. That is becoming increasingly apparent as evidenced by the large divisions emerging in the broad spectrum of political opinion that the Party attempts to represent. Members opposite may raise their eyebrows and scowl, or otherwise wonder in amazement why I am saying these things, but quite clearly it is no longer possible for the ALP to determine its policy on the floor of its own convention and behind the locked doors of its Caucus room.

The ALP requires within the Parliamentary Party organised factionalism, the factions caucusing themselves before they even go into the Caucus room or their State Convention to

determine what their attitude will be. That is what is destroying this Parliament; that is what is destroying this Government; that is what is destroying this country; and that is why the people of this country find themselves paying higher and higher taxes to finance the pet projects and programmes of the extreme left wing which, at the present time, has taken control of the organisation called the ALP. We, as members of the Parliament, have to sit here and listen to the kind of drivel which is trotted out by Ministers and members opposite and which they have been instructed to put forward as legitimate personal views when in fact we know, even if they do not, that they are not their own personal views, originally conceived and personally derived from their own experience of life such as Parliament was originally intended to provide, especially through the Lower House, the Commons, which this House seeks to be. It is not a Parliament at all. It is a sick piece of increasingly irrelevant theatre, manipulated by the power brokers in the factions of the Party machine of the Labor Party who con the electorate into believing that what they are saying can be relied upon.

There is no truth in the kind of promises they make at election time and the record of the Premier and his Government, having won an election based on the statements they made prior to that election, is clear testimony to that view. We have constantly reminded them and the people of South Australia of the unequivocal statements they made to get themselves into office. They were dishonest. There are other terms which describe the real meaning, some three letter words (not sex) amongst them. They were not only dishonest but also deceitful. They tax people in the same way as the war lords and bandits who exist and thrive on that sort of coercion in South-East Asia, where a person cannot get food unless he pays sustentation money to the local bandidos and the sustentation money, whatever that might be, turns out more often than not to be in kind and not cash: it is food.

That is exactly the way the Labor Party gets its money. People are compelled to join a union to get a job to have food, and in so joining the union, automatically they have to subscribe to the funds which support the political Party to which they do not belong, the views of which and in which they have no say, and ultimately have to suffer when made law. That is not an unreasonable or an inaccurate summary in broad brush global terms of exactly what is going on in this society at the present time. Those people do not really give a damn what goes on outside their bailiwick and the prospects they may have of winning other bailiwicks to gain and hold the power to make the laws they do. They simply do what is expedient, and they are well satisfied at that. The decisions that are expedient are made by a handful of people in a faction which, having caucused and decided its attitude, takes its disciplined and rigid view into the Caucus room, wins the vote there and then forces that through the Legislature, which is in no way representative of the views that are really held in the community: certainly not a majority view. If that were not so, the genuine spontaneous outcry there has been against this Government since the time it came to office about large hunks of legislation it has introduced would not have arisen.

I want to illustrate how some of those decisions have affected people in my district and/or otherwise draw attention to the difficulties those people are suffering. The editorial in the *Loxton News* of 6 March 1985 states:

> There can be no reasonable excuse for the two month delay which has occurred in carrying out the work required to restore a bore to working order at Paruna. The situation which developed once the bore pump had seized up was a classic example of the seeming indifference to any need for prompt action, so often displayed by Government departments.

I substitute there 'Government'. The editorial continues:

> That indifference was underlined by the fact that neither of the departments concerned—

that is, the Government—

> made any effort to contact the school representatives to advise them of what was happening. There are many people employed in the Public Service who make a genuine effort to treat members of the public as human beings and try to have their business attended to courteously and promptly. Unfortunately, such examples appear to be in the minority and are usually found in the country areas where contact is much closer with the public. The anonymity afforded by large city offices of Government departments—

the Government—

> must bring out the worst features of those who are termed public servants. All too frequently there seems little desire by such people to serve the public. The buck passing and strict adherence to red tape procedures observed in the Paruna bore situation, coupled with the lack of any apparent attempt to treat the matter with some urgency and a total absence of communication, can only harm the image of the Public Service as a whole, and the departments involved in particular. The Ministers concerned should rap some knuckles hard over the whole affair.

Hell, I reckon the Ministers themselves ought to take the rap. The editorial continues:

> Many people have been frustrated over the snail's pace at which Government departments operate.

If it has not become obvious, I am referring to the fact that on 5 January a bore broke down at Paruna. That bore services the school oval with water. That bore is the only source from which water can be obtained. Up until this moment that bore has not been replaced, repaired or restored. The local community was prepared, and requested permission, to get a private contractor to sink a bore and equip it themselves but that was refused. Now they are confronted, given that the public servants cannot move because the Ministers will not permit them to move, with the necessity to replant their community oval and playing field. They have not been able to finish the cricket season and they cannot start football training. The work on that bore will not begin for another 1½ weeks at least. Why is it that the Government, knowing that there was no alternative source of water supply to that oval and that community's playing fields, simply and deliberately sat back and did nothing? They have to pay the cost of regrassing their oval and that will be about four times the cost they would have had to incur had they been allowed to proceed and do the repair job themselves at the outset.

They were never given the courtesy of a response and a reply to the inquiries put by them to Government departments. Every attempt I made to get the matter sorted out resulted in it being referred further and further up the line and the inactivity literally comes from Ministers' offices. Those Ministers, now seeking Supply, therefore stand condemned: they did not care because there are no votes in it for them, their Party or their prospects of being returned to Government. If that bore had been anywhere in the metropolitan area, leave alone a marginal Labor seat, it would have been fixed within five days, I wager. If a sewer was blocked in Brighton or Mawson I bet anything to a damn any member opposite likes to bet that it would have been fixed within hours, not days. In this case it has been over two months.

Mr Mathwin: If it was in Brighton—

The DEPUTY SPEAKER: Order! The way this is going we may start a TAB subagency. The honourable member for Mallee.

Mr LEWIS: I would welcome any bets, Mr Deputy Speaker. I now turn to the disgusting statement made by the South Australian Institute of Teachers, entirely different from the matters to which I have referred in any other context than that as it relates to education. According to

the statement, SAIT has a policy to overtly teach homosexuality and lesbianism in schools. In my judgment, it should be strongly resisted. We have heard nothing from the Minister of Education about that statement. The SAIT has a draft policy entitled 'Lesbian women and homosexual male members' which includes such proposals. The SAIT policy requires that any teacher-directed presentation or discussion of homosexuality in a class situation should aim to be positive in approach.

I thought that the teaching of moral values, including sexuality, was the rightful role of the parents, and it still should be and would be if I had any say. SAIT's so-called positive approach would only further undermine family values, and I am particularly concerned by SAIT's policy of teaching this subject to primary schoolchildren. The Institute makes no distinction in its statement as to where and when such teaching should begin. Homosexuality exists and, although we can no longer discriminate against it (nor would I want to), it is a private matter for the individual child upon becoming an adult of the future to choose his or her sexuality, and it should not be thrust on people in such a deliberate manner.

Why the Education Minister and the Government have remained so silent on this matter defies explanation. I should have thought that a man with such values as the Minister would have been quick to be on his feet in this place making a Ministerial statement condemning such a policy, but he has said nothing, and we all know the power and influence that the SAIT has in the Australian Labor Party, so we know what the policy will be for the rest of the time that this Government is in office.

Concerning another education matter, I must point out, on behalf of my constituents, that throughout my district there is a dearth of music teachers in our area schools. Indeed, funds for the provision of such teachers have been cut. Further, not only have funds for the teaching of music been removed, but also funds in such places as Pinnaroo, where disabled and intellectually retarded children, such as the Watson child, will no longer be able to receive the special treatment and assistance that is readily available to schools and to children attending those schools in districts such as Ascot Park, Whyalla, Brighton and Henley Beach. Yet members sit opposite smirking, thinking, 'This is all right. This is all right.' Come the next election we will see what is all right. It is just not good enough.

Meanwhile, such places as Murray Bridge and Tailem Bend (turning to another matter) have filthy water and other places in my district have no water at all. Indeed, in some places we have not had rain for 18 weeks. Yet, we are wasting money here filtering water which will not improve the public's health affected by that water one jot. It seems hardly fair, and I wonder where the moral conscience of members opposite is when they allow that sort of thing to continue.

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

The Hon. H. ALLISON (Mount Gambier): The lamentable state of affairs in South Australia is reflected almost on a daily basis by the number of pensioners visiting my electorate office to complain about the effect of State and Federal charges. Although this House has little control over what happens at Federal level, as the many complaints on a daily basis are generally addressed to State and Federal charges, I ask the Minister of Community Welfare to join me in an action that I took today when I contacted the Federal Treasurer (Paul Keating) and asked him to reverse a decision that is impinging on the impoverished people of South Australia. I refer to the decision taken by the Federal Department of Social Security in declaring that interest accrued on superannuation deposit funds would be calculated as part of an assets test qualification, counter to the practice of the Federal Taxation Department, which states that such interest is not taxable until it is withdrawn from the fund and then it becomes earned income and taxable in the year in which it is withdrawn.

The decision of the Department of Social Security to include that superannuation deposit fund interest in its assessment of people's eligibility or ineligibility for pensions is causing even more hardship than the assets test, which is already bringing in 2½ times more income to the Federal Government: $100 million as against the original estimate of $40 million a year. In the same way, no doubt, this latest decision by the Department of Social Security will add considerably to Federal income. I ask the Minister to join with me and to write, telephone or telegraph the Federal Minister urging him to reconsider the decision of his Department to include such interest in its assessment of eligibility for pensions.

Apart from the complaints constantly coming to my door from pensioners, I refer to the dairy farmers and urge the State Minister of Agriculture to watch extremely carefully the future actions of the Federal Minister of Agriculture (Mr Kerin), the Federal ALP Caucus, and the Federal Cabinet in deciding whether there should be a 2c levy on every litre of milk produced in Australia during the next financial year and whether the decision is made to increase, across the board, the cost of dairy products by 17.5 per cent. This commitment appears to have been given reluctantly to a combined meeting of State Ministers of Agriculture and the Commonwealth Minister in Melbourne just a few days before the Victorian State election. It seemed to be a matter of political expediency when the Federal Minister agreed reluctantly to take that suggestion to Caucus and Cabinet in Canberra, although he had opposed the idea of the agreement during debate.

It now appears that there will be some conflict between the Federal Minister for Agriculture and the Prime Minister as to whether those recommendations are enacted in Australia, and I suggest that, although the decision gains some respite for the beleaguered Cain Government and has enabled it to be returned to power in Victoria, the problems in the dairy industry and for the Federal Government are not ending: they are just beginning. Not only is there a suggestion of a levy of 2c a litre on milk and a 17.5 per cent increase across the board for dairy products in Australian shops: there is also inherent in the agreement a reduction from 5 900 million litres to 5 300 million litres production each year, and Mr Kerin says that less than 5 million litres a year Australian production can be sold on Australian and international markets. If there is an entitlement, which is a suggestion in the agreement, to produce, then obviously Victoria with its large dairy production will be the main benefactor.

The question emerges as to how the Federal Government can possibly impose an entitlement when it will be across the board to all States. At present the individual States seem to be pushing for six separate dairy industries in Australia. There is no real agreement. That is because several of the States—Victoria and New South Wales particularly—are producing market milk, which is milk to go into milk cartons to be sold on a daily and profitable basis, while other States, including the South-East of South Australia, have large cheese manufacturers who simply buy manufacturing milk which brings a relatively low price on overseas markets.

The whole idea behind the proposed scheme is to try to equalise incomes to dairy farmers across Australia. If the Federal Government does not take a significant step towards alleviating the problems of those farmers in remote country areas, who do not have access to market or carton milk,

there will be a considerably greater militancy to emerge over the ensuing months. Some decision is to be made, I understand, within the next week or so, and it will be very interesting to see whether the Federal Government accedes to any or all requests put to it by Federal Minister Kerin. As it is, the South-East dairy farmers of South Australia are in great trouble.

The augmentation scheme, which has been brought about by both the present and former Governments' actions, only brings in a cent or two per litre from the Adelaide market production to the South-East manufactured production. That goes only a very small way towards alleviating the hardship being experienced by South-East dairy farmers. They need more action if they are to survive.

Already a number of South-East dairy farmers have gone to the wall. No doubt more will unless something is done as a matter of urgency. The South-East is disadvantaged because the European Economic Community and New Zealand are both very heavily subsidised, not only in dairy products but in potatoes, timber, meat, cheese, butter, eggs, and onions.

Whatever happens, the South-East products are generally competed against on the Eastern States markets by cheaper imports. Counterveiling actions that have been recommended by the Federal Government as a means of alleviating those problems generally take several years to put into effect. They have to be examined by international courts, and by the time a counterveiling action has been proved either successful or unsuccessful many farmers have gone bankrupt. That is not a satisfactory procedure, although it may be an internationally accepted legal procedure. It is far too slow.

I bring to the House's attention the fact that this year we have another international year—International Youth Year. In Australia, it seems to have got off not with a bang but with a whimper. Recently, we were all circulated with the International Youth Year calendar which is put out by the International Youth Year Secretariat, Federally sponsored. We find that in January 1985 in this calendar of events for this year that there is absolutely nothing mentioned. In February, March, and April we have a succession of events which would seem to be impressive by its number, but on closer perusal we find that really very little is happening that would not normally have happened. Three out of those 15 or 16 events are taking place in Jamaica, Brazil, and Canada.

