HOUSE OF ASSEMBLY

Wednesday 27 March 1985

The SPEAKER (Hon. T.M. McRae) took the Chair at 2 p.m. and read prayers.

PETITION: LIQUOR LICENSING BILL

A petition signed by 64 residents of South Australia praying that the House amend the Liquor Licensing Bill to allow clubs to purchase liquor from wholesale outlets and provide for the sale to members of packaged liquor for consumption elsewhere was presented by the Hon. D.C. Wotton.

Petition received.

QUESTION

The SPEAKER: I direct that the following answer to a question without notice be distributed and printed in *Hansard.*

SMALL CLAIMS COURT

In reply to **Ms LENEHAN** (19 March).

The Hon. G.J. CRAFTER: The honourable member will be pleased to learn that a comprehensive review of the small claims jurisdiction was undertaken during 1984 at the direction of the Attorney-General. It is appreciated that the honourable member's question was directed towards the jurisdictional limit. However, the review has addressed all aspects of small claims. The adequacy of the legislation and procedures has been closely examined, and reference has been made to systems in operation in other States and overseas. The Government is firmly of the view that the term 'small claim' must not be misinterpreted as meaning an unimportant claim. Indeed small claims comprise about 75 per cent to 80 per cent of all local court actions. Clearly, small claims affect a wide range and large number of people in the community. The sums involved can assume a significant proportion of incomes in some instances. I concur in the view of the honourable member that the small claims jurisdiction is a very important and integral part of the courts system, and it was for this reason that the review has been conducted in such a comprehensive manner.

The contents of the report will be closely considered, and widely circulated for comment as soon as possible. The honourable member will be pleased to learn that a recommendation for an increase in the jurisdictional limit is included in the report.

MINISTERIAL STATEMENT: ASER PROJECT

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. J.C. BANNON: On Thursday 21 March the Deputy Leader of the Opposition and the member for Torrens both asked questions concerning the ASER project. Following those questions, the Leader of the Opposition made a statement concerning the progress of the project which was reported in the Adelaide *Advertiser* of 22 March. That statement, following as it did the questions asked in this House, demonstrated a fundamental misunderstanding by members opposite of the nature of the Government's role in the ASER pfoject. The answers I gave in the House last Thursday were correct, and did not in any way contradict the letter from the honourable Attorney-General which was forwarded to Mr Griffin with my approval. However, the misconceptions that may arise from the Leader's statement have the potential to damage not only the project itself but the confidence with which people outside our State view development projects in South Australia; therefore, the facts should be made clear.

It is not contemplated, nor has it ever been contemplated, that the Government would enter into building contracts concerning the ASER development. The project is being carried out by the ASER Property Trust, which consists of the Kumagai Gumi company, and the South Australian Superannuation Fund Investment Trust. Funds for the project are being provided by those two bodies, and to date their expenditure is about $17.5 million. The Government is not itself carrying out any building, nor is it providing any capital towards the cost of the buildings in the project.

The Government has undertaken to arrange, through the STA, to lease to the ASER Property Trust the area required for the development, and to itself lease certain components of the completed development. In addition, it will provide certain concessions in respect to rates and taxes which were set out in the legislation which was before the Parliament. The development of the property is proceeding by what is commonly known as the fast track method: that is, construction of one section has begun while design work is proceeding on other parts of the development. This is a very common method of ensuring that development projects proceed quickly, and would be familiar to members opposite as it was the method which the former Government employed to speed construction of the law courts building on the Moores site.

The nature of the building project and the complexities of the site mean that the formal lease between the STA and the ASER Property Trust will be a complex document. This was explained to the Hon. K.T. Griffin in a letter to which the member for Torrens referred. Unfortunately, the member for Torrens quoted very selectively from that letter; indeed, he read only one sentence of it and omitted the paragraph that explained why documentation had not been finalised. The letter, which the Attorney forwarded to the Hon. K.T. Griffin, states:

> The documentation could not be drawn until the plans were sufficiently detailed so as to clearly identify the various problems that might arise and to reach agreement respecting those problems. The plans have now reached the stage of detail where problems can properly be identified and negotiations in respect of them are taking place. For example, the lease arrangements for the project could not be sensibly discussed until the number, nature, size and position of the pillars to support the plaza structure were identified. This has now been done and agreement has been reached in principle as to the form the lease arrangement will take.

The main delay in finalising the design arrangements has been the desire of the developers to meet, as far as is possible, the requirements of the City of Adelaide Planning Commission concerning the design and location on the site of the office block. It has taken somewhat longer to prepare the various alternative studies for consideration by the Minister for Environment and Planning than had previously been anticipated, simply because of the desire of all parties to ensure that all alternatives were explored and the best possible result obtained. In the meantime, the form of documentation which the Government, through the STA, will enter into has been, to a major extent, agreed between the Crown Solicitor and the solicitors of the ASER Property Trust. Pending finalisation of that lease, the STA has issued a licence to the ASER Property Trust which covers interim site access in construction arrangements.

The Leader of the Opposition, in his statement, made certain claims about the risk to taxpayers' money. As I have

explained, taxpayers' funds are simply not involved in the development of the project except to the extent that the time of Government officers is involved and there may be some minor works associated with the services to the site. In so far as there is any technical legal risk in proceeding with the development work before finalisation of all documents, that risk lies entirely with the ASER Property Trust and not the Government. Indeed, the Government declined to sign a general lease agreement at an earlier stage because it wished to preserve its position as the design process proceeded. It took this action on the advice of the Crown Solicitor. However, I would stress that such risk as is involved to the ASER Property Trust is a theoretical risk only and regarded by them as completely commercially acceptable.

The question of the costs of the project was also raised by the Leader of the Opposition with the implication that these had escalated. Of course, the only element of cost which affects the Government financially is that relating to the convention centre and car park which the Government will lease at a fixed percentage of the capital cost of those elements of the project. The cost of those elements of the project have increased because the Government has decided to make certain changes to the convention centre to ensure that it will be a more appropriate facility for the City of Adelaide, and one which is more commercially viable. Similarly, the cost of the car park has increased because the developers and the Government have agreed to meet the request of the City of Adelaide Planning Commission to increase its size from 960 car spaces to 1 200.

I remind the House that these changes have been announced previously and have been widely reported. Most recently, details concerning changes to the project to ensure more viable and more flexible convention facilities appeared in the Adelaide *News* of 19 December 1984, and the *Advertiser* of 20 December 1984. Decisions concerning the remainder of the project are ones for the developers on the basis of their own commercial judgment.

As I have said, the statement last week by the Leader following questions asked in this House have demonstrated a fundamental misconception of the project by members opposite. I will give them the benefit of the doubt, and assume that this misunderstanding was not expressed maliciously, and not expressed to damage a project that is of paramount importance to our economy and to our potential for attracting tourism and generating further development.

QUESTION TIME

ASER

Mr OLSEN: Will the Premier confirm that there has been a further significant escalation in the cost of the ASER project? The Premier completely omitted in his statement to the House today any reference to Government guarantees on this project. The Opposition has been advised, and we believe that there is reason to substantiate the fact, that there has been a further significant escalation in the cost of the ASER project. Information that I regard as most reliable indicates that the likely cost is now at least $220 million, which would represent an increase of almost 60 per cent on the original estimated cost. I ask this question, which is capable of a quite simple answer, not to attack the ASER development, which the Opposition has consistently supported—

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: —but to ensure that this Parliament and the public are kept fully informed of the financial aspects of the project which involves significant Government financial guarantees, incentives, and ongoing leasing arrangements.

The Hon. J.C. BANNON: I suspect that this is the same reliable information that the member for Bragg had about catering contracts let for the Grand Prix, and much of the other reliable information that has been put before the House. I refer the Leader of the Opposition not just to the statement I have made, which makes specific reference to the cost of the project, but also to the terms of the Government guarantee which was laid before the House in the context of legislation that has been placed before it. I simply stress that changes have been made in the two elements underpinned by the State Government, because we will be taking over the lease of the car park and the convention centre. This is old news, five or six months old, and the increases have been made in order to make the convention centre more viable: in other words, to improve its economic return, an action I would have thought would be applauded by the member for Coles, whom I notice has been silent in these attacks on the ASER project, and I am pleased to see that.

Secondly, in relation to the car park, there has been an increase in costs based on an increased number of car parking spaces, again, I would suggest on the basis that has been given. Those details have been placed quite clearly before the public. I come back to the basic point: if more is spent on the project than was originally estimated, it will be done at the behest of those financing the project, and that is not the Government. If that expenditure results in a better facility and more jobs, that will be very welcome indeed for South Australia.

Members interjecting:

The SPEAKER: Order!

ROBBERY UNDER ARMS

Mr HAMILTON: My question is directed to the Premier. Can the Premier provide—

Members interjecting:

Mr HAMILTON: Have you finished? Can the Premier provide the House with details of South Australia's involvement in the film *Robbery Under Arms*?

The Hon. J.C. BANNON: If ever we wanted—

Members interjecting:

The SPEAKER: Order! The honourable Premier.

The Hon. J.C. BANNON: If ever we wanted evidence of the Opposition's attitude to a multi-million dollar project, creating thousands of jobs in this State, we have had it here today. 'Robbery under arms' they have called it—that is absolutely deplorable, and I will certainly ram those words down the throat of members of the Opposition over the next few months.

Members interjecting:

The Hon. J.C. BANNON: We now know the term for the ASER project, according to members of the Opposition, and we will see how that works out. Let us turn now to the splendid version of *Robbery Under Arms,* and let us hear about the great support for South Australia's film industry from members opposite. The film was described in the *Sydney Daily Telegraph* review with these words:

> The South Australian Film Corporation, that magician of the local industry, has pulled yet another rabbit out of the hat with *Robbery Under Arms.* It has almost every cinematic ingredient that makes for box office success in a film.

That is high praise, marvellous praise, good news and music to the ears of those of us in South Australia who support the State. It means that again the South Australian Film Corporation, established by a Labor Government in the 1970s, has demonstrated its economic value to this State.

The making of this film was a major project. It cost $7.5 million, and was wholly financed from private sources. I think the analogy there is very clear in relation to the ASER project, which also is being wholly financed from non-Government funds. The film had the confidence of major investors, such as the Bell Group, from every State in Australia. It was very gratifying to see that, of the money invested, $1.7 million came—

Mr Ashenden: Who does the housekeeping in your family? I hope you don't!

The Hon. J.C. BANNON: I would have thought that the Opposition would be interested to know that $1.7 million of that investment money came from South Australians, small investors in South Australia, indicating that they have confidence in the product of the South Australian Film Corporation.

An honourable member interjecting:

The Hon. J.C. BANNON: Yes, of course it enjoys tax benefits, as does the whole film industry, and a good thing, too, because its value to Australia, and in particular the work of the SAFC and its value to South Australia, cannot be disputed. Every benefit that is accorded to it is well accorded, and is returning more than value for money. The film was made on various South Australian locations. One of its splendid features is its superb settings, and I refer particularly to the Flinders Ranges setting, which was beautifully photographed and which is a marvellous tourist advertisement for a film that will have world-wide distribution not only as a cinema epic but as a special television series: in fact there are two versions of the film.

It was shot at Hendon studios (and I have seen it already), Wilpena Pound and Hahndorf. Pre-production and post-production editing and sound mixing took place at Hendon, and the sound track was mixed at the SAFC's new mixing theatre. It is very much a South Australian product. Estimates have been made of the economic activity generated by the expenditure of that $7.5 million spread among small business people and goods and services supplied in those areas, and it is suggested that about $20 million worth of activity has been generated. I know that the common phrase is 'If anything is proposed or if any achievement is talked about, we have to knock it, denigrate it and down-play it,' but I have no hesitation in commending the member for Albert Park for referring to this production by the South Australian Film Corporation, the great economic value it has already brought to South Australia, and the marvellous economic and touristic value it will bring as it has success world wide.

ASER

The Hon. E.R. GOLDSWORTHY: Will the Premier say why the ASER project has not been referred to the Parliamentary Industries Development Committee for investigation? The Government's lack of financial management in a number of projects in South Australia is quite legion, so the Opposition seeks the financial details of the ASER project, quite properly.

An honourable member: Do you want to stop it?

The Hon. E.R. GOLDSWORTHY: That interjection is typical of the insane abuse that members of the Government pour on the Opposition because they do not like legitimate questioning of the financial details of this project.

Members interjecting:

The SPEAKER: Order! The honourable member must proceed with his question. I call the House to order.

The Hon. E.R. GOLDSWORTHY: I refer not to the project but to the financial details, because we know that the Government is a hopeless financier. Its track record shows that. I hope that the Premier is listening, because it certainly runs counter to what he said earlier. Under the principles of agreement for the ASER project the Government is guaranteeing Kumagai's loan of almost $60 million. The Premier has been backing away from this project quickly today, but that is a fact. The Government is guaranteeing that loan: in other words, the taxpayers are guaranteeing it. In a letter to the Leader of the Opposition dated 29 March last year, that is 12 months ago, the Premier stated:

> The project will be referred to the committee for investigation in the near future.

That committee was the Industries Development Committee, and that was 12 months ago. Because work on the project is now well under way, it appears that the Government is pre-empting any investigation by the Industries Development Committee, because the Kumagai loan has not yet been referred to that committee. Let the Premier get around that!

The SPEAKER: Order! The honourable member's last remarks were out of order.

There being a disturbance in the gallery:

The SPEAKER: Before calling on the Premier, I order and direct that none of that incident be reported in the media. I hope that that has been clearly heard by all members of the media in front of me and behind me. The honourable Premier.

The Hon. J.C. BANNON: If the project developers seek a guarantee (and they have indicated that they will do that at some stage), the matter will be referred to the Industries Development Committee. The matter has not been before the IDC yet quite simply because the developers have not asked for it to be so referred.