Others include an International Youth Year postage stamp launch, the Girl Guides Association of Queensland's Thinking Day, the International United Nations Women's Day, the United Nations Day for the Elimination of Racial Discrimination, the Red Cross through Humanity to Peace Month, the Third All Australian Ranger Gathering, the United Nations World Health Day, and a National Forum for American Field Services.

I suggest to members of the House those are functions claimed as part and parcel of an International Youth Year, but are events which one would normally find in any year. In other words, the Australian Government has paid lip service to International Youth Year, but it has now decided that it is not going too well and that it will scrap its publicity and advertising campaign and hand over responsibility to individual States.

It is not even a national year in Australia, let alone being an international year, when responsibility devolves on each State to try to come up rather belatedly with a satisfactory IYY programme. It seems a great pity when in previous years we had such wonderfully supported years as the Year for the Aged, the International Children's Year, and the Year for the Disabled, all of which received tremendous support throughout the population of Australia and certainly there was a great deal of planning and backing by Governments.

In the case of youth, it is understandable because once again policies in South Australia do not seem to be going along very successfully. Young people would find it hard to be too enthused over an International Youth Year when they look around and find that in various parts of Australia nine or 10 per cent of unemployed are represented (depending upon the district of South Australia in which they live) by between 25 and 60 per cent who are under 25 years. It is hardly something for young people to enthuse about.

Part of the problem is still the same as that to which I referred in September last year when we debated the previous Budget. During that debate I asked the Minister of Labour and Industry, as a matter of urgency, to examine the community employment projects in South Australia that seemed to me then and now to be quite disastrous in the manner in which they failed almost completely to address themselves to the target area of unemployment in South Australia—namely, the young unskilled people.

What is happening instead is that one or two projects, often of very considerable value, have been set up by the State Government with the aid of Federal, State, and local government moneys, but instead of seeking out unskilled people in order to put them into fruition, they are actually searching around for skilled employees. The Port Lincoln swimming pool, which was opened some time ago, had a very serious leak. One has a very skilled manufacturing procedure in swimming pool construction.

Yesterday, we had a debate about the North Adelaide swimming pool in which the Public Buildings Department and a reputable construction company in South Australia are involved, without having to use community employment labour, yet there is still a major construction problem. In Port Lincoln we had the CEP labour on an important project. Yesterday, the member for Light referred to the 25 per cent of funds for the CEP that had already been expended to complete only 15 per cent of the work on the Elizabeth swimming pool.

In Mount Gambier almost a year ago about $3 million was committed to the construction of an aquatic centre. The first sod has not yet been turned on that project. There is no work available for the chronically unemployed young people in the South-East, of whom there are now almost 2 000. Yet, we are looking around in order to import skilled labour in order to set the project in motion. Any skilled tradesman who is not employed at the time of a building boom will hardly be worth his salt, and would probably bring problems along to the project with him.

Yet, local government in Mount Gambier and the contractors are being told that they have to have Community Employment Project unemployed, that they have to bring them in from districts outside the South-East because our own skilled tradesmen are employed, and that they have to build into the wages award additional moneys for accommodation and transport. Yet, there is no guarantee that the quality of tradesmanship will be there when these people are paid. In other words, the council and the contractor have no control over the length of time the contract will take for completion. In all probability it will be some 20 per cent over the original estimated completion time, if and when the project gets under way. By allocating CEP money to the project and insisting that skilled tradesmen from elsewhere be employed on the project, the Government is giving to the council a massive headache instead of an Aquatic Centre.

The council has been asking the Government for almost a decade to assist it in the same way with recreation and sport grants. Instead, we have the CEP project dreamt up by the Minister of Labor and Industry, and it is now almost

a year overdue even for commencement. I ask the Government to reconsider very carefully the whole concept. It is not reaching the target—the chronically unemployed—with its community employment projects. It is high time some reconsideration was given to those massive funds allocated by the Federal and State Governments in an attempt to help the unskilled in our community. They are in a desperate plight and are anxious to work.

Mr Groom interjecting:

The Hon. H. ALLISON: The honourable member again makes his best speech of the year by way of interjection, and asks what our Party did. Our Party concentrated its funds on doing what the present Minister of Labour and Industry ought to do, namely, in training young people for jobs. I referred last September to the fact that we have trained 400 young people and they instantly went onto the pipeline which takes the fluids from Stony Point into the gulf. It is contributing towards South Australia's export revenue. That positive step should have been taken with the massive sums and would have benefited the children through the education system and given them something that they could have carried with them forever afterwards as part of an accredited skill. That is all I asked for in September.

The Minister for Labour and Industry has now tentatively decided that he will introduce some training schemes. He has taken up the idea some six months later, but nothing has come to fruition so far. It is still in the promise stage. Instead of an Aquatic Centre we have headaches for the council, for the contractor, and the possibility of substantially increased rates for the local community. None of that is tolerable.

Mr Groom: Are you still going to reduce their wages?

The Hon. H. ALLISON: We want to pay people with skills.

Mr Groom: So, you will reduce youth wages.

The Hon. H. ALLISON: I did not refer to youth wages. That was brought up by a Labor Party gentleman in Western Australia, if the honourable member may recall. An ALP gentleman in Western Australia floated that idea. Do not try to throw that at my doorstep—it belongs to the Labor Party: it is carrying that albatross around its neck.

The next issue to which I will refer is something at which the Minister for Tourism should look closely. He kindly sent to me a copy of *Grapevine,* the South Australian tourism newsletter. On the back page it states, 'Who's who in tourism in South Australia', and lists all the important people, both Government employed and those in the private sector. I notice that regional managers do not include the South-East region. The South-East regional manager (Mike Fisher) was removed from the South-East some months ago: he was doing an excellent job. He was brought to Adelaide head office of the Department of Tourism where he is performing admirably. His job has not been filled and it is five or six months overdue.

The State Government is paying lip service to what it says it will do as it is ignoring issues. The whole of the South-East tourist season has gone, and the work of the regional tourist manager has been backstopped most admirably by the part time tourist officer employed by the South-East Regional Tourist Association, Mrs Sheena McGuire. It seems most unfair that the burden for a large and important tourist area should be borne in that fashion when all other regions of South Australia have a Government funded regional manager. We have a vacant and closed Government office in Mount Gambier. When is the Minister of Tourism going to do something about appointing a replacement and making available a paid officer to the South-East instead of telling everyone what a wonderful job the Government is doing? He should appoint an officer instead of simply saving that money and spending it elsewhere. The South-East wants better treatment.

Another matter that concerns me greatly is the actions of the Premier's Department in consulting with an Adelaide Hills based company for the construction of a piggery in the South-East of South Australia. It seems to be a very eccentric state of affairs when we have a supplementary development plan in the Hills stating that no more piggeries or chicken sheds will be allowed because of the quantities of effluent and high ammonia and nitrate quantity of the effluent to be discharged from those establishments into the Onkaparinga Valley water catchment area. That supplementary development plan does exist.

People are already complaining, I understand, in the Adelaide Hills (at least, the primary producers are complaining) about the restrictions. The Minister obviously thinks that the Onkaparinga catchment area is very sensitive. Yet, the Premier's Department negotiates for over a year, and IDC has approved a subsidy in the form of a grant to this company to establish in the South-East. Even before that grant was approved, before the environmental impact statement for effective and safe disposal of effluent was approved by the Mount Gambier City Council, already undergrounding of mains has commenced through the pine forest. A trench has been dug. I have walked alongside the trench which is 18 feet deep and 18 inches wide. Power poles have been constructed within the Woods and Forests pine plantation.

A new road has been commenced into the pine plantation block—the stony paddock. It appears that between $60 000 and $100 000 worth of work has already been completed with the additional expenditure of money on levelling of the stony crescent and the completion of a large number of earthworks and the construction of a shed, before any of those consents had been given other than a land use approval granted just before Christmas by the Mount Gambier District Council. I am in great distress to think we have a piggery—not just a small one, but a massive one, as there will be 1 000 sows. If they have piglets 20 times a year, that is 20 000 pigs on that property. I am informed by the Waste Management Committee that the effluent from one pig is equivalent to the effluent of 10 humans.

So, with possibly 20 000 pigs per annum being produced on that block there would be the equivalent of a city of 100 000 people (in terms of the effluent produced). That may not seem so serious provided that the effluent can be disposed of effectively. The method proposed for the disposal of this effluent is for it to be spray irrigated on to the floor of the pine forests. Simultaneously with that, the E&WS Department is writing to dairy people in the South-East and telling them that their present methods of disposal of dairy effluent are unsatisfactory and that they should get to work to make sure that they dispose of the effluent much more efficiently.

Here we have the equivalent of a huge city by South Australian standards being established outside Mount Gambier and no satisfactory disposal of effluent is provided. I say, 'no satisfactory', because in the winter months I have no doubt that the effluent will be leached down into the South-East water table where it will remain for several hundred years. It takes 200 or 300 years for water to move from Mount Gambier to the coast. In the Onkaparinga Valley there is a fresh flush of water, yet tremendous concern was expressed today by a member opposite about a leak from an abattoir on one day. However, in the South-East day after day of effluent from 10 000 pigs (when the piggery is fully developed) will be sprayed on to the forest floor. There is a completely irrational approach in the decision of the IDC to fund this piggery and in the decision of the Premier's Department to encourage the transfer and estab-

lishment of a piggery to such a delicate water table as that in the South-East.

I believe that this is really part of a pre-election pay-off. The Premier said, 'If we can get rid of the whey problem, we might consider funding Finger Point.' The Premier has already doubled the cost of the annual running of the Finger Point effluent scheme from $1 million when we were in Government to $2 million now. The Premier said, 'I might be able to reduce that by $1 million, if I can get rid of the whey.' Surely to goodness, if whey is the only problem—and the Premier wants to get rid of it—it would have been a lot safer to spray the whey over the pastures, as currently happens at the Kraft cheese factory, instead of bringing in 10 000 pigs with their effluent and its highly nitrogenous and ammonia content. That can be treated effectively using only one process, and that requires the establishment of expensive stainless steel retainers (or stainless steel aerators), because the biochemical oxygen demand (the BOD) of chicken and pig effluent is extremely high and a tremendous amount of oxygen needs to be pushed into the effluent in order to reduce it to a satisfactory level so that it can be sprayed for irrigation.

I suggest that that will not happen, because that is the main cost component of the treatment plant at Finger Point. The fact is that an oxygenating plant—an aerator—is required to satisfactorily clean out the effluent before it is discharged into the sea. Therefore, one cannot ask the piggery to do what the State Government refuses to do at Finger Point. Instead, the effluent, along with a tremendous volume of water, is being discharged on to the forest floor. This is a pay-off. The Premier will say, 'We will put the piggery there and feed the whey to the pigs; we will reduce the annual running cost of Finger Point; and we will then commence the Finger Point sewerage treatment plant.' It is simply not good enough to impose another massive problem on the South-East water table in exchange for the solution of the existing Finger Point problem, which is causing so much difficulty for the people of Port MacDonnell and the fishing and tourist industries.

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

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

Mr GROOM (Hartley): I have agreed to limit my time in this debate to a relatively short period. I will therefore come to the point of the matter that I want to raise, and it is a financial matter. Honourable members might recall that a couple of weeks ago in this House I raised the matter of State taxes, charges and other imposts levied by honourable members opposite when they were in Government. There has been some reaction to that; in fact, the Leader of the Opposition referred to it last night when he said, 'Oh well, back in 1982 Mr Langley put in a list of some 90 charges and the Premier mentioned 100.'

The list that I brought to the attention of the House a couple of weeks ago totalled 185 increases. Of course, the difference between the two figures is the criteria that are used. I have adopted the criteria adopted by honourable members opposite when they compiled their list of, I think, 160 individual charges and six other taxes. I agree that a lot of them are minor. Members opposite included in their list such things as hairdressing fees, bus fares, ETSA tariffs, and Housing Trust increases. These were not—

Mr Ashenden interjecting:

The DEPUTY SPEAKER: Order!

Mr GROOM: I know that this is very painful for the honourable member, because he has been misleading the public, as other honourable members opposite have been doing, for about 12 months. I have compiled a list—

Mr Ashenden interjecting:

The DEPUTY SPEAKER: Order !

Mr GROOM: —of the State taxes, charges and increases imposed by honourable members opposite during their time in Government. There are State taxes and charges and other imposts. I have compiled this list using the same criteria that the Leader of the Opposition used when he compiled his list. I agree, and have emphasised, that some of the matters are minor. However, they are similar to those used by honourable members opposite when they compiled their list of 166 increases. Because honourable members opposite have been concerned about their record when they were in Government, I double checked my figures and found that I made an error: it is not 185 increases—it is 194. I discovered that I had overlooked nine other imposts, charges and taxes that had been levied by honourable members opposite. I will explain how my list was compiled: the list commences from the coming to office of honourable members opposite in the 1979 election and concludes with their defeat at the polls on 6 November 1982.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr GROOM: Because members opposite will undoubtedly want to check my list, I will give them as much assistance as I possibly can. I will explain the way in which I compiled my list so that, if I am successful in having it inserted in *Hansard*, members opposite can be relieved of some of the many hours of work that I put in to compile it. I went down to the dungeons of this Chamber and located the regulations dealt with by the Subordinate Legislation Committee. The list is compiled in alphabetical order, so some will show, for example, two lots of Fishery Acts with two different dates. That is because they are compiled in alphabetical order, and they will range between years.