BUILDING COSTS

Mr PLUNKETT: Will the Minister of Housing and Construction tell the House whether public housing building costs are rising faster than those in the private building sector? In a recent newsletter the Housing Industry Association claimed that public housing building costs are escalating at a far greater rate than those for the private sector. The HIA went on to say that this was a direct result of the State Government's introduction of so-called compulsory unionism on Housing Trust tender projects. Considering that the current State Government has embarked on one of Australia's largest ever programmes to expand the availability of low rent public housing, I believe it is necessary for the Minister to give the House his comments on this article.

The Hon. T.H. HEMMINGS: This allegation by the HIA is, sadly, a continuation of that organisation's refusal to work towards good industrial relations in the home building industry (unlike the MBA, I might add). The HIA has repeatedly used its newsletter to promote discord in the home building industry. It is about time that the HIA's position was made clear to the media and the community at large. Public housing costs cannot be described as having escalated, as the HIA has said. The HIA has used one month's figures to put forward the emotive claim that unionised labour on Housing Trust projects is dramatically increasing the Trust's building costs.

The facts are that the Government has not introduced compulsory unionism on Trust projects. It has reintroduced a preference for union labour. The 'preference for unions' clause was reinstated in January 1983. Since then, ABS figures show that public housing costs have consistently remained about $5 000 below those of the private housing sector. In fact, the ABS shows that, for 1983-84, the average value of dwelling approvals confirmed an $8 000 difference in building costs in favour of public housing. The HIA has used political prejudice to selectively highlight only the one

month of December 1984 for making a claim that is damaging not only to the industry but to the community.

The month of December 1984 shows building costs for private and public housing were about equal, but still slightly in favour of public housing. This month obviously contained public housing projects with some special features that pushed costs up more than $9 000 over the previous month. I call on the HIA to join with the Government, the Master Builders Association and building unions to lay the basis for a strong and peaceful building industry in the interests of all South Australians.

Mr Mathwin interjecting:

The SPEAKER: Order! I ask the honourable member for Glenelg to come to order. The honourable member for Torrens.

ASER

The Hon. MICHAEL WILSON: What arrangements has the Premier established to ensure that the Government is able to regularly monitor the cost of the ASER development? Who has direct responsibility for reporting to the Premier on the costs of the project, and when did he last receive a report on the financial aspects of ASER?

The Hon. J.C. BANNON: The Government has established a co-ordinating committee chaired by Mr Graham Inns, the Director of Tourism. It is advised by Mr Roger Cook of Colliers, amongst others, and its job is to regularly monitor and act as the Government's representative in any relations with private developers. I receive from them fairly regular reports on the progress of the development, and Mr Inns reports to me as required whenever there are any new developments. There have been no reports of any massive cost escalations or other suggestions that have been made by the Opposition.

LAZER MOTOR CYCLE HELMETS

Mr MAYES: Will the Minister of Transport urgently investigate the safety standards of the Lazer motor cycle safety helmet? Last week, on the ABC's *Investigators* programme, the University of New South Wales Road Safety Research Unit reported on a research programme on safety helmets used by motor cyclists. That research indicated that the Lazer and MBW helmets, both of which are available in South Australia, but manufactured overseas, have serious safety problems which can cause serious facial and structural injuries to a person who is involved in an accident where the helmet comes into sudden contact with hard objects. I ask the Minister to investigate urgently the sale in South Australia of these overseas produced helmets.

The Hon. R.K. ABBOTT: I thank the member for Unley for his question. I have received a report from the Department of Consumer Affairs which details certain reservations about the safety of the Lazer MX motor cycle helmet. I will not deal with the full text of that report, which covers the points that the honourable member has raised, because it is quite lengthy. However, I am happy to make it available for the honourable member.

I have also received a report from the Division of Road Safety in relation to the ABC television programme in which several allegations were made about the safety of this helmet, which has Standards Association approval. In particular, the helmet is said to have a shell opening with a square inner edge which does not have a protective moulding; also, it has a rigid plastic peak on some versions only.

The consequence of these limitations is said to be that in the event of an accident, if the peak strikes the ground and rotation continues, the rider's head must, if the peak is not flexible, jerk backwards and away from the impact. This could result in damage to the cervical vertebrae and spinal cord. On the other hand, if the helmet is loose fitting the rider's head may rotate within the helmet. In this latter case the interior padding may deform, exposing the square inner edge of the shell opening, causing lacerations and contusions to the rider's face.

These problems with the Lazer helmet are of significant concern to the Government. A report on these problems outlined has been forwarded to the State's representative with the appropriate Standards Association Committee, RU-12, and will be taken up by that representative with the Standards Association. The RU-12 Committee is aware of deficiencies with the current standard (under which the Lazer helmet was approved) and is taking steps to amend the standard. I do not believe it appropriate for the State Government to take other action, as this is purely a matter for the Standards Association. I will be happy to make available to the member for Unley a copy of the report that I received from the Department of Consumer Affairs.

ASER

The Hon. B.C. EASTICK: Can the Premier say when the Government last had discussions with Kumagai Gumi about its investment in the ASER redevelopment, and is there an upper limit to Kumagai's investment? Under the principles of agreement signed in October 1983, Kumagai will invest $15 million in direct equity in the ASER project and a further $58.5 million by way of loan guaranteed by the Government.

The Premier told Parliament last year that there was a formal agreement between the parties to the principles of agreement on a 10 per cent escalation in the original estimated cost of the project. As I understand that the escalation is now significantly in excess of 10 per cent, I ask the Premier whether there is an upper limit to Kumagai's investment.

The Hon. J.C. BANNON: The co-ordinating committee to which I referred handles any of those relations with the ASER Property Trust, which comprises Kumagai Gumi and SASFIT.

The Hon. B.C. Eastick interjecting:

The Hon. J.C. BANNON: I refer the honourable member to my statement. The Government does not pick up the tab. Kumagai has not signalled to us any problems or concerns with the project.

ARTS AWARDS

Mrs APPLEBY: Will the Premier clarify details of any awards for literature or poetry that are to be made by the Government? In the *Bulletin* of 19 March 1985, Patricia Rolf hinted at announcements to be made by the Premier regarding new awards for literature. I understand that the Premier has details of these awards.

The Hon. J.C. BANNON: Over the years awards have been made for literature, and these are associated with the biennial Festival of Arts. As the honourable member said, there was a speculative piece about the possible revamping of those awards and the changing of the conditions and moneys attached to them. In fact, that is so. The awards will be called the Festival Awards for Literature and they have been completely revamped. There are six categories of award: a national fiction award; a national poetry award; a South Australiana award for published non-fiction; a national children's book award for a published work of fiction or

non-fiction; a national novel manuscript award in respect of which publication by the Wakefield Press will be coupled with the prize; and the South Australian Youth awards for poetry and prose.

I am confident that these awards will attract strong national interest, and the Jubilee 150 Board is currently seeking sponsors on behalf of the Department for the Arts and the Writers Week Committee. We hope to have good entries in all those categories. It is vital that basic creative writing be stimulated as well as the performing arts, visual arts, and other aspects of the arts. The raw material of so much of these arts activities has tended to be a little neglected. We believe that these festival awards for literature will have a national standing and be an important part not only of Writers Week but of the total Festival of Arts itself.

SPORTS LOTTERY

Mr FERGUSON: Can the Minister of Recreation and Sport give details of the new sports lottery, and will he say what funds are likely to be available for recreation and sport in this State as a result of the lottery? Almost every member of this House has been approached by sporting clubs within their districts seeking assistance. Within my district I have a world champion BMX cycle rider who at present cannot travel overseas, even though he has been selected to represent Australia. I have been approached by tennis clubs, baseball clubs, swimming clubs and lifesaving clubs seeking assistance by way of grants from the Department of Recreation and Sport. I am sure that the clubs in my district would appreciate an early return on this lottery.

The Hon. J.W. SLATER: Members will no doubt recall that late last year (I think in December) this House passed amendments to the lotteries legislation. One of the main points arising from that legislation only a few weeks ago was the conduct of a new sports lottery. That lottery was launched a couple of weeks ago. The lottery should have been launched by the Premier (the Lotteries Commission being under his Ministerial jurisdiction) but, as the money being raised by the sports lottery will be devoted to the Recreation and Sport Fund, I was asked to perform that function. I acceded to that request to officially launch the sports lottery.

An honourable member interjecting:

The Hon. J.W. SLATER: It will not be drawn until 18 April, and I do not know who will draw the first marble, nor do I know who might win the first prize. However, one needs a ticket to win! I call on the public of South Australia, particularly the sporting fraternity, to give assistance so that they can receive the benefits from the Recreation and Sport Fund. As members probably know, the fund was started initially by the previous Government through the soccer pools fund. Although it has not been as successful as we might have anticipated, nevertheless, it has provided a substantial amount of money for recreation and sport in the State.

As I am not a prophet, I cannot say how much might be raised for recreation and sport through the sports lottery. However, it is possible if all tickets are sold—and each lottery takes between six and eight weeks to fill—to raise $1 million for sport in this State. However, that depends very much on the response of the general public and particularly the sporting fraternity in South Australia

ASER

The Hon. D.C. BROWN: When did the Premier last have discussions with the Chairman of the South Australian Superannuation Fund Investment Trust about the Trust's investment in the ASER project? Has the Trust expressed any concern to the Premier about the cost of the project, and what is now the estimated total completion cost of the convention centre and car park?

The Premier has said that the State Government does not have any direct financial interest in the ASER project, but under the agreement the State Government leases from the partners the convention centre and the car park at the rate of 6.25 per cent of the final construction cost, that final cost being inflated in line with the CPI each year. Therefore, the State Government does have a direct interest in the final total cost of construction for both the convention centre and the car park. That is why I ask the question.

The Hon. J.C. BANNON: First, the current cost estimate is $27 million for the convention centre and $16 million for the car park. It is some considerable time since I met with Mr Weiss to talk about SASFIT's financial involvement. I have had no indication that there are any problems in financing the project; on the contrary, I understand that all is going well.

CASINO

Mr OSWALD: As the Minister responsible to Parliament for the Lotteries Commission, will the Premier say whether the Commission, either verbally or in writing, has at any time recommended to the Casino Supervisory Authority the appointment of any body other than the ASER Property Trust to operate the casino?

The Hon. J.C. BANNON: I am only aware of the public announcement made by the Lotteries Commission on 24 December that it was recommending the ASER Property Trust, and that application has gone before the Casino Supervisory Authority.

MORPHETTVILLE RACECOURSE

Mr TRAINER: Will the Minister of Recreation and Sport use his good offices to ascertain what action, if any, the South Australian Jockey Club can take to alleviate the dust problem from the Morphettville racecourse which is causing distress to nearby residents? For nearly three months, since work on a new track began on 7 January, nearby residents have been inconvenienced by clouds of dust. I have received several complaints from residents in the Plympton Park area centring on problems such as the need to keep their houses sealed all day, their being unable to hang out laundry, continuously needing to clean their house exteriors and health problems such as asthma which have been aggravated. In addition, one of the residents in a small business as a dressmaker has complained that she cannot take any wedding orders now because of the dust that settles on material, even with doors and windows sealed.

On 13 March I wrote to the South Australian Jockey Club about this matter and several other problems of a long standing nature that have concerned local residents. Unfortunately, although two weeks have passed since then, the Jockey Club has not seen fit to reply to this correspondence. I am sure that my constituents would appreciate it if the Minister for Environment and Planning could approach the Jockey Club on their behalf.

The Hon. D.J. HOPGOOD: I would be happy to do that. I think it would be appropriate for officials of the SAJC to meet with officers of my Air Quality Control Branch to determine the best way of ameliorating this problem. This matter in a different form has been raised by other members during this part of the session, and I refer to matters involving

subdivisional activity which, typically of course, can raise a good deal of dust. I guess that that is a problem that has been affecting the honourable member's constituents for some time.

When asked a question or questions about this matter earlier, I pointed out that these issues can now be dealt with under the Clean Air Act, which was passed by Parliament quite some time ago. I do not envisage that that would be necessary in this case, but it would be possible for an officer level discussion to be held to identify measures that can be taken to ameliorate the problem. I shall certainly take up the matter on behalf of the honourable member and his constituents, and I hope that the matter can be speedily resolved.

Mr L. JOHNS

The Hon. TED CHAPMAN: Will the Premier say whether it is still the Government's intention to appoint Mr Lloyd Johns to another position in the CFS? If it is not, can he say whether the terms of Mr Johns' employment with the Government require that he be offered another position in the Public Service and, if so, on what salary? Last Wednesday after the Deputy Premier had informed Mr Johns of the Government's decision to appoint a new CFS Director, the Minister also said that he thought that Mr Johns had a future with the CFS. However, a press report last Saturday stated that the Deputy Premier had ordered Mr Johns to begin recreation leave and that he had not been offered the post of Chief Fire Officer, as previously expected (indeed, that was expected by Mr Johns).

A number of people associated with the CFS have contacted me about Mr Johns' prospects, following this apparent change of mind by the Government regarding his future. These inquiries have stemmed from people who are wondering whether the Government has a commitment to employ Mr Johns until his retirement and, if so, what are the terms of his salary entitlements due to him; if not, what early retirement and/or redundancy arrangements exist.

The Hon. G.F. KENEALLY: As the Acting Minister of Emergency Services, I point out that the honourable member has asked this question just a little too early, as later this afternoon I shall receive a briefing about the matter to which the honourable member has referred. Following that briefing, I shall be in a better position to reply to the honourable member. At this stage I am unable to provide the detailed reply that the honourable member has sought.

The Hon. Ted Chapman: Could that information be provided by way of a Ministerial statement later today?

The Hon. G.F. KENEALLY: I shall have a look at the information provided to me this afternoon. I doubt whether there will be an opportunity, or whether it would be wise of me, to make a Ministerial statement on the matter later this afternoon. However, I shall consider the matter and give the honourable member a reply in due course.