I suggest that members opposite go down into the dungeons and wade through all the regulations starting from 1979-80 and, when they have reached 194, they will find that by and large that is accurate. To give some assistance, my list even specifies some of the actual regulations to make it a little easier for members opposite. After they have done that, members opposite can check them against the *Government Gazette*. I agree that that is a much bigger job: it took me something like eight hours to check them against the *Government Gazette*. That is a brief explanation of how my list was compiled.

There is a difference between the figures given in 1982 by the Premier and those given by the then member for Unley (Mr Langley)—that relates to the criteria that they used. My list adopts the same criteria as those used by honourable members opposite, and that is why it is so long. The fact of the matter is that all Governments need revenue. For the benefit of the member for Mount Gambier, I produce the list, which is a long one. The fact of the matter is that Governments need tax revenue. That is a fact of life, and honourable members opposite, likewise, needed revenue when they were in office.

But the difference is that the Premier has not sought to mislead the public in relation to the need for State taxes and charges and other imposts that have been necessary. Members opposite have compiled their list of 160 charges and six other individual taxes, and have tried to make out that we are the only Government that has been put in that position. A list showing such taxes and charges could be produced in relation to the term of office of every State and Federal Government in Australia, because all Governments need revenue. All Governments must raise taxes and charges to meet the ongoing costs of maintaining a community. Members opposite do not like hearing this, but I

point out that some of the publicity that this has generated has indicated a duplicity in the figures to which they referred.

It has been pointed out to the community that members opposite increased State taxes, charges and imposts and other items: there were something like 185 of these, but that has turned out to be 194, and I have not taken into account, for example, milk and cream rises, of which there were 11 during the term of the previous Government. Also, I have not taken into account milk and cheese, and I have not put in bread price rises: there were three major, significant bread price rises. These are all price rises relating to necessities which affect the community. The list goes on and on.

Members opposite must try to stop misleading the public on this matter and act responsibly in relation to taxes, charges and imposts that are necessary to maintain Governments. Members opposite have been put in exactly the same position, but with one exception, and I refer to their inheriting in 1979 a genuinely balanced Budget. Money was actually put into capital works from recurrent expenditure. When the present Government came to office in November 1982, the Treasury was bankrupt: the present Government inherited a $63 million deficit. That is what we had to grapple with. We did not have the luxury of a genuinely balanced Budget with plenty of cash reserves, as was the case in 1979.

In addition to imposing 194 State taxes, charges and other imposts, members opposite ran down the cash reserves that had been carefully built into the system over the past decade. The present Premier inherited that situation from members opposite. The previous Government was making grants for drought relief—I think worth $9 million—without ever having a budgetary appropriation. They went wild during the pre-election period. That was one of a number of promises that they made. But, on assuming office, the present Government had to pick up the tab for those promises for which there was no budgetary appropriation.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr GROOM: I know that this is painful and that members opposite do not like hearing the truth about the situation that existed when the previous Government was in office. But the fact is that Governments need revenue. Rather than having this long list to which I referred inserted in *Hansard,* I seek leave to incorporate in *Hansard* a compiled version. I assure you, Mr Deputy Speaker, that it is purely statistical. This condensed table, which is very similar to the table that was inserted in 1982, refers to the 194 charges that I have mentioned.

Leave granted.

Table subsequently withheld from publication owing to magnitude.

Mr GROOM: It is very pleasing to be part of a Government which has managed the State's finances well and which has money in the system as a consequence of very careful management of the State's finances. It is heartening to read in the Premier's second reading explanation of the Supply Bill that a significant improvement in the State's financial position has occurred.

The final thing that I want to say in relation to the table is that it does not include such things as interest rates. Interest rates moved from $260 a month for an average home in 1979 to $355 a month in 1982. I have not included bread price rises. When members opposite came to office in 1979 bread was 60c a loaf, but that had risen to 85c in 1982. I have not included the beer price rises that occurred. A bottle of West End beer cost 89c in 1979 but that rose to $1.26 in 1982. I have not included those sorts of price rises, even though they do affect ordinary citizens.

Finally, I should perhaps mention just a couple of other things in passing. Because of the length of the list, it is rather difficult to find these quickly. I want to mention one final thing about ETSA tariffs. Members opposite have castigated the Government for the electricity charges that have been imposed. However, I point out that on 1 July 1980, during the time of the previous Government, ETSA tariffs were increased by 12.5 per cent. On 1 July 1981 they were increased by 19.8 per cent, and on 1 May 1982 they increased by 16 per cent. One would think that butter would not melt in their mouths, but one of the first increases with which members opposite tried to nail the present Government was the ETSA increase of 12 per cent—the very one that was announced in October 1982. Because that was an increase initiated by the former Government, I have included details of that in my list at item 173, announced in October 1982, and properly belonging to a cost increase imposed by members opposite, which actually took effect on 1 December 1982.

Members opposite put in their list Housing Trust increases, although Mr Langley did not have that in his list. Housing Trust rents rose by 40 per cent on 22 March 1980—this is item 182. Item 183 refers to a further increase of 12 per cent on 14 March 1981. Item 184 refers to an 8 per cent increase that occurred on 26 September 1981, and item 185 indicates an increase of 9 per cent that occurred on 8 July 1982. I have had these Trust increases verified. This is an example of what members opposite did. It may have been necessary: I will not speculate on that. But, the fact of the matter is that the previous Government had to do many of the sorts of things that this Government has had to do, but the previous Government was operating in a very different economic climate. It inherited a genuinely balanced Budget as a legacy of the Corcoran Government. However, that Government left the Premier a $63 million deficit and a massive run down in the cash reserves.

Bus fares went up. The Leader of the Opposition put those in his list published in the November 1983 edition of the *News,* so I have included bus fare increases in my list. Item 174 refers to a bus fare increase of 20 per cent on 7 August 1980, and item 175 indicates a further increase of 23 per cent on 6 August 1981. I do not propose to peruse the entire list. If members opposite would like a spare copy of this list, I shall be happy to provide one. If members opposite need help in checking anything contained in this list, I will be happy to make myself available—I have that much confidence in the material that I have been able to compile. Let us have no more of this nonsense, this misleading of the public that we are the only Government that has had to increase taxes, charges and other imposts. Members opposite must simply tell the community the truth, and that is my advice to them.

Mr INGERSON (Bragg): It was refreshing to find that someone is prepared to do his homework, and I thank the honourable member for his remarks, because I will not have to bother about using any notes. The member for Hartley is doing a marvellous job over there, and I wish him luck in the Cabinet reshuffle that will take place shortly. The one thing that the honourable member has forgotten—

Members interjecting:

The DEPUTY SPEAKER: Order! During this debate I have continuously brought to the attention of the House the stipulations under Standing Orders. Cabinet reshuffles and other Government procedures have nothing to do with the State's finances. I hope that the honourable member will use his time in this debate to refer to State finances.

Mr INGERSON: Thank you, Mr Deputy Speaker, for keeping me on the track. One thing which the member for Hartley has forgotten and which is really fundamental is that it really does not matter whether individual taxes and

charges go up. The important thing is the whole package and the final end point.

The thing he forgot to tell everyone in his speech was that during the term of the Tonkin Government overall taxation in the State went down by 5 per cent, whereas here the total package (and that is what we are talking about: how much the individual person is affected totally by this Government's attitude towards taxation) has gone up by 38 per cent. It is the total package with which we are concerned, and that has increased by 38 per cent in the last two years, whereas during the previous three years the total taxation package was reduced by 5 per cent. That is what it is all about.

We also heard some nonsense about inheriting a deficit. The Opposition has requested many times a position statement to be placed before Parliament, and the Premier has continually avoided that issue. It is impossible for him to put a position statement before us on what we would have done because we were not there to do it. This Government came in and decided that it would put up taxes, but a fundamental problem is that it forgot that, if more is spent than is brought in, a deficit results. That is so fundamental that one would expect a State Premier to understand it. If expenditure is more than revenue, the result is a deficit. During this Government's term of office we have had a standard deficit of about $1.5 million, and our debt interest rate has gone up by about $25 million. How many taxes do we have to raise because we have a continually increasing debt? During the term of this Government the debt has continued to escalate and so has the deficit, and someone has to pay.

During this Government's term of office a new tax, the financial institutions duty, has been introduced. What has the Government done with that money from FID collections? It has put on an extra 3 000 employees at a cost of $25 million. Basically, we have a new tax but we have no result from it. The Government has done nothing about reducing the deficit or trying to pay it off with a tax slug: if it had I would not be here criticising it, because if a tax is increased in order to pay off a debt that is fair enough. However, instead of paying off the debt, it is left, and the people are told, 'Gee, aren't we managing this State well; we are doing a marvellous job.' Is that not a great system! I thank the member for Hartley for allowing me to point out again that during the Tonkin era taxation in this State went down by 5 per cent and that under the Bannon Government State taxes have increased overall by a vast 38 per cent.

I would like to turn now to one or two other matters regarding information that the people of South Australia ought to receive. In regard to the ASER project, we started off about 12 months ago with an estimate of $120 million; within three weeks that had increased to $140 million and within six weeks to $160 million. What is the cost today?

Mr Ferguson: Are you opposing the ASER project?

Mr INGERSON: I will talk to you later about whether or not I am in favour of it. All I want to know, and all the people want to know, is whether we are to have a hotel and how much it will cost. What will the casino and the convention centre cost? Are there any plans? One would think that the Government would have some plans available of a major project that is supported by both Parties; however, there are no plans available.

Mr Mathwin: Open government!

MR INGERSON: Yes. Where are the plans? What is the cost? Should not the people of South Australia know what is going on? After all, it is only $160 million! Anyone would think it was a major project! At a cost of $160 million the people of South Australia should be able to see the plans and know how much the project will cost. A few days ago we were talking about a 50 per cent increase in the cost of a major project in this State involving the Aquatic Centre. We have been strongly questioning the Government about the need to have financial control over the building of that Centre, estimated to cost $7.9 million (it will be interesting to see how much it ends up costing). Why cannot the people of South Australia know a little bit about a contract worth $160 million? If the rumours are true, it could cost anything. Why will the Premier not lay simple plans on the table so that we can all look at them and all congratulate the Government if they are good (and at least comment on them if they are not good)? That is the sort of thing about which I am concerned.

Two major aspects of taxation and charges affect my district. One is the enormous slug in land tax. That was not at all due to any smart initiative by the Government but to an increase in the price of land and inflation generally. This Government, which says it is the saviour of small business, has made a decision that it will not do anything about that matter until next time around. It is the small business sector, the sector which employs nearly 60 per cent of the total labour force in this State, that is being slugged by this Government through land tax. I wonder when the Government will do anything about it. Being an election year, we can see these things starting to happen. Reported in the *News* today is an inference from what the Premier is saying that there will be a reduction in taxes. I wonder why the Premier would want to do that? Is it because he is frightened? Is it because he thinks that perhaps the people of South Australia are concerned about this tax slug and that the small business community in particular is concerned about land tax?

There has also been an increase in water rates (and I see that the Minister responsible for that matter is in the Chamber). It is nice to see him awake for a change; usually by now he is sitting over there having a sleep. In his district particularly, there have been some pretty massive tax hikes, but he does not explain why. He just brushes it off and talks about the level of water in the reservoirs. That is all we can get from him. We never get any explanation why he has reduced the amount of water a property owner can use or why that is part of a tax slug. The Minister has increased the costs of small business in that area, and he has increased the cost of water for the average householder. Nothing is said about that, however: all we get is information about the level of water in the reservoirs.

Small business has also been affected badly by the increase in electricity tariff charges. I read the other day that $45 million had been taken from the Electricity Trust by way of the 5 per cent levy. I think that that is immoral, and something should be done about it. I hope that the Government will have a look at that matter and do something about it. Having expressed those concerns, and again thanking the member for Hartley for helping me with my contribution, I conclude my remarks.

MR MATHWIN (Glenelg): This Bill, which seeks the appropriation of $440 million, reflects greatly on this high tax Government, which so mercilessly grabs taxes in its lust for financial gain. Of course, we know that this a socialist Government, and its very name means high taxation because, if one believes in socialism, one must believe in high taxation. That is the basis of socialism. Indeed, a good socialist believes that he can spend my dollar better than I can. He can direct it into the channels where it should go, so he says. Over the 2½ years that this Government has been in office there have been more than 170 increases in State taxes and charges. That is the record of a Premier who said before the last election that there would be no new taxes.

The Hon. Ted Chapman: And no new charges!

Mr MATHWIN: Yes, and no new taxes during his term of office. He did not say that, after a few weeks when his Government got into its stride, he would impose increased taxes or that, after being given a chance to flex his muscles for a few months, there would be increases. He said that there would be no increases in taxes and charges during his term of office. The member for Hartley, who works very hard on the other side, should have been rewarded by a position on the front bench but, unfortunately for the honorable gentleman, his reward will come too late because the Government is on the way out and he will merely have the consolation of being able to sit on the front Opposition bench after the next election. The honourable member in a recent speech referred to certain increases in State taxes and charges, but I shall refer only to the more important ones. One of these which affects everyone in this place has been the increase in electricity tariffs.

Premier Dunstan and his strong-arm muscle man, the economics expert and then member for Brighton (Mr Hugh Hudson), realised in the early 1970s, with a great deal of mouth watering, that taxes could be raised without people realising the effect of the increase. So, they got greedy and imposed a tax on every pensioner and child who switched on a light. It was taxation by stealth. That surcharge of 2½ per cent was later increased to 5 per cent by a Government that has always been a greedy Government. Indeed, I understand that this year the Government will rake off about $26 million as a result of this taxation by stealth. Of course, one has difficulty in ascertaining what happens to all this money that is going into the big box. South Australians are suffering under this Government as a result of the massive taxation that it is imposing. It is hitting everyone—every man, woman and child. The higher electricity tariffs are especially grim.

One project on which much of this money is being spent is the North Adelaide swimming centre. Yesterday, in a debate on this matter the Minister of Recreation and Sport shouldered more than his share of the responsibility in this respect. Really, he shares the responsibility with the Minister of Public Works, but the Minister of Recreation and Sport shielded his junior colleague. However, he cast off some of the blame from himself by blaming the bad weather, even though it has not rained for months!

The Premier rose in his place to say how unfortunate it all was and looked for a scapegoat, singling out the private builder and the Public Buildings Department. In the other House, the Attorney-General, a good Minister whom I usually admire but who went down in my estimation on this occasion, blamed the Public Works Committee, which is the hardest working Committee in Parliament. Moreover, he attacked my friend, the member for Price, who is Chairman of that Committee. He has been a member of that Committee for many years, as I have been, and he is a good Chairman. The Public Works Committee has never been a political Committee: its members get on with the job that is given them, investigate a project fully, know what are their responsibilities, and discharge them to the nth degree. Committee members did that in respect of what is now the fiasco of the North Adelaide swimming centre, but the Government now wants to blame everyone but itself. It was morally wrong for Mr Sumner (Attorney-General) to blame the Public Works Committee and point the finger of scorn at its present Chairman, the member for Price.

In taking such a course, the Attorney-General acted on a bad principle, and I am most disappointed with him because he should know better. If he has not had time to find out the facts concerning the swimming centre, he should have ascertained them in Caucus, which surely has more to talk about than who is to have the next Ministerial vacancy.

The Attorney-General should know that the Public Works Committee is a responsible Committee and conscious of its responsibilities. Indeed, each member is conscious of his responsibilities. The Chairman has my full confidence and my full support while he remains Chairman, and I condemn the Attorney-General for pointing the finger of scorn at the Chairman, at other members, and at the competent Secretary of the Committee. I was greatly disappointed to see the attack reported on the front page of our morning newspaper.

The Hon. Ted Chapman: Did you see the wild scenes in the corridors?

Mr MATHWIN: No, but I can well imagine that the matter will be discussed at the next Caucus meeting. Indeed, blood may well flow. We were told yesterday that in South Australia, which was once the low-cost State, housing costs are now extremely high. Delays in the housing industry are farcical. In South Australia we have become a high cost State: housing costs have now well exceeded those in the other States. It is obvious that this Government's policy of allowing things to flow freely and not taking on people who could well be responsible for these matters is not working.

I have been given a log of claims submitted by the Electricial Trades Union of South Australia. This reflects on all those subcontractors employed by the Government—in relation to minor works, and the Housing Trust, in particular. The first point in the log of claims seeks a rate of $1 000 per week for the base tradesman: an additional 15 per cent of the base tradesman's rates of pay for all special classes and classifications. So it goes on, with a number of other increases of 15 per cent.

It seeks an additional 25 per cent on the base tradesman's rate for electronic tradesman's classifications. For those who have become fully fledged journeymen or tradesmen, it is $60 a week for any employee who holds an electrician's licence issued by any recognised licensing authority in Australia. That would cover all journeymen. Adding them altogether is frightening and gives an indication of what will happen in the building industry. A switching allowance of $50 a week is sought for any employee required to maintain, test or carry out switching on high voltage or automatic equipment.

A general site allowance, which at one stage was rather low or did not exist, is sought. I do not say that it should not exist but there is a limit to this—$200 a week in addition to all payments. Let us look at the claim for travelling time: 'An employee shall be paid travelling time, an allowance of one hour's pay per day at ordinary rates of $20 per day fares allowance in respect of travel to and from work.' This is for a maximum of 30 hours per week! The log deals with shift work, and in that respect it would not cover employees or subcontractors of the Government.

I turn now to overtime: 'All time worked in excess of 30 hours a week or six hours per day shall be paid at overtime at double the ordinary rate of daily pay.' A meal allowance of $20 a meal is sought. Some of us who eat out find that we can get a very good meal for about $10, for a counter meal or something similar. In this claim, the ETU wants $20 for each meal. I would think that, as long as one did not each too much, one could get a meal at the Hilton, in Victoria Square, for $20.

The union seeks 20 days paid holidays in each year, one of which shall be a union picnic day. I know that unions are well known for many things, the greatest of which is to protect workers, with which I agree. We should have trade unions. There is nothing wrong with that, as long as they stick to their job. However, to say that everyone must have a day off to go to the union picnic is rather strange.

Another matter relates to living away from home allowance and the log of claims states that the employer shall pay first class travel. If we go interstate as members of Parliament

we travel second or third class. The log also refers to an accommodation limit and meals and seeks $100 per week spending allowance for the period from leaving home to the return home. If we agree to this sort of request we will have a problem.

Another matter in relation to this claim refers to apprenticeships. We are talking about encouraging young people to engage in apprenticeships. I think that members on both sides of the House would be very sympathetic towards this matter. I believe that you, Mr Deputy Speaker, have problems in your district with young people trying to find apprenticeships.

However, rates of pay demanded by this union will not encourage any employer to take on apprentices. In fact, it will stop them, thus creating greater youth unemployment. The log states that apprentices will be paid for the first year 75 per cent of the adult wage; in the second year 80 per cent; in the third year 90 per cent; and in the fourth year 97.5 per cent of the adult wage. That is absolutely ridiculous. The union is doing nothing for young people if it is trying to foist that on to employers. They are completely on the wrong track. I have another log from the BLF which I will refrain from reading and perhaps bring to the House's attention a little later.

I now refer to an attack on me today by the Minister of Education. I am surprised by this because this relates to a Question on Notice I asked of the Minister and a letter I wrote to him which he took about five weeks to answer. The Minister will probably correct me, but I think it was about that time. He did not give me any answer at all. Finally, I put my Question on Notice and asked when he would reply to my letter. A couple of days afterwards I received a reply which was quite wrong.

What I said in the debate is the truth: the Minister misinformed me and the House, from the letter he sent me. The member for Brighton read my question. She enjoys reading my speeches, quite obviously, because she often makes her speech around what I have been saying. It is nice to know that, when she is at home in a lonely quiet moment, she grabs one of my speeches to read. She read and quoted parts of my speech. The Minister replied by saying that I had gone through Question Time after Question Time without so much as asking a question of him. When the Minister thinks about it, he will no doubt recall the time when he was in Opposition (and it is far worse now, because it is harder to ask questions during Question Time). The questions and answers are getting longer and longer, and a back-bencher does not have much opportunity to ask questions very often. One has to sweat it out, and that is why members put many questions on notice.

I can understand the Minister's feelings, because it is his intention from his representatives on a certain committee. It was his Party that reduced Question Time by 50 per cent—perhaps before his coming here—as it used to be for two hours. All back-benchers had the chance to ask questions if they so desired. The time allocated has been halved and we now get long questions and long answers and one has a hard time asking a question. The Government appears to be trying to cut down members' time in this House, particularly that of back-benchers, which is quite unfair. That is the outlook of a number of members opposite. The Government ought to wake up to itself because, in the not too distant future, the Government will be on this side of the House and will be trying to sweat it out and ask questions in Question Time.

If members say that private members time should be reduced, they should look at the matter in the context of what applied previously; then, they will see how unfair it is. If the Government wants to give more time, instead of cutting down the time of members to speak in this place in Question Time, Parliament should perhaps sit more often. The Minister has said that I cast aspersions about the members for Mawson and Brighton, who actively raised the matter with me some time ago. That is untrue. In the grievance debate I said, in part:

> It is a disgraceful state of affairs for the Minister to do this to southern areas youth. I know that some members opposite, particularly the member for Mawson, are most upset about this.

I gave the member for Mawson a compliment. I had no need to do so, but I honestly said that she was upset about it. Yet, the Minister condemns me and says that I cast aspersions on her. Perhaps I did not mention the member for Brighton and that may have upset her, but as she was not in the area when I was there I did not feel that I should mention her. I was upset about the matter, as was the member for Mawson. I am surprised that she would allow the Minister to say that I was casting aspersions about her or the member for Brighton. That was quite wrong.

In his usual manner, the Minister cruised through a very long and very wrong answer. He accused me of saying that no other courses started mid year. I quite rightly said that apprenticeship courses normally started at the beginning of the calendar year, the beginning of the intake of children. If one starts an apprenticeship, it is logical to start with the outflow of young people from school. As children leave school they look for jobs. They are keen, and, if they want to go into the trades, that is when they want to start a course. They do not want to hang around. It is wrong to make them wait until mid year to begin.

Most employers taking on apprentices would do so at the beginning of the calendar year, when they have a big selection of young people. The qualification, even from this Government, is that these young people must have done this prevocational course before they would be considered for an apprenticeship. That is laid down by the Government of South Australia, irrespective of whether it is a Liberal or Labor Government. It is also laid down by private enterprise. It is unfair, and I hope that the member for Mawson was listening when I paid a tribute to her in my speech.

I was accused by the Minister for mirrors, who says, 'I will look into it.' No wonder they call him the Minister for mirrors! He accused me of attacking the member for Mawson. I did not. I mentioned her and said that she, like me, was concerned about it. I still say that it was quite wrong of the Minister to take the attitude that he took. He made a big mistake, and I think he knows that and that he has upset a lot of people. It is time the Minister started running his own Department instead of leaving his higher echelon to do it. He ought to wake up to himself. He should be well aware of what is going on and, when the time comes for some action to be taken, he should take it himself knowing full well what he is doing and the answers that he is giving. It was disappointing to hear him proceeding today in relation to the attack on me in this matter. This socialist Government is one of high taxation. The very word 'socialism' means high taxation. That is the way it has been and the way it always will be, with its philosophy.

The Hon. J.C. BANNON (Premier and Treasurer): I will not detain the House at this stage as I appreciate that arrangements have been made to see the Supply Bill through the House this evening. I guess also that there is not a great deal to which I ought to reply. As usual, the Opposition, having been invited to participate in a general debate on the State's finances, has done its best, but unfortunately it has ranged far and wide in a hackneyed way with large amounts of tedious repetition and ideology dressed up as argument. Let me therefore not deal with the individual and separate contributions made by honourable members but deal specifically with the Leader of the Opposition.

Again, I will not go into detail on his speech, but I will refer to some supposed facts that he placed before the House.

As I expected he would, the Leader of the Opposition again retailed his simplistic and facile arguments on State revenue, but, in so doing, he again made a number of errors—whether intentionally or simply because he cannot read the figures, one is not sure. I suggest that it is a combination of both. He was careful on this occasion to place responsibility for his calculations on his research staff, but that does not get over the fact that those figures were wrong. I think, indeed, that if one examines his contribution, one will see yet again evidence as to why the Leader of the Opposition, having been rolled in his shadow Cabinet, has felt it necessary to have somebody else handle financial and Treasury matters on behalf of the Opposition. He has been effectively removed from leadership in that area, and one can understand why when one looks at some of his contributions. There was not much substance in the speech. I suggest that, if the Leader is going to let the member for Light take over his role in this matter, the sooner he does it the better. Perhaps he should go further, and we will see a restoration of the member for Light in the position he once held—as Leader of the Opposition.

Let me deal in detail with one matter—the question of comparisons of revenue between the States, because it was here that the Leader made his most glaring errors. For comparative analysis to be useful, one must be confident that one is comparing like with like. It is well known that the definition of taxes varies between States, as does the accounting treatment of such taxes. For example, in Western Australia some motor vehicle charges are paid into the Consolidated Revenue Fund but are not classified as taxes, whereas here they would be. An even larger component of motor vehicle charges falls outside the Consolidated Revenue Fund completely and is paid into a special trust fund—again excluded from the calculations. That is one example of a common problem of differences between States in their classification and accounting treatment of imposts and levies that are in the nature of taxes.

The body which has done most work towards developing a comparable range of taxation revenues, for State-based comparisons, is the Australian Bureau of Statistics. By its methodology it has attempted to ensure that we are comparing like with like, but when one looks at a per capita tax level in one State one is taking into account revenue measures that equate to the revenue measures taken in another State. In developing the comparisons, but for the exclusion of a miscellany of small fees and fines, the same standard coverage has been developed and is used by its publications. That was done in its 1984-85 tax collections by State. By contrast, the Opposition's figuring appears to overlook the complexity of State-based comparisons by focusing only on those items which a particular State chooses to call taxation, and which are paid into Consolidated Revenue funds. That is a selective approach which can inevitably and only result in a kind of distorting inconsistency.