RENTAL ACCOMMODATION

Ms LENEHAN: Will the Minister of Housing and Construction explain to the House what range of services is provided to tenants in the private rental market, and specifically will the Minister urgently investigate the need for permanent accommodation and clerical support for the Noarlunga Emergency Housing Office? Deep concern has been expressed to me by both service providers and the southern community that the increasing demand for EHO services in the southern area has made existing accommodation in the area inadequate to meet the needs of the community.

The Hon. T.H. HEMMINGS: I thank the honourable member for her question. I am sure that all members on this side do not have to be reminded—although members Opposite quickly forget—what the State Government has put into housing since it has been in office. We have built 3 100 public housing units; we have granted 3 000 home loans; we have provided wide mortgage relief; we have successfully negotiated a very good deal for this State under the Commonwealth/State housing funding provisions; and we have streamlined a sensitive, efficient and responsive South Australian Housing Trust.

This Government has always maintained that public housing should be public housing and not welfare housing, but increasingly those in need really require this accommodation. Between 15 per cent and 20 per cent of the population lives in expensive and often poor quality private rental accommodation. The Government's strategy to assist these people includes the Housing Improvement Act (which was dumped by the previous Government but which we reintroduced straight away), rent relief, the Emergency Housing Office (involving bond moneys, furniture removal, counselling, emergency housing and youth housing), crisis accommodation and priority housing for extremely urgent cases.

This package of assistance costs about $10 million of Commonwealth/State housing funds, and it represents the most caring provision of services to those in need in Australia. The Noarlunga Emergency Housing Office is acknowledged to be greatly overcrowded. It is presently seeking more suitable accommodation, and I hope that it will be able to move into accommodation that is being used by Federal Government departments. I assure the member for Mawson that the Government is committed to the EHO and a wide and comprehensive range of services for the private rental market. The services provided by the EHO and the Noarlunga office are vital to many people, and I intend to ensure that they continue to operate at the appropriate level.

ASER

Mr OLSEN: Will the Premier say on which occasion he misled the House—on 29 March 1984 when debating the ASER Bill, or today in his Ministerial statement? On 29 March 1984, it is clearly recorded in *Hansard* that the Premier stated:

> While this project is not strictly being undertaken by the South Australian Government, it is nevertheless being constructed on property owned by a Government instrumentality. The Government is providing certain incentives by way of concessions, has undertaken to provide financial guarantees, and will be leasing a substantial proportion of the buildings on completion. Consequently, the Government believes that it is appropriate that this project be regarded as a Government development.

That is unlike the impression put forward by the Premier today. In addition, the Premier stated:

> Section 2 of the agreement sets out the obligations of the South Australian Government. Section 2 *(a)* relates to the definition of the site which is dealt with by clause 4 of the Bill. Section 2 *(b)* of the agreement sets out the rental which should be paid to the State Transport Authority. Section 2 *(c)* provides that the Government shall sublease the convention centre and car park for a period of 40 years. The rental has previously been outlined to the House and comprises 6¼ per cent of the capitalised costs of the convention centre and the car park and 30 per cent of the public areas. The rental is to be adjusted for CPI increases . . . Section 2 *(e)* relates to the guarantee on the loans provided by Kumagai Gumi and, as I have already stated, this will be dealt with under the Industries Development Act.

It is not a matter for the private developers to ask for IDC approval. The Premier has given a clear commitment to this Parliament that the Government will seek IDC approval for the guarantee of those loans. Taxpayers funds provide the guarantee for the loan for that project. Contrast that with today's Ministerial statement, which seems to indicate to me that the Premier is backing off and wanting to distance himself somewhat from this project because it is no longer a Government project but a private developer's project. I quote from the Ministerial statement today, as follows:

As I have explained, taxpayers funds are simply not involved in the development of the project.

The Hon. J.C. BANNON: There is no contradiction between those statements. One is talking about the overall project, and the very factors that I mentioned there I mentioned in my Ministerial statement today in terms of where the Government's financial obligations lie. The finance for the overall cost of the project is as I have stated and, in relation to the IDC, the fact is that if a guarantee is to be obtained it must be obtained under the procedures of the Act at the stage that the ASER Property Trust wishes to seek such a guarantee. It has not indicated that it wants the guarantee at this stage. When the Trust advises us that it does, we will immediately approach the IDC.

PORT ADELAIDE BOATING FACILITIES

Mr PETERSON: Will the Minister of Marine say whether the Department of Marine and Harbors has a policy on use of the upper reaches of the Port River for recreational boat moorings after the relocation of the *Troubridge*? There are broad areas of the Port River between the Birkenhead Bridge and the Jervois Bridge and between the Jervois Bridge and the Outer Harbor rail bridge that are or will be available for use when the *Troubridge* is removed. These areas are not of use for any other purpose. The potential to moor recreational boats in sections of the upper reaches is vast, with a capacity for many hundreds of boats. If this potential was realised, it could provide reasonably priced facilities which would enable many additional South Australians to own boats while assisting the State's economy through sales of boats, maintenance, slipping and all ancillary costs that go with boats. It has been put to me that the use of the areas for recreational boats should be seriously considered as part of any small boat policy in this State.

The Hon. R.K. ABBOTT: To date no commitments have been made to the future development of the inner harbor *Troubridge* berth once the MV *Troubridge* is located to Outer Harbor. In its present form it is considerably unsuitable for mooring of pleasure craft. However, it could be modified to accommodate that type of craft. The existing berth is included in the Port Adelaide centre under the Port Adelaide zoning regulations. Of course, any land based development in that area would be subject to negotiation with the Department of Marine and Harbors and the Special Projects Unit of the Department of the Premier and Cabinet—not forgetting, of course, the Port Adelaide City Council, with which negotiations would have to be held. I agree with the comments made by the member for Semaphore that the area will become available for the type of development to which he referred. Once the MV *Troubridge* is relocated, alterations could be made to accommodate that facility, which would be a very great facility in that area.

ROADWORKS

Mr ASHENDEN: Will the Minister of Transport instruct officers of the Highways Department to take greater account of the needs of motorists when roadworks and other maintenance are being carried out and request the Department not to undertake anything but urgent works in peak hour traffic times? I refer to problems encountered over the last month or so by some of my constituents who use the Lower North-East Road and Payneham Road when travelling from the north-eastern suburbs to the city. One constituent has advised me that for almost a week about 800 metres of the Lower North-East Road at Campbelltown and about 900 metres at Payneham Road, St Peters, had only one lane open for city bound traffic during peak hours. As the Minister would know, the Lower North-East Road is an extremely busy road, and to have this traffic flow reduced to one lane during peak hours causes real problems.

My constituent pointed out the work that was being undertaken at that time was only resurfacing—it was not urgent work. He also indicated that three lanes were available for traffic use but no bollards or witches hats were used to create two lanes for inward traffic and one for outward traffic during that peak period instead of one inward and two outward. My constituent also pointed out that during that week his travelling time increased to between 45 minutes and one hour rather than his normal travelling time of 10 to 15 minutes. He also indicated to me that he had resided previously in Sydney, where the Department of Main Roads instructs its staff not to undertake any work during peak hour traffic.

A second constituent has told me that at 8.15 one morning one lane was blocked at Campbelltown because a Highways Department vehicle was stationary in the centre lane while a workman changed a globe in the traffic lights at a pedestrian-activated crossing. A third constituent has advised me that yesterday morning and this morning the peak hour traffic at Campbelltown again was reduced to only one lane because resurfacing of the road was being undertaken.

All these constituents have pointed out the dangers to motorists who are forced to merge into one lane and the long delays experienced as a result of such merging of traffic. They have asked me to seek the assistance of the Minister in having the Highways Department made much more aware of the needs of motorists.

The Hon. R.K. ABBOTT: The member has given a lot of detail regarding certain traffic hold-ups. I will be happy to take that on notice and obtain as much information as I can for him. I am quite surprised to hear him say that during peak hours the Highways Department parked a truck that blocked one lane. I think that is totally unreasonable and, if that has happened, I will certainly instruct the Department not to do that, particularly during peak hours. I am aware of some of the problems that are currently under consideration and we are certainly trying to rectify them. One particular intersection causing problems is the Sudholz Road/Main North East Road intersection, where considerable hold-ups occur during peak hour periods. I have a submission that will be given to the Resources and Physical Development Committee on Monday morning with several short term options for the Government to consider. The long term option is grade separation at that intersection, but whether that is to be on Sudholz Road or the Main North-East Road has still to be worked out. That is a long term solution and will cost about $5 million or $6 million, but it is really the only answer for that intersection. However, we are looking at short term measures to adopt and they will be considered by the Cabinet subcommittee on Monday with certain recommendations. I hope they will overcome some of the immediate problems that are occurring.

Such work involves great costs and often land acquisition is necessary; that will be the case on the Sudholz Road/Main North-East Road intersection and it is a long, drawn out process. It is really the only way to go and I have

instructed the Highways Department to proceed with the detail and planning for that work.

Mr Ashenden: All the problems I referred to are occurring on Lower North-East Road.

The Hon. R.K. ABBOTT: Yes. I will certainly be looking at the problems being encountered on the Lower North-East Road to see what can be done to alleviate them as quickly as possible.

SALISBURY NORTH-WEST PRIMARY SCHOOL

Mr KLUNDER: Can the Minister of Education provide further information concerning allegations made in this House yesterday by the shadow Minister of Education with respect to the Salisbury North-West Community School? As an ex teacher I have received a number of phone calls from teachers who are angry indeed about the slur cast on the school in particular and on teachers in general. I ask the Minister whether he can clarify the situation.

The Hon. LYNN ARNOLD: I can provide some further information on this matter. Members will recall that yesterday the member for Torrens made a number of statements with respect to the Salisbury North-West Community School and said, among other things, that possibly there had been a staff meeting during which time children were not being supervised or taught. He then said that another possibility was that there had been a strike by teachers because of unruly and rebellious behaviour by some students, including abuse of teachers and foul language, and the fact that teachers had not been supported in their efforts to apply discipline. He then said the situation at the school has now got out of hand to the extent that parents of students were being inconvenienced to bring home the necessity for the maintenance of discipline in schools, including the use of corporal punishment where necessary.

Yesterday I indicated that I would look into this matter but I also indicated, as I repeat now, my strong support for the work of teachers and parents in that school and the tremendous way they have performed over the years in making a very exciting educational environment at that place. I have had the matter investigated by officers of the Education Department and this episode raised yesterday by the member for Torrens turned out to be a scurrilous and outrageous exercise designed to demean what is taking place in our schools and designed to deliberately cause ill will and lack of faith in the education system of this State. I find it quite appalling that such a thing should have occurred within this place. I do not believe it is an appropriate way for an Opposition to try to examine what is happening in our education system in South Australia.

The facts are that the Assistant Director of the Northern area has been to the school to examine what has actually taken place and indeed the Superintendent of Schools (Frank Gower) is visiting the school to determine the substance of the allegations that have been made by the member for Torrens. Conversations have been held as well with the Deputy Principal of the school.

An honourable member: A waste of resources!

The Hon. LYNN ARNOLD: What a waste of resources that this should have to take place because of the outrageous allegations made in this House. The situation is that the school adopted a prepared discipline policy in 1984. It is a well articulated policy which, in the case of that school, says that corporal punishment is a last resort and the facts are that it is rarely if ever used. This is a result of a staff discussed policy which has also been discussed with the school council of that school. I am advised that the incident to which I will refer and which may have been the genesis of the scurrilous allegations does not in itself involve any aspect of corporal punishment in any event.

The situation can best be summed up by the words of the Superintendent of Schools, who says that there are no more problems or discipline problems at the Salisbury North-West Primary School than there are at any other schools in the area. It is possible that the episode to which the honourable member referred is this: four students some time ago truanted from the school (and truancy has been something that has been endemic in education systems all over the world for a long time). The response of the school was to call in the parents to discuss the matter (an entirely proper response), and appropriate punishment was negotiated with the parents by the staff of the school and that involved extra school yard duties and/or, depending on the student, some extra detention studies at lunch time. This was what was determined by the staff of the school—they did not feel they were not supported by anybody. This was in line with the school policy they had articulated in 1984.

That group of four students two weeks later was involved in a smoking episode. Again, there was consultation with the parents and on this occasion specific reference was made to the Superintendent, who supported what was taking place. The students were suspended for two days and, in the words of the advice I have received from officers about the matter, 'It is no great deal, solid and immediate action was taken by the school', and that was the end of the matter.

Certainly this school, like any other school in this State, has certain students who from time to time may cause problems that need to be the focus of attention. A staff meeting took place at the school on Monday at 3.30 p.m. In this respect, I ask honourable members to recall that it was alleged that the students were not being taught and were being left unsupervised, but this was at the end of the school day. In fact, there were two teachers on yard duty at the school to see that students still around the school yard, because their parents were picking them up later, were being looked after. Kim Walters and Helen Fox were on yard duty until the last students had left the school site.

At their staff meeting the matter of school discipline was discussed, but no children were inconvenienced and no lessons were missed. It is significant that that meeting of staff at the school on Monday at 3.30 p.m. confirmed the basic school policy on discipline that teachers adopted in 1984. The only modification which I am advised that they made was to certain parts of the policy to ensure greater consistency between the teachers at the school. They also determined that, as part of the yard duty obligations of teachers, they would ensure that the four children who had been identified in the two incidents to which I have referred were kept under observation and that teachers would ensure that those students were kept apart from each other in the school yard.

The advice that I have received is that there is no known staff disagreement with those procedures. Indeed, the school policy as developed in 1984 and as reaffirmed on Monday evening this week is one of consensus. I am also advised by the Superintendent of Schools, who has been at the schools for a couple of days to see what is happening there, that the mood of the teachers is angry that their school and their actions should have been the subject of inaccurate and disturbingly destructive criticism in view of the serious matter of school discipline for any school and the responsible and cohesive way in which the teachers at that school have tackled this issue. I said earlier in reply to the question, as I said yesterday and as I now repeat, that this is a school with a cohesive staff and a cohesive school community that is trying to face problems that all school communities have. They have worked solidly together and deserve support. As local member, I am determined to give them that support

and believe that it is appropriate for other people to do the same. I should have thought that it was entirely appropriate for the member for Torrens to rise in this place and give a personal explanation and say where he stands with respect to the good work of parents and teachers at the Salisbury North-West Community School.