In doing that the Opposition then picks and chooses in order to get the worst possible case as part of its overall denigration of South Australia in an attempt to create the impression that in some way our tax base is unreasonable. That is just not true. I refer to the example of Western Australia. The Leader of the Opposition asserts that there is a lower per capita tax figure in Western Australia than in South Australia, contrary to the Australian Bureau of Statistics figures that I have put in. The Western Australian per capita tax figure excludes, for example, motor vehicle charges of $92 million, franchised taxes on petrol of $43 million, profits on State lotteries of $31 million, levies on statutory corporations and insurance companies of $44 million, and regional improvement taxes of $8 million. In total, these omissions amount to some $218 million, or around $158 per head.

If they were included—and they are included in South Australia—in the figure that the Opposition has used for South Australia, that would raise the Western Australian per capita tax figure from the Opposition's estimate of $474 per head to some $632 per head. That revised figuring places them well above our comparable South Australian position of $567 per capita. They are the true comparable figures—they are not mine, but are figures assessed by the State Treasury and vouched for through the methodology of the Australian Bureau of Statistics.

The Opposition's figures are also grossly astray for other States. In New South Wales, for example, account does not appear to have been taken by the Opposition of gambling taxes—mainly in respect of State lotteries and poker machines—which total $219 million; there are levies on statutory corporations and insurance companies of $100 million; and motor vehicle taxes of $476 million. When account is taken of those items, as they are in South Australia, the per capita tax figure for New South Wales increases the Opposition's figure from $595 per head to $743 per head.

I would suggest that the only State where there is a similarity between the Opposition's figures and our own is South Australia. The explanation for this is quite simply that almost all of our tax revenues are paid either directly or indirectly through transfers from other funds into Consolidated Account. We then gather them altogether and identify them as such. That is an honest way of doing it. That is how we treat them. When comparing South Australia with other States, account must be taken of that. The dishonesty of the Opposition's picture really needs to be exposed. I do not think that this is a case of the Opposition simply not understanding. There is an element of a lack of understanding of our finances and figures—that has been proved. It was the Opposition's record in Government, and it is its record in Opposition. However, it goes beyond that. In fact, I believe it is a wilful attempt to create the worst possible case by not comparing like with like. The figures used by the Government have been produced by professional State Treasury officers. The figures stand up, are accurate and give a proper comparison. The Leader of the Opposition keeps calling for an informed and rational debate. I am happy to have it—and it will continue over the rest of this year—about our finances and our revenue base. However, it is clear that he wants nothing of the kind. I am still waiting for a proper and objective approach to this matter by the Leader, and I am still waiting for details of where expenditure cuts can be made.

Bill read a second time.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for consideration of the Bill.

The Hon. TED CHAPMAN (Alexandra): The Minister of Education in this place has become a victim of the bureaucracy, as indeed have a number of his colleagues over the past couple of years. I will deal with a sequence of events which show quite clearly that the Minister has fallen into that category. Indeed, when the then member for Salisbury entered this place I developed a high regard for him and, until recent times, I believe that he had shown a capacity to perform as a Minister, if not at the top, at least up there with his Cabinet colleagues. However, a recent situation has occurred within my district which now leads me to believe that he has slipped badly into that manoeuvre

of his Department to a point where he has lost his grip on his administration.

There are four area schools in the district of Alexandra—two on Kangaroo Island and two on Fleurieu Peninsula. Each of those schools is situated to provide a service for students in the respective areas. The area schools on Fleurieu Peninsula are at Yankalilla and Mount Compass. Students around Yankalilla who wish to enjoy the craft and rural orientated courses provided at area schools attend that school. Others from that district travel on a school bus to Victor Harbor and, indeed, northward to Willunga: a situation where there is a certain amount of flexibility in relation to the opportunity of choice by both the parents for their children and, of course, for the students themselves. That situation does not extend into the Goolwa district—or at least not to some of the children of some of the families there.

On 20 July 1984 about 20 residents from the Goolwa/Hindmarsh Island district wrote to me and asked whether they could gain access to school bus carriage of their children to Mount Compass Area School where the kinds of courses that they were seeking were readily available. Accordingly, I wrote to the Minister, as members do, on 13 August, supporting the request of the local parents. I received an acknowledgement on 16 August that my correspondence had been received by the Department and that the matter would be investigated and a reply would be sent as soon as possible. I received a further letter on 6 September 1984, after I had again corresponded seeking a progress report on the matter.

I was advised by the Minister's office that an investigation was being made in the community, that hopefully the matter would be resolved, that the Minister would write to me again as soon as he had received a reply, and so on—the saga of events that tends to occur within the administrative system. I agree that it is a slow and painful process, but this matter becomes more and more painful the further it continues. I then received further correspondence from the community, naturally seeking a response to their petition and their material as forwarded. On 24 October I again wrote to the Minister pleading with him for at least a progress report if he had not been able to canvass the whole work required within the community in order to officially identify a position.

Following further correspondence from the community seeking further information, I received further copies of correspondence forwarded on behalf of the Director indicating that he would be happy to meet the people of Goolwa and discuss the subject with them. On 29 October 1984, I received yet another letter from the Minister advising that the matter was being investigated and that a reply would be forwarded as soon as possible. We were fairly jacked off about this, certainly at my office level, as well as at local level, and this was understandable. I therefore sought to arrange a deputation to the Minister, and a deputation of people from the community met with the Minister on 8 December to discuss the discrimination that was occurring within the community.

The Minister was told of the situation in relation to the transport on school buses of children attending lessons at the Mount Compass school, lessons that are not available at Victor Harbor or at any other school within the peninsula region of Goolwa and Port Elliot, while at the same time other children, sometimes brothers and sisters of the children able to be transported to the Mount Compass school, were unable to board the Mount Compass school bus. This caused much distress to the families involved.

Subsequently, the situation got so bad that an officer of the Department went down and issued passes to some of the children and refused boarding passes to others. This caused splitting up of children from the same family and resulted in children in the region being denied access to lessons at Mount Compass school that were not available anywhere else on the South Coast. The next closest area school locations are Yankalilla, Kangaroo Island or the Adelaide Hills. It was and still is an absolutely ridiculous situation.

The crux of the matter is that on 18 December, in the presence of parents, a representative of the Port Elliot-Goolwa council and the Principal of the Mount Compass school, we were assured by the Minister that within a matter of days our request would be replied to, so that the families involved could begin the school holiday period knowing precisely where they stood in regard to 1985, and hopefully not be in that divided family situation that had been caused by the Department for which the Minister is responsible. But, no, within those few days nothing was received from the Minister. He slipped off to New Zealand for a four or five weeks holiday, with a Ministerial visit stuck on the end of it. He lolled around the sulphur swamps at Rotarua, or wherever, in that part of the world and forgot about the undertaking given to the community involved. He eventually did come home, sometime in January, immediately before the Parliamentary session, and issued an apology. The Minister told me, and I accept what he says, that the parents in the community were given an apology.

I raised this matter in the House and the Minister undertook to reconsider the whole matter, and I received precisely the same sort of reply that had been received previously. This stinks of bureaucracy, and the Minister is not prepared to stand up to this decision. He knows that the decision taken in this matter is crook. I think it was with tongue in cheek that the Minister wrote a letter to me and to others in the community, protecting the officers of the Department who had locked him into a situation from which he saw no way out. I reiterate that this is as crook as crook. No Minister or Government is going to interfere in my electorate to the extent of dividing families, splitting brothers from sisters, and so on, denying certain children access to school transport. Long distances are not involved, as the Mount Compass school is within the local area. This is denying the children of ratepayers of the district access to the Mount Compass school, the only area school in Port Elliot-Goolwa council region.

Finally, a letter from the Minister stated that he was insisting that those children with boarding passes would be able to board the bus to the Mount Compass school and that the rest would have to go outside the local government area to other schools in the adjoining Victor Harbor local government area. They would be unable to go to an area school which they wanted to attend and at which they would have access to their preferred courses, but that they would have to go to a high school or a primary school in an adjoining district. This discrimination at district level is rough, and this situation of family dividing because of Government action is the roughest that I have encountered since I have been in this place. It is an absolute disgrace. Time is limited, and I know that other honourable members want to speak in this debate. I want to place very firmly on record my absolute disgust at the way in which the Minister of Education has handled this matter, which is a sensitive one involving something that is essential for the welfare of children in an isolated community in the Hindmarsh Island and Goolwa region.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I move:

That the sittings of the House be extended beyond 6 p.m.

Motion carried.

Mr ASHENDEN (Todd): I refer to a matter of very great importance to many people in the north-eastern suburbs. This is a matter under the control of the Minister for Environment and Planning. I would greatly appreciate it if the Minister would contact me as soon as possible to advise me whether he is able to assist with a problem that has occurred. I have been approached by senior people involved with the Pedare Christian College. A college will be built in the new Golden Grove development and will be made available for students residing in the north-eastern suburbs. Both Dr Schinkfield, Chairman of the Anglican Schools Commission, and Dr Billard, Chairman of the Pedare Christian College, are extremely concerned about the delays that have been forced upon the development of their school. The Pedare Christian College will be built by both the Anglican and Uniting Churches, and a decision had virtually been made about where the school would be located.

However, the Principals of the school were approached and advised that it would be preferable if they would agree to moving it from the originally planned area to another area. The Pedare Christian College was told that other schools were to be built in the area and that if a Catholic school, the Pedare Christian College and a State school could be all located together they could share common facilities. Even though this was to cost the Pedare Christian College an extra $250 000, the college agreed to the proposal.

However, the plans enabling the three schools to proceed with this project have been held up by an officer within the Department of Environment and Planning, and also by the Public Service Board. The Co-ordinator of Human Services for the Golden Grove development is preventing a legitimate development for the area. Evidently, this person believes that schools of more than 250 students are not good, for education purposes. I point out to this gentleman that there are many schools in South Australia which have far more than 250 students; also, that the area that would be covered by these three schools can only be described as huge. However, despite the fact that the schools themselves have agreed to this proposal, that the Education Department has agreed, and that all the necessary planning work has been done, one person, and one person alone, is refusing to process the application for planning permission for the project to go ahead. This is a purely legitimate development: it fits in with the planning requirements of the area, but one person is holding it up. I urge the Minister for Environment and Planning to take up this matter with the Co-ordinator of Human Services to ensure that planning approval is given immediately for this school complex to proceed.

The principals of the Pedare Christian College are extremely concerned that they will not be in a position to open their school and commence operations in February 1986, as is their plan. If that does not occur, a large number of students in that area will be severely disadvantaged. I look forward to assistance from the Minister in having this matter rectified.

Mr LEWIS (Mallee): I rebut the ridiculous remarks made by the member for Hartley a short time ago in this Chamber when he was given permission to incorporate a large number of pages of statistical information in contravention of a direction given by the Speaker of this House.

The DEPUTY SPEAKER: Order! Will the honourable member please resume his seat. I think that the Chair has been very patient with the member for Mallee and that the remarks now being made by him are definitely out of order. I have no intention of allowing the honourable member to continue in that vein.

The Hon. B.C. EASTICK: I rise on a point of order. Would you advise the House, Sir, in what manner you believe the member for Mallee has caused a mischief? I draw your attention to the fact that a direction was given to the Chair involving the member for Mallee relative to the amount of material of a statistical nature that can be inserted. The House was advised about this matter and the honourable member for Mallee was denied the right on an earlier occasion to insert several pages of statistical information. The House was advised that members would be allowed to have one page of statistical evidence inserted under normal circumstances.

The DEPUTY SPEAKER: I do not uphold the point of order. I point out to the member for Light that what the member for Mallee is now discussing or debating is a question on which I and the House were asked to give leave, in respect to some statistics that the member for Hartley wished to have incorporated in *Hansard* without his reading them. That leave was granted. I assure the member for Light that the statistics will be checked to make sure that they are statistics. I am pulling up the honourable member for Mallee at present because he is disputing that ruling by the Chair. That is the point I make at present. I again ask the member for Mallee not to proceed with that particular form of debate with which he has been proceeding.

Mr LEWIS: I was not disputing any ruling of the Chair, since there was no ruling. I was merely drawing attention to the fact that on 25 October 1984 at page 1509 of *Hansard* the Speaker is recorded as giving reasons why he had earlier refused me permission to have a statistical table incorporated in *Hansard* even after the House had granted leave for it to be so incorporated. He explained those reasons. I will not delay the House by reading his opinion, but I have referred honourable members to where it can be found.

I now turn to the detail of the table that the member for Hartley obtained leave to incorporate in *Hansard* and point out to the House that that honourable member is culpable of one of the most gross deceits I can imagine. The House has indeed been deceived in that the information contained in the statistical table does not in fact relate to increased Government taxes and charges. He is not comparing like with like. That is on two counts: first, that the period over which he chose to extract his table was three years that the Tonkin Government was in office from 1979 to 1982.

At present we are only considering this Government and its record of increased taxes and charges during the two and a bit years that it has been in office. The second point to which I draw attention relates to the gross deceit and scurrilous misrepresentation by the member for Hartley in claiming that he is stating the truth (when clearly he is not) where we find that within this set of statistics are a large number of items which are in no way increases in revenue raising measures of the Tonkin Government whatsoever. In fact, included amongst them are expenses that the Government would be incurring—an increase in the expenditure side of the Budget and the ledger, not the income side at all.

For instance, item 6, Companies Act, fee increase for a Board member—that is an expense. The Land Settlement Act travelling allowance is an expense, not revenue. Item No. 19, the Public Works Standing Committee travel allowance increase is an expense, not revenue. Item No. 20, the metropolitan taxi-cab fares increase is again an expense, to the public: no way does it have anything to do with revenue raising measures for the Government. The member for Hartley is utterly discredited in the way in which he has put about amongst the press that he has this list of so-called taxes and charges that occurred during the course of the term of the Tonkin Government. Accordingly, I believe that it is quite proper for me not only to draw attention to the length of the material that he has attempted to incorporate but to the dishonesty of that material.

I wish to draw attention to a second matter, and I will have to refer to *Hansard* in order to ensure that I am not misunderstood in any sense at all in doing this. In *Hansard* of 10 August 1983 at page 107 the Deputy Premier is recorded as saying the following:

I now table that note and statutory declaration from a staff member affirming that Ivanov telephoned my office.

Lie No. 1—disputed completely: lie No. 1 of the Leader of the Opposition.

I can instance in that speech made by the Deputy Premier, recorded on pages 106 to 109 of *Hansard,* where he rebutted the charge laid against him and the no-confidence motion put by the Opposition, no fewer than 12 occasions on which he used the word 'lie'.

This indicates that at that time it was permissible and Parliamentary to use that word. During the course of the first reply made by the Deputy Leader he rebutted the remarks made by the Deputy Premier and used that word on three occasions that are recorded on page 109 of *Hansard.* No challenge was made by the Chair to the appropriateness, Parliamentary or unparliamentary nature of the use of the term. Therefore, I stand here and put before the House the argument that I have been unjustly dealt with on two occasions and I consider, therefore, that the Deputy Speaker owes me an apology.

The DEPUTY SPEAKER: Order! The Chair will not be subjected to this sort of argument. I think that the Chair rightfully pointed out earlier this afternoon in this debate that if at any time that word was used and was not challenged, or if there was a decision made by any previous Speaker or Deputy Speaker, that had nothing to do with the ruling that I made this afternoon or my Deputy may have made this afternoon. The fact is that if something violates Standing Orders every member in the House has the proper right at that time to dispute it and to have a ruling given. The Chair is not going to have the member for Mallee questioning the Deputy Speaker's handling of a matter that has now been resolved.

Mr LEWIS: I point out that on the occasion of 10 August the word was challenged by way of interjection. It was permitted and, accordingly, I feel aggrieved: whether or not you believe me justly treated or otherwise I will never be convinced that it is any other way. It is for that reason and that reason alone that I have come into this Chamber to delay the adjournment of the House and to put the grievance as I see it in those terms. To my mind it is a gross abuse of Standing Orders to discriminate between one member and another simply because of the occasion and position on the side of the Chamber on which the member was sitting at the time. I will never let the matter rest in my conscience.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—'Interpretation.'

The Hon. B.C. EASTICK: The Opposition is completely happy with the Bill at the Committee stage. It contains those clauses that are traditional, and there will be no challenge in respect of any aspect of them. It is well explained in the material handed down by the Premier on the original occasion. It is a different situation to that which may apply at the time of the major Bill of the year being brought in.

Clause passed.

Remaining clauses (3 to 5) and title passed.

Bill read a third time and passed.

LIQUOR LICENSING BILL

Received from the Legislative Council and read a first time.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill repeals the existing complex and confusing Licensing Act, 1967, and replaces it with a clearly written modern Act which reflects the change in the social climate of South Australia over the past 18 years, and provides flexibility for future changes.

This Bill was drafted following the most far-reaching review of liquor licensing laws conducted in South Australia. The review lasted 16 months, received more than 100 written submissions, and conducted interviews throughout Australia. The 700 page review report attracted a further 70 submissions. The Bill then is the culmination of an exhaustive process of public and industry consultation. It is clear from submissions that much of the public interest in the debate centres around the question of trading hours for licensed premises, particularly Sunday trading.

Over the past few years, there has been a great relaxation of the sorts of activity which have become acceptable on Sundays. Cinemas and other public entertainments may now operate on Sundays, as do markets and the like. Betting has been allowed at Sunday race meetings, and in 1984 the Australian Rules Football Grand Final was held on a Sunday. Liquor is available at many of these events by way of special licences or permits.

The examination of the current position took into account the fact that at present some 240 hotels, about 40 per cent of the total in the State, have been granted approval for the limited Sunday trading which has been an option open to them since 1982. In addition, hundreds of clubs are supplying their members and guests on Sundays, and to a lesser degree, in volume terms, there has also been the sale of liquor on Sundays by the holders of vignerons licences. The 1966 Royal Commission into liquor licensing recommended that hotels should be able to sell liquor in lounges from 12 noon until 7 p.m. on Sundays, but this was not included in the 1967 Act. This Bill, following the recommendation of the latest review of the law, proposes that hotels should be able to open between 11 a.m. and 8 p.m. on Sundays for both bar and bottle trade. The Bill also provides that the holders of retail liquor merchants licences can trade from 11 a.m. to 6 p.m. on Sundays.

An important aspect of the Bill is that it seeks to redefine the balance between the wishes of the drinking public, the various arms of the liquor industry, and those members of the public who may have cause to complain over some aspect of the Act's operation. The Government is also very concerned about minors obtaining liquor from licensed premises or consuming it at or near premises. A special effort has been made to address this problem. The Bill places more responsibility on the licensee. As well as substantially increasing the penalties if liquor is supplied to a minor on licensed premises, the Bill provides that the licensee will have no defence if he has conducted his establishment in such a way that it attracts minors, or makes their detection difficult through crowding, understaffing, poor lighting or the like. In short, if a licensee is unsure whether or not a person is a minor, he should err on the side of caution and refuse to serve that person.

It will now be an offence for minors to consume liquor in areas, such as car parks, appurtenant to licensed premises. There are greater powers for licensees (and police officers)

to require persons to provide proof of age, and to exclude minors or suspected minors from parts of the premises where abuses may occur. The Bill also makes it an offence for minors to consume liquor in some unlicensed places, such as shops, cafes, dances or amusement parlours. There is also a power to prescribe further such places where the need arises (for example, areas at seaside resorts with a history of trouble involving minors consuming liquor).

The rights of residents, workers and worshippers to peace and quiet in areas near licensed premises are also recognised and given greater emphasis in the Bill. It will be easier for residents and certain others to lay complaints and have them speedily resolved. It widens the range of persons who may lodge a complaint to include a member of the Police Force, the relevant local council, or any 10 or more local residents, workers or worshippers. Their complaint is to be lodged with the newly created Liquor Licensing Commissioner who will act as a conciliator. It is the intention that this new approach will enable problems to be dealt with as they arise in an informal and inexpensive way. If a settlement between the parties to the dispute cannot be reached the Commissioner must refer the matter to the Licensing Court. The proposal is a positive attempt to allow disputes to be settled in a way which represents a proper compromise between the rights of the licensee to trade, and the right of the public to peace and quiet.

Overall, the Bill recognises the special place the liquor industry as a whole occupies in the entertainment and recreational structure of South Australia. The changes which it makes compared with the existing Act recognise trends which have been identified through the review which I mentioned earlier, and through examination of the 30 or so amendments which have been made to the existing legislation since the Sangster Royal Commission in 1966 and the subsequent introduction of the current Act the following year.

In general terms the emphasis has been on a 'freeing up' of the conditions under which alcoholic beverages may be sold and consumed, reducing the complexity of applying for a licence and providing for a simplified and more streamlined procedure for the making of complaints by aggrieved parties. Special regard is given to the tourist and entertainment industries and the relationship between these sectors and the liquor industry. This is reflected in the more flexible approach to licensing and the new categories of licence which the Bill proposes.

The general thrust of the Bill is to replace the existing confused and convoluted Act with a simplified piece of legislation which more accurately reflects the current realities of trading. It is expected that this will encourage and cater for a more imaginative approach to the retail sale of liquor in the future. It is hoped that licensees will make full use of the more flexible approach outlined in the Bill and respond by looking to the future with new concepts of licensed premises. The end of the six o'clock swill in 1967 heralded a new era in the social habits of South Australians, and it is the Government's hope that this Bill will have a similar effect in bringing about a greater scope and sophistication between now and the turn of the century.

The Bill simplifies and streamlines the administration of liquor licensing laws in South Australia by reducing the number of licences and permits available under the Bill to 10. The present Bill has, in contrast, 17 general classes of licence, several categories of permits, nine specific purpose licences and some licences which simply are not available and have not been used for years. The 10 classes of licence are:

Hotel licences: the chief features of hotel licences are that liquor may be sold for consumption on the premises as well as being sold on a take-away basis; hotels must provide accommodation to the public unless specifically exempted and must provide lunch and dinner; the hours for the operation of hotels are extended, without the need for special application having to be made, but special approval must still be sought for late-night permits; hotel licensees will now have more flexibility to provide a greater range of services to the public.

A more limited form of licence is the residential licence, which will enable motels and boarding houses and other such establishments that wish to concentrate primarily on providing accommodation to nonetheless provide liquor to lodgers, without the obligation of having to provide meals to the general public.

A producer's licence will enable a producer to sell the liquor that he has produced, for consumption off the premises. There will no longer be any minimum volume that need be sold, and liquor need not have been produced on the premises. The holder of the producer's licence will also be able to sell his wine for consumption on his premises with meals, thus allowing a greater degree of flexibility to the winemakers to offer services to the general South Australian community, as well as the large number of tourists who are attracted yearly to the Clare Valley, Barossa Valley, Southern Vales, and Coonawarra districts. There will be two sorts of liquor merchant licence—one for retailers who will be selling liquor for consumption off the premises, named a retail liquor merchant's licence; and a wholesale liquor merchant's licence, which will allow the sale of packaged liquor to other liquor merchants.

There will be a club licence, which will have two tiers—a restricted and an unrestricted tier. A club which has an unrestricted licence will have been operating under the restricted tier for at least 12 months and, more importantly, have an annual liquor purchase of at least $30 000. An unrestricted licence would allow the club to purchase liquor supplies from whatever source the club chose. A club granted a restricted club licence would be required to purchase liquor from a hotel or from someone having a retail liquor merchant's licence near the club.

The restaurant licence will enable restaurants to be open at whatever times, and for as long as they wish. However, liquor may only be consumed on the premises if it is consumed in conjunction with a meal. Any person may, with the proprietor's consent, bring their own liquor onto the premises. Restaurants may apply to have a BYO endorsement on their licence if they do not wish to sell liquor, and this would allow liquor brought by patrons to be consumed on the premises but, again, it must be in association with a meal. The licence could be endorsed to sell only certain types of liquor if this were desired by the proprietor.

The entertainment venue licence may, however, be appropriate for some restaurants that would not be concentrating purely on the provision of food. The entertainment venue licence, in addition to the rights provided by a restaurant licence, also enables the licensee to operate until 5 a.m., provided that entertainment is being provided. In order for someone to be granted an entertainment venue licence, he would have to show the Licensing Court that he is a proper person to hold such a licence, that the premises are of an exceptionally high standard, and that the licence is unlikely to result in undue noise or inconvenience. When read in association with the rights of residents and councils to intervene in hearing before the Authority for licences and for extensions of licences, it can be seen that it would be unlikely that the conditions for an entertainment venue licence could be met in most areas where there is a high concentration of dwellings.

There are two other catch-all type licences which the Bill introduces. One is the new category of a general facility licence which is designed for a variety of circumstances

which cannot easily be catered for by any other single licence, and where specific conditions would be imposed by the licensing authority. Again, it allows, like most of the other licence categories, for a degree of flexibility and entrepreneurial flair to be accommodated. A general facility licence, for example, would be available for the major sporting headquarters in South Australia—Football Park, Morphettville Racecourse and Adelaide Oval. It would also provide authority for a range of activities offered at convention centres, reception houses and historic buildings.

The final licence category is a replacement of the short-term licence and permit categories. This limited licence will enable liquor to be sold or consumed in premises for up to a month, to allow it to cover community festivals that are becoming increasingly popular particularly in the tourist areas, and it is expected that there will be many varied types of activities planned for the State's sesquicentenary in 1986 which would use this limited licence category. There will be some circumstances where no permit or licence will be needed at all, for example, where a function is held in an unlicensed premises where the liquor is being provided by the host at no direct or indirect charge, or where people are bringing their own to say, a club function. In addition to a new set of licences there will also be a new streamlined administrative arrangement and a simplified system for the licensing authority.