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

PLANNING ACT AMENDMENT BILL (1985)

Adjourned debate on second reading.
(Continued from 14 March. Page 3269.)

The Hon. D.C. WOTTON (Murray): The Opposition strongly opposes the Bill, and I will say why.

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: The Minister expresses surprise and concern, but I should have thought that he would know the attitude of the Opposition to this Bill. In this matter, the Liberal Party has been co-operative. We have worked with the Minister and the Government on this matter, but the time has come when the Government must make decisions. In November and December of last year, Parliament passed amendments to the Planning Act of 1982, to suspend the operation of section 56 (1) *(a)* and *(b)* until 1 May 1985, which is only a month away. That provision relates to existing use, and there has been much controversy about it for some time. I do not intend to go into much detail. It came about as a result of the High Court judgment in *Dorrestjin v. South Australian Planning Commission*, which related to the clearance of vegetation on Kangaroo Island.

The Government sought first to repeal and then later to suspend the operation of section 56 (1) *(a)* to ensure that controls were maintained. Much publicity was given to the legal aspects of whether or not that was necessary. When the suspension was considered by Parliament, the Government agreed, after a fair bit of pressure, to establish a Legislative Council Select Committee into Native Vegetation Clearance in South Australia. The establishment of that committee was welcomed by the Liberal Party. In fact, soon after the vegetation clearance control regulations were brought down, it was suggested that the general public should be given the opportunity to express their views on this matter.

One does not need to be a Rhodes Scholar to recognise that members of particularly the rural community have been very upset since these regulations were first brought down. Perhaps that statement is a little too broad. A large number of people in the rural community have been concerned so, when the decision was made to set up the Select Committee, that decision was generally welcomed by the Liberal Party. I am aware of the considerable amount of evidence that has been heard by that committee and I am also aware that much evidence remains to be heard. Representations that I have received on this matter generally have been extensive. I have received an enormous number of letters and telephone calls, and general contacts have been made by people who are seriously affected by the regulations. Many of those people have sought to give evidence to the Select Committee.

As the Minister has said, much evidence is still to be heard. I do not believe that that is an insurmountable problem. A member in another place (Hon. Martin Cameron) has written to the Chairman of the Select Committee making clear that the Liberal Party members on that Committee will do everything that they can to facilitate the bringing down of a report as soon as possible. That does not mean to say that anyone will not be provided with the opportunity of presenting evidence, because that is important. However, we recognise the importance of bringing down the report and of this whole thing being wound up within the next month or so rather than going through another process, as this Bill would suggest, of having to hold the decision over yet again not only from May until June this year but from May this year until June next year. I could be cynical and indicate all sorts of reason why I see the Government requesting a delay of more than 12 months. It would take the whole matter of vegetation clearance away from being a fairly significant election issue, especially in rural areas.

The Hon. D.J. Hopgood: Why don't you—

The Hon. D.C. WOTTON: Again the Minister expresses surprise but, if he does not recognise that this issue would be a significant one, especially in rural areas, at a State election, that shows how far off he is in respect of this matter. A decision must be made. We believe that, if the committee members are willing to sit on a continuing basis through April, they will be able to receive the evidence that is yet to be presented.

They will be able to bring down a report on that evidence, and the Government will be able to act. There will therefore be no need to extend this provision for another 15 months. I have consulted with a number of people, for instance, the UF&S. The Minister would be aware that since these regulations first came down the UF&S has had some very real concerns on behalf of the people whom it represents and who strongly believe that the period of extension should not be granted.

The rural community is extremely dissatisfied with the Government's handling of the vegetation clearance controls, the massive delays that are occurring and disadvantages being experienced by landowners applying to clear vegetation. The Liberal Party has provided a workable alternative to the Government.

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: Again, the Minister just sits and shakes his head. He will have plenty of opportunity to say why it is not a workable alternative, but I put to him that it is. The Opposition has introduced in another place a private member's Bill that would alleviate many of the problems that are now being experienced. It would introduce the payment of compensation for those who are being severely disadvantaged. Our private member's Bill would remove from the regulations under the Planning Act the matter of vegetation clearance and set it up under its own legislation, with a broadly representative committee to determine areas that should be retained

We have indicated very clearly that there would be more input by the Department of Agriculture's Soils Division than is the case at present. We have indicated that we want to see a continuation of the involvement of the Department of Environment and Planning. The matter of compensation would be covered in that private member's Bill. When that Bill came before the other place, the Government saw that there was very little to be gained in proceeding with it. It did not give very many reasons why but preferred to continue down the track that is causing the concern to which I have referred this afternoon.

If the Government wished, it could accept that legislation. If it does not like certain parts of it, the Government has the opportunity to amend it in Parliament. The Government had the right to amend in the Parliament the private member's Bill that came before the other place to ensure that it did work. If the Government is concerned about technicalities, or the administration, of the legislation, it can act accordingly. It is an alternative. It is not good enough for the Government or anyone else to say that, if the Parliament is not prepared to go along with the Bill that is now before

the House, everything will fall down around it and that everyone will madly start clearing vegetation. That is very emotive. It has been said that, unless we toe the line and go along with what the Government wants to do, we will have bulldozers going day and night clearing vegetation. That is not the case.

If the Government wants to be responsible and take some action, for a change, it can proceed with the legislation that the Liberal Party brought before the other House. As I said, we believe that to be appropriate legislation. In the meantime, a special effort will be made by the Liberal Party members of the Select Committee in another place to conclude the sittings of that Committee by the end of April to enable a report to be brought down for the Government.

Compensation has been referred to continually since the regulations to control vegetation clearance were first brought down. A considerable number of statements have been made through the media. I refer to a line which has been adopted on a continuing basis since 1983, and which can be found in an *Advertiser* editorial. It reads:

> We question whether the issue of compensation has been thought through, since it would be unfair to restrict land clearance in cases where a farmer had legitimately expected it when investing in a property, and then expect him to carry a heavy burden for what is, after all, the community's need above his.
>
> This is at the core of conservation. When we, the community, want to guarantee our future, we have to pay for it. But we have to balance the price of paying with the cost of not paying.

I do not believe for a moment that this Government has thought through the matter of compensation. However, I am sure that it has decided in Caucus that it does not need to worry itself about that matter.

The Hon. Ted Chapman interjecting:

The Hon. D.C. WOTTON: Yes, that is the attitude of this Government. Its members are not too concerned about what happens in the rural sector. If people are being disadvantaged, the Government is not too worried about it either.

The Hon. Ted Chapman: They don't even answer the correspondence.