Perhaps the most important change in this regard is the modification of the existing 'need' argument which currently has to be established before the Licensing Court in order for a licence to be granted. It will only be necessary for need to be demonstrated where people are applying for a category A licence, which are licences where the sale of liquor is the primary aim. The licences for which this will apply are hotel, entertainment venue, liquor merchant's and general facility licences. All of the other licences fall into category B, which will cover licences where the sale of liquor is ancillary to some other function, be it the provision of food or accommodation, club activity or a social function.

In addition, where licences are only for a short period, to cover community festivals or particular sporting events and where the licence is associated with, for example, the production of wine, it will not be necessary for the applicant to establish need. All category A licences will be dealt with by the Licensing Court, however all category B licences will be able to be dealt with administratively by the office of the Liquor Licensing Commissioner. The Liquor Licensing Commissioner is a new office, which is increased in status within the administrative gradings of the Government service. It will replace the existing Superintendent of Licensed Premises.

The Commissioner will also be able to receive submissions and complaints from members of the public and councils who wish to either make their opinions know prior to a court hearing or an application for a category A licence, as well as deal with complaints about licensees who disturb the peace and tranquility of residential area or operate outside the conditions of their licence. These changes are proposed in recognition of the trend that has been obvious for some years, of some applications being heard less formally in chambers by the Licensing Court judge. However, it will still be important to retain a Licensing Court and have a Licensing Court judge who would have the authority to grant category A licences as well as being the person to whom an application can be made should the conciliation process through the Commissioner's office fall down in any way. It is hoped that this less formal arrangement will have real and immediate benefits for all sections of the liquor industry and, consequently, the public. it is designed to ensure that the system of granting licences and the opportunities for people to bring their complaints and grievances before the Commissioner and ultimately the court is simplified.

For constitutional reasons, the basic system of licence fee assessment will be retained—that is, licensees will pay a fee for the right to operate during a period, and the amount of that fee will be a percentage of the value of liquor turnover pursuant to their licence during a preceding period. However, several measures have been introduced to minimise the incidence of licence fee evasion and avoidance by licensees. The sale of low alcohol liquor will still attract no licence fee and, as an incentive for the wine producing industry, the percentage fee for liquor producers cellar-door sales will be less than for other licence categories. Unrestricted clubs may purchase liquor from any source, but will attract no other licence fee if they choose to obtain their supplies from a hotel or retail liquor store. This is intended to remove any deterrent against clubs continuing their good relationships in many cases with these licensees.

The office of the Liquor Licensing Commissioner will be placed within the Department of Public and Consumer Affairs where the Superintendent of Licensed Premises has been located for many years. One of the problems that has existed for some time has been the lack of resources within the office of the Superintendent of Licensed Premises to ensure that licensees are in fact complying with the conditions of their licences. There has in the past been some difficulty in following up complaints about particular premises. One way that the Bill tackles this problem immediately is by providing police officers with authority to act on a complaint. Police officers will be attached to the office of the Commissioner to ensure that there is close liaison between the office and officers who would be acting on a complaint. It would mean that the police would have the details of the licence conditions of all licensees ready to hand. In addition, those licence conditions will need to be prominently displayed at the licensed premises.

Penalties in the Bill more accurately reflect the seriousness of the offences concerned, and the Licensing Court is given greater and more flexible power to take disciplinary action, including suspension or revocation of the licence, where appropriate, against the licensee. If a licensee is convicted of supplying liquor to minors, the court is required to take some disciplinary action. One of the major complaints in the past about the licensing laws both from the public and from people directly involved in the industry has been that it is unneccessarily archaic and unreasonably technical. It is argued that this has prevented the rights of the public from being recognised and their grievances acted upon, and, it has also been argued that the technicality of the provisions has prevented licensees in a variety of categories from offering services in an imaginative way that responds to the increasing variety of social and community needs that now exist in our society. This Bill is designed to remove those restrictions and to enable those licensees with imagination and flair to offer a variety of services to the public which will cater for all of their needs.

The days of the six o'clock swill were (as I have said earlier) put to rest by the 1967 Act. This particular Bill will allow even more flexibility to come into the entertainment and recreational habits of South Australians as licensees respond to the increasing sophistication of our community, its increasing cultural diversity and the fact that there is a changing work and recreational pattern in our community, as a result of which people are looking for a variety of services in licensed premises ranging from coffee and sandwiches through to family entertainment and the more specialised interests and activities of night club patrons. These, then, are some of the reasons for the changes being proposed by the Government. The extensive discussion and consultation that has gone on prior to this Bill coming before this

House has meant that every part of the liquor industry has made a major contribution to the development of the proposals. But, the essential reasons for changing the existing licensing law are that it was becoming cumbersome and unworkable, was acting as an impediment to individual initiative, was unable to respond to community desires and expectations, and was leaving the public out on a limb and excluded from the process of decision making.

Most members would be aware of the various subterfuges that are being used at various licensed premises and of the sometimes flagrant disregard for the conditions of licences which exist under the current Act. Most members would also, I am sure, have received expressions of concern from various people in the community about their lack of ability to be involved and make representations about licensees who ignored their licence conditions. The Bill tackles both problems. In legislation like the current Bill, there are a variety of differing and competing interests to be reconciled.

There are the competing interests of the community; the interests of the people who live near licensed premises and the interests of varying sections of the community who are looking for a variety of entertainment and recreational outlets at different times during the day and want the opportunity to have a drink associated with those activities. These people range from those who want a drink after work to those people who would like a drink with their meal, or when they are involved in some club activity or when they are watching some form of entertainment. There are also the interests of the people in the industry: the retailers, hoteliers, the restauranteurs, their staff, the clubs, the night club and disco owners, and so on. The Bill before the House tries to ensure that all of these different and often competing interests are better off than they were under the arrangements that exist at the moment. It represents a major initiative in the deregulation of the liquor industry in accordance with the philosophy of the Government to remove unnecessary obstacles to enterprise and service.

The Government nonetheless has retained some controls in order not to disadvantage those who established businesses when specific conditions did exist and because it envisaged considerable problems in the completely unregulated consumption of liquor in all circumstances. The Bill, then, goes a considerable way in accepting the recommendations of the review team that mere consumption of liquor should be deregulated irrespective of the nature of the premises. Social functions, like weddings and 21st birthdays in town halls or other unlicensed premises where liquor is supplied by the host (or brought by those attending), will no longer be required to have permits. Permits will only be required when there is a charge for admission. This will reduce the number of permits that need to be issued by nearly 10 000 (using 1983 figures).

There will also be no need for hotels having a booth licence for sale to also have one for consumption. This will eliminate the need for about another 8 000 permits a year. However, commercial premises will still require a licence for consumption. It was felt that complete deregulation at this stage could produce a number of problems, and lead to potential clashes between proprietors of commercial premises who did not want alcohol consumed on their premises and patrons who demanded the right to do so. However, the removal of the obligation on licensees seeking category B licences to establish need and the consequent lifting of the stringent conditions that now apply to those who seek BYO licences will mean that it will be the marketplace rather than the Government or the court which will determine need. This will shift the focus of attention and emphasis onto patrons.

The Bill enables local councils to declare public places within their areas to be places within which the consumption of liquor is prohibited. The Government believes that the Bill before the House combines the best elements in all the circumstances that were available and believes that it will lead to a far more open and sophisticated approach to the consumption of liquor in association with the variety of activities which South Australians enjoy.

Clause 1 is formal. Clause 2 provides for the Bill to come into effect on a date fixed by proclamation, and for specified provisions to be suspended until a later date. Clause 3 repeals the Licensing Act, 1967. Clause 4 defines terms used in the Bill. Clause 5 sets out types of liquor sales to which the Bill does not apply.

Clause 6 provides for the appointment of a public servant as a Liquor Licensing Commissioner to administer the Act, and clause 7 provides for inspectors to be appointed to ensure that licence fees are properly assessed and recovered, and that licensed premises conform with proper standards. Clause 8 empowers the Liquor Licensing Commissioner to delegate any of his powers or functions to any person, to aid the administration of the Act. Clause 9 authorises the Commissioner to disclose information to corresponding authorities. Clauses 10 and 11 establish the Licensing Court of South Australia as a court of record. Clause 12 provides for the designation of a District Court judge as Licensing Court judge, and for other District Court judges to be vested of jurisdiction under the Licensing Court.

Clause 13 specifies those matters which are to be determined by the Licensing Court and Liquor Licensing Commissioner respectively. Clause 14 requires the Commissioner to act without undue formality, and provides that he is not bound by rules of evidence. Clause 15 gives the Commissioner power to require the production of documents and the attendance of persons at proceedings. Clause 16 allows parties to proceedings before the Commissioner to appear personally, or be represented by counsel, a relevant industry association or union. The Commissioner of Police is also given a right of appearance, and a body corporate may, if leave is granted, appear by one of its officers. Clause 17 allows the Commissioner to refer to the court for determination any question of substantial importance or any question of law in proceedings before him. Clause 18 gives parties aggrieved by a decision of the Commissioner the right to apply to the Licensing Court for review of that decision by way of a rehearing.

Clause 19 requires the Licensing Court to act without undue formality, and provides that it is not bound by rules of evidence. Clause 20 gives the court power to require the production of documents and the attendance of persons at proceedings. Clause 21 allows parties to proceedings before the Commissioner to appear personally, or be represented by counsel, a relevant industry association or union. The Commissioner of Police is also given a right of appearance, and a body corporate may, if leave is granted, appear by one of its officers. Clause 22 limits the power of the Licensing Court to award costs to cases where parties have brought proceedings frivolously or vexatiously. Clause 23 allows parties to appeal to the Full Court of the Supreme Court, by leave of the Supreme Court, against any decision of the Licensing Court except on a rehearing of proceedings originally determined by the Commissioner.

Clause 24 enables the Licensing Court to seek the opinion of the Supreme Court on a question of law. Clause 25 provides that there are 10 classes of liquor licence, and clauses 26 to 48 describe those classes. Clause 26 sets out the circumstances under which liquor may be sold pursuant to a hotel licence, and clause 27 specifies conditions to which the licence is subject. Clause 28 provides for a residential licence and the circumstances under which the sale of liquor is authorised, and clause 29 specifies conditions to which the licence is subject. Clause 30 provides for a

restaurant licence and in what circumstances liquor may be sold pursuant to such a licence. It also provides that a restaurant licence may be subject to a 'BYO' endorsement authorising, not the sale, but the consumption only of liquor. Clause 31 sets out conditions to which the restaurant licence is subject.

Clause 32 provides for an entertainment venue licence and the circumstances under which the sale of liquor is authorised, and clause 33 sets out conditions that apply to the licence. Clause 34 provides for a two-tiered club licence. Restricted club licences are subject to a condition that liquor supplies must be purchased from the holder of a hotel licence or a retail liquor merchant's licence who is one of a group of such licensees approved by the licensing authority. Unrestricted club licences are subject to no such condition. Clauses 35 and 36 set out conditions applying to club licences. Clause 37 provides for a retail liquor merchant's licence and the circumstances under which the sale of liquor is authorised, and clause 38 sets out conditions to which the licence is subject. Clause 39 provides for a wholesale liquor merchant's licence and the circumstances under which the sale of liquor is authorised, and clause 40 sets out conditions to which the licence is subject. Clause 41 provides for a producer's licence and the circumstances under which the licensee may sell liquor he has produced, and clause 42 sets out criteria with which the premises the subject of the licence must comply.

Clause 43 provides for a general facility licence, and clause 44 sets out criteria which must be satisfied before such a licence may be granted. Clause 45 provides for a limited licence to authorise the sale or consumption of liquor for periods of up to one month in circumstances that would otherwise be illegal. Clause 46 sets out the circumstances to which the licence applies. Clause 47 places restrictions on the holders of a limited licence who also hold another liquor licence, and clause 48 gives the licensing authority discretion to refuse to grant a limited licence in undesirable cases. Clause 49 sets out conditions that apply to licences under which the sale of liquor for consumption off the premises is authorised. Clause 50 gives a general discretion to impose conditions on licences to prevent excessive noise and other disturbances, to protect the safety, health or welfare of patrons, and to prevent schemes aimed at reducing licence fees.

Clause 51 prohibits one person from simultaneously holding licences in certain different licence categories, and prohibits related bodies corporate from holding such a mix of licences without the approval of the Licensing Court. Clause 52 provides for licences to be held jointly, while clause 53 prohibits, in general, more than one licence applying to the same premises or the same parts of premises. Clause 54 prohibits police officers from holding positions of authority under licences, and from holding licences, without the written consent of the Commissioner of Police. Clause 55 prohibits minors from being involved in licences, except as shareholders of proprietary companies that hold licences. Clauses 56 and 57 relate to the procedures governing applications, and clause 58 relates to requirements to advertise certain applications. Clause 59 requires the licensing authority to conduct a proper inquiry into the merits of any application, and gives a discretion to grant or refuse an application on sufficient grounds.

Clause 60 requires an applicant for a licence to satisfy the licensing authority that he or, if a body corporate, each person occupying a position of authority is a fit and proper person to hold a licence. Clause 61 requires the applicant to show that the premises are of a proper standard, or will be when fully constructed, that all planning and building requirements and approvals have been satisfied or obtained, and that the grant will not result in undue disturbance to the neighbourhood. Clause 62 requires an applicant for a hotel, retail liquor merchant's wholesale liquor merchant's, entertainment venue or general facility licence to show that the licence is required to provide adequately for the needs of the public in that locality. Clause 63 allows a provisional certificate to be issued when the premises are not completed, and for that certificate to be converted to a licence when the premises are completed in accordance with plans approved by the licensing authority.

Clause 64 provides that a limited licence cannot be removed to premises in a different location. Clauses 65, 66 and 67 provide that the requirements of clauses 61, 62 and 63, respectively, apply to the removal of a licence. Clause 68 provides that neither a limited licence nor a club licence is capable of being transferred from the licensee to another person. Clause 69 requires an applicant for transfer of a licence to satisfy the licensing authority that he or, if a body corporate, each person occupying a position of authority is a fit and proper person to hold a licence. Clause 70 prohibits a licensee from selling or assigning his rights to a business conducted pursuant to the licence, unless the licensing authority approves a transfer of the licence. However, the licensee may enter into a contract to sell or assign his rights to the business if the contract is subject to approval of the transfer.

Clause 71 provides that a person to whom a licence is transferred succeeds to the liabilities of the transferor, and in the case of a producer's licence authorises the new licensee to sell liquor produced by the transferor. Clause 72 provides for the temporary suspension of licences and clause 73 provides for the surrender of any licence. Clause 74 provides for the approval by the licensing authority of an alteration to, or redefinition of, licensed premises. Clause 75 provides for the approval by the licensing authority of the licensee extending his trading rights to an area adjacent to the licensed premises, provided that the licensee is entitled to use the area and the relevant local council has given its approval. Clause 76 empowers the licensing authority to approve an application by a licensee to vary trading conditions, other than trading conditions imposed by the Act.

Clause 77 provides for the approval of a natural person as manager of the business conducted pursuant to a licence, and for the approval of persons assuming a position of authority in a body corporate that holds a licence. Clause 78 sets out the circumstances under which an application by a person, who is lessee of licensed premises or premises to be licensed, is subject to the consent of the lessor of those premises. Clause 79 sets out events the occurrence of which result in the devolution of a licence to specified persons. Those persons may operate the business under the licence for one month, or such longer period as is approved, as if they were the licensee. Clause 80 gives an official receiver, or other person empowered to administer the affairs of licensee, power to carry on business in pursuance of a licence as if he were the licensee.

Clause 81 requires a person acting under clause 79 or 80 to give the licensing authority notice of that fact within seven days. Clause 82 gives the Commissioner of Police, a relevant local council, an inspector of places of public entertainment, and the Liquor Licensing Commissioner, the right to intervene in any proceedings relevant to their respective fields of responsibility. Clause 83 provides that, on an application for a club licence, any interested party may intervene to make submissions on the trading hours or other conditions to apply to the club licence. Clause 84 provides for rights of objection to certain applications before the licensing authority, and for the grounds of objection. Clause 85 gives a special right of objection to a lessor of licensed premises in certain circumstances. Clause 86 sets out the basis of assessment of licence fees for all licence categories and

clause 87 specifies how a licence fee is to be calculated when a licence is granted during a licence period.

Clause 88 provides that, where certain trading practices have occurred, and the licensee surrenders or abandons the licence to avoid payment of a licence fee, the licensee may in some circumstances be required to pay a further fee. Clause 89 allows licensees to pay annual licence fees by quarterly instalments, and provides penalties for late payment of instalments. Clause 90 empowers the Liquor Licensing Commissioner to remit a licence fee if the licence has been suspended, where good reason for remission exists. Clause 91 provides that the Liquor Licensing Commissioner is responsible for assessing all licence fees, except those fees fixed by regulation. Clause 92 provides for the assessment of a licence fee on the grant of a licence.

Clause 93 provides for a licence fee to be assessed or reassessed where a licensee has failed to provide relevant information, has supplied insufficient information, or has taken part in licence fee evasion schemes with another person. Clause 94 empowers the Liquor Licensing Commissioner to reassess a licence fee where some error or misestimation occurred in the original assessment. Clause 95 requires a licence fee to be paid notwithstanding that the fee is subject to review, and for an amount overpaid by a licensee to be refunded if the review results in the assessment of a lesser fee. Clause 96 provides for the recovery of unpaid licence fees as debts due to the Crown, and clause 97 provides for the possible suspension of a licence where a licence fee remains unpaid for more than 14 days.

Clause 98 empowers the Licensing Court to impose a monetary penalty on a licensee where it is satisfied that a licence fee has been underassessed because the licensee has supplied incorrect or insufficient information. Clause 99 provides for the recovery of unpaid licence fees or penalties from directors of bodies corporate, or from related bodies corporate, where the licensee is a body corporate which is dissolved or has failed to pay an amount due. Clause 100 requires a licensee to keep records of his liquor transactions, and clause 101 details the information which must be supplied each year by a licensee to the Liquor Licensing Commissioner for licence fee assessment purposes. Clause 102 empowers the Licensing Court, on the application of the Liquor Licensing Commissioner or of its own motion, to conduct an inquiry into suspected licence fee avoidance or evasion schemes. Clause 103 requires every licence to be supervised and managed personally by the licensee or by an approved manager.

Clause 104 prohibits any person from assuming a position of authority in a body corporate holding a licence (other than a limited licence), unless the licensing authority's approval has been obtained. Clause 105 prohibits a licensee from entering into arrangements or agreements under which unlicensed persons have control over, or participate in the proceeds of, a business carried on in pursuance of a licence. The Licensing Court is given power to approve such an arrangement or agreement that is likely to assist the tourist industry or is otherwise in the public interest, providing employees are not adversely affected. Clause 106 provides that clause 105 does not prevent a licensed club from contracting out club services other than the supply of liquor. Clause 107 specifies the circumstances in which liquor may be sold to a lodger under a hotel, general facility or residential licence, at times when the sale of liquor would otherwise be prohibited. Clause 108 requires holders of those licences to keep a record of lodgers. Clause 109 prohibits a person taking liquor off licensed premises where the licensee is not authorised to sell liquor for consumption off the premises. Where a licensee is so authorised, a person may take liquor off the premises up to 30 minutes after the time at which the sale of liquor becomes prohibited.

Clause 110 places restrictions on persons purchasing, consuming, or possessing liquor on, or taking liquor from, licensed premises at times when the sale of liquor is prohibited. Certain exceptions are made for lodgers and their guests, and for licensees, managers and employees who reside on the premises. Clause 111 prohibits the use of any area on licensed premises for the purpose of holding entertainment without the licensing authority's approval. In granting that approval, the licensing authority may impose such conditions as it considers desirable.

Clause 112 allows complaints to be lodged on the ground that an activity on, or noise emanating from, licensed premises, or the behaviour of persons arriving at or leaving licensed premises, causes undue disturbance or inconvenience. A complaint may be lodged by a member of the Police Force, a relevant local council, or at least 10 (or fewer, in special circumstances) or more persons residing, working or worshipping in the vicinity of the premises. In the first instance, the complaint is lodged with the Liquor Licensing Commissioner, who is required to act as a conciliator between the parties. If conciliation fails to reach a settlement, the matter is referred to the Licensing Court for adjudication. Clause 113 prohibits the employment of minors on licensed premises. Clause 114 requires a licensee to display a notice giving details of the licence, the licensee and the manager. Clause 115 requires a licensee to keep a copy of the licence on the licensed premises at all times.

Clause 116 prohibits the sale or supply of liquor to minors on licensed premises or areas appurtenant to licensed premises. Clause 117 empowers the licensing authority, on the application of a licensee, to declare certain parts of licensed premises to be out of bounds to minors, and clause 118 requires a licensee to display signs warning minors of offences under the Act. Clause 119 makes it an offence for minors to consume liquor in licensed premises, or unlicensed shops, cafes, amusement arcades or other buildings being used for commercial purposes, and in any areas appurtenant to such places. Clause 120 empowers licensees and members of the Police Force to require a person on licensed premises to state his true age, and to produce evidence of his age. Clause 121 empowers a licensee or member of the Police Force to require a person to leave premises if that person is reasonably suspected of being a minor who is on the premises in order to consume liquor illegally. Clause 122 empowers the Licensing Court to take disciplinary action against a licensee where proper cause exists, and clause 123 sets out what disciplinary action may be taken.

Clause 124 gives inspectors and financial examiners responsible to the Liquor Licensing Commissioner, and members of the Police Force, powers to facilitate the inspecting of licensed premises, or the gathering of information for the purpose of the assessment of licence fees. Clause 125 empowers a member of the Police Force to enter and search premises and confiscate liquor he reasonably suspects has been illegally obtained, or where he reasonably suspects that an offence against the Act is being committed. Clause 126 empowers a member of the Police Force to remove from licensed premises any person who is intoxicated or is behaving in an offensive manner. A person so removed may not re-enter the premises within 24 hours. Clause 127 prohibits a person selling liquor without an appropriate licence, or otherwise than in accordance with a condition of the licence he holds.

Clause 128 prohibits persons from consuming or supplying liquor on regulated premises, or on areas appurtenant to such premises. Clause 129 prohibits the consumption of liquor within 200 metres of a liquor-free dance, except on licensed premises within that area. Clause 130 empowers a council to declare public areas within its boundaries to be areas in which the consumption of liquor is prohibited.

Clause 131 provides for the level of monetary penalties for offences against the Act. Clause 132 provides for the Licensing Court, on the application of the Liquor Licensing Commissioner, to order that a person pay, as a debt due to the Crown, any amount he has gained as a financial advantage due to a contravention of or non-compliance with a provision of the Act. Clause 133 provides that, where a body corporate is convicted of an offence against the Act, certain officers of that body corporate are also guilty of that offence. Clause 134 contains evidentiary provisions applying in proceedings for offences against the Act.

Clause 135 provides that all offences under the Act are summary offences, the prosecution of which may be commenced up to one year after the date of the alleged offence. Clause 136 provides for the service of notices or other documents under the Act. Clause 137 provides that administrative officers are not liable, although the Crown may be, for anything they do in good faith in the course of exercising their powers or functions. Clause 138 provides that, if a provision of the Act conflicts with that of another Act or law, that other Act or law shall prevail. Clause 139 provides for the making of regulations under the Act. The Schedule to the Act makes transitional provisions to apply to licences held, or proceedings not determined, under the repealed Act.

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

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This short Bill is associated with the proposed new Liquor Licensing Act. Section 43da of the Electricity Trust of South Australia Act empowers the Trust to establish clubs and refreshment rooms for its employees at the Leigh Creek coalfields. The Trust is empowered under this section to sell liquor for the purposes of these clubs and refreshment rooms without a licence. The report made on the review of the South Australian liquor licensing laws recommends that this right to sell liquor should be exercisable subject to the general law relating to the sale and supply of liquor. The more comprehensive licences which are to be available under the proposed new Act make special authorities of the type contained in section 43da unnecessary. This Bill implements the recommendation. Clauses 1 and 2 are formal. Clause 3 amends section 43da to make it clear that the statutory right to sell liquor conferred by that section may only be exercised in pursuance of a licence under the proposed new Act.

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

LICENSING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It makes two amendments to the Licensing Act, 1967. It is introduced in conjunction with the Liquor Licensing Bill, which repeals and replaces the Licensing Act. The Bill provides, firstly, that a distiller's storekeeper's licence may not, on an application made on or after the date on which the Bill was introduced, gain an endorsement authorising the sale of liquor for consumption on the premises with or ancillary to a meal.

Transitional provisions in the Liquor Licensing Bill provide that distiller's storekeeper's licences which do not have such an endorsement are deemed to hold a wholesale liquor merchant's licence and may, if liquor is produced pursuant to the licence, also obtain a producer's licence. Those four licences which do have such an endorsement will be deemed to hold a general facility licence, which opens the way for them in the future to apply in appropriate circumstances for a wide extension of the trading rights applicable to the licence.

This provision, by imposing this moratorium, will prevent holders of distiller's storekeeper's licences from obtaining such an endorsement in order to attract trading benefits which could accrue by the licence being deemed to be a general facility licence under the new Liquor Licensing Act.

The second provision requires the Licensing Court, in respect of applications for tourist facility licences made after the date of introduction of this Bill, to apply criteria which appear in the Liquor Licensing Bill in respect of general facility licences. These criteria are more stringent than those which apply to tourist facility licences. Again, this step is being taken to prevent persons from obtaining, on the less stringent criteria, a tourist facility licence before the new liquor licensing laws come into operation, thus avoiding the need to satisfy more stringent criteria which are considered desirable.

Clause 1 is formal. Clause 2 provides that the Bill is deemed to come into operation on 21 February 1985, the date on which the Bill is introduced in Parliament. Clause 3 prevents the grant, after the date of introduction of this Bill, of an endorsement on a distiller's storekeeper's licence authorising liquor to be sold for consumption on the licensed premises with or ancillary to a *bona fide* meal.

Clause 4 provides that, in respect of an application for the grant or removal of a tourist facility licence made after the date of introduction of this Bill, the licence may not be granted unless the relevant premises are or will be substantial tourist attractions. Furthermore, the Licensing Court must take into account the probable effect of the grant of the application on the trade conducted from other licensed premises in the relevant locality.

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

COAST PROTECTION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 6.15 p.m. the House adjourned until Tuesday 19 March at 2 p.m.