The Hon. D.C. WOTTON: As I said, I have received an enormous amount of correspondence. If I had the time, it would be most interesting to read through the dozens of letters that have been received from people expressing concern on this matter. However, I will refer to a couple of those. I have here a copy of a statement put before the Select Committee. I was given an opportunity to look at this document, which reads:

> I am opposed to the vegetation clearance controls as they presently exist on the following broad grounds:
>
> 1. The method of their introduction.
> 2. They unfairly erode the rights of property owners to put their land to its most appropriate use.
> 3. These rights, having been eroded, cause a hardening of attitude by property owners to the way in which the land will be used in future.
> 4. The controls penalise those property holders who have nurtured and preserved areas of bushland, whereas it indirectly rewards those property holders who have not shown this concern.
> 5. The absence of any recognition of this infringement of the property holders rights and, in particular, the absence of any compensation for these losses.

In elaborating all these points the writer refers to a number of issues the first of which is the method by which controls were implemented. He states:

> Because the controls were introduced by way of regulations under the Planning Act, the proposals did not receive any public airing which would allow for comment and criticism by the very people who are to be affected by these controls. The lack of resultant Parliamentary debate and the opportunity to suggest and debate amendments has predictably resulted in highly unsatisfactory controls.

The writer says that he does not dispute the need for some form of control or of unbridled vegetation clearance. That is what we have said all along. The vast majority of people would recognise that. The writer continues:

> However, this backdoor method by which they were introduced suggests that the Government realised how unpopular and unfair the controls would be. Furthermore, the fact that all Government bodies and instrumentalities are exempt from these controls is an appalling example of double standards. For example, the wholesale felling of native vegetation on property controlled by the Department of the Environment following the Ash Wednesday fires, whereas neighbouring land holders were prevented from doing the same by these controls, serves to highlight their inequity.

The writer then goes on to a second point.

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: I could refer to that in more detail.

The Hon. D.J. Hopgood: It didn't happen.

Mr OLSEN: It did happen. I can take up that matter with the Minister on another occasion. But, it certainly did happen. The second matter to which the writer of this submission refers concerns the arrangement of property ownership rights which, in his opinion and that of the Opposition—

Mr Mathwin: There is only one Government member present in the House.

The Hon. D.C. WOTTON: Mr Deputy Speaker, as there are only two members on the Government benches at present, with one being called away, I draw your attention to the state of the House.

A quorum having been formed:

The Hon. D.C. WOTTON: I now want to refer to the erosion of property ownership rights in relation to vegetation control regulations. The writer of the submission to which I am referring cites his experience with his own property, which is about 30 per cent cleared and which is used for vineyards and for the production of cut flowers. He has indicated that he had applied under the terms of the vegetation clearance controls to clear an area of about 40 acres for extending his vineyard planting. Had this application been granted, the area of the property cleared of native vegetation would still have been considerably less than 50 per cent of the total area. This property owner has pointed out that the proposed use was, in his opinion, aesthetically soft and compatible with other land use in the district, namely, use for orchards, market gardens and grazing. He has pointed out that the potential of that district for the production of high quality, cool climate grapes for champagne making is undoubted.

I should have thought that such a use would have been strongly supported by all concerned. The writer states that that opinion is confirmed by the joint French and South Australian venture that was announced in recent weeks. This is an example of one of the few economically viable land uses remaining in the high rainfall area. The writer has indicated that his application was refused on grounds that he disputed, but that he did not wish to debate the pros and cons of that argument through a Select Committee that had been constituted. However, he has indicated that a considerable amount could be said about this matter. Faced with the refusal of an application, the question then is whether a property can be made viable if no further clearance is allowed. If the answer to this is 'No', of course an owner has no option other than to sell the property.

Mr S.G. Evans: Who would want it?

The Hon. D.C. WOTTON: Exactly. Who would want it? However, in such instances, the price realised would certainly reflect one's inability to develop a property into a viable unit. Any property that is rendered non-viable will, of necessity, deteriorate to the extent that the very areas which these controls claim to be protecting will be destroyed by the consequences of these very same controls.

I refer to another instance involving some 250 acres of native vegetation land in the Adelaide Hills. This land would be very viable for agricultural purposes, for primary production, as is the case in relation to adjacent land. When the owners of this property applied for clearance permission they were told that of the 250 acres they could clear only enough land for a site for one house. The owners had no option than to consider putting the property on the market. For 250 acres, the highest bid that they were able to get was absolute chicken feed. The property has now been withdrawn from sale for that very reason. Who will buy a property comprising 250 acres of vegetation? Approaches have been made to the Government, but it has indicated that it cannot afford it, and no one else can afford it. So, what happens to those people? They simply go down the drain. I could refer to many examples like that. I now refer to the Government's change of attitude.

The third point raised by the writer of the submission to which I have referred was that, faced with the problems involved with this matter, it was easy to comprehend the anger and frustration of landholders. He indicated that a change had occurred in his previously sympathetic attitude towards the native vegetation areas that he had preserved, that in the past he had taken great care to see that the areas were not ravaged by fire by surrounding them with fire breaks, and that he had gone to considerable expense to fence those areas to protect them from invasion by stock or vermin. He stated, however, that he no longer felt inclined to be so altruistic since an outside body had started to dictate how he could and could not use that land.

He suggested that it was annoying that bureaucrats purported to know more than he did about the proper management of land even though they had never visited the land. He further stated that property owners would no longer be so concerned when stock got through deteriorating fences and grazed the previously protected areas, nor would attempts be made to clear from properties blackberries and other exotic invaders. The writer of this submission stated that previously caring and concerned land owners had been turned into vandals through no fault of their own but through the Draconian regulations the effects of which had not been thought through prior to their introduction.

In relation to the inequity of penalty and rewards, the writer of the submission stated that the change in attitude was heightened by the realisation that less caring neighbours, who had already cleared their native vegetation areas for development of one sort or another, were now being rewarded by the very same controls that were penalising the caring land owner, and that a neighbour's property that had been completely cleared and developed had enhanced in appeal and value in contradistinction to his own. The writer pointed out that these rather subtle but nonetheless vitally important effects were of no concern to an appeals tribunal which must interpret cases in strictly legal terms, and that, furthermore, the costs and delays involved in the appeals process were a further unfair penalty on a land owner and beyond the financial capacity of most land owners. I concur in those remarks, and that point has been brought to my attention on numerous occasions.

The writer of the submission then referred to the lack of compensation, and I hope that the Minister will take note of this matter. The writer states:

> The lack of any compensation in this situation is so absurdly unjust that one wonders how such regulations could be contemplated without appropriate and simple appeal and compensation provisions. In a society and an era when every conceivable impairment to one's rights is protected by the right to legal recourse, be it for injuries or product liability, it seems incongruous that here is a situation where rights are not only being removed but no compensation is contemplated. In summary, I maintain that the vegetation clearance controls as currently in place are unjust and indefensible.

I acknowledge that some control mechanism is needed, and that such a mechanism must, of necessity, be complex and difficult. The writer of the submission indicated that he did not profess to have the expertise to enable him to come up with controls that would be appropriate. However, he made the following suggestions, which I think the Government and the Minister should take into account:

> If the traditional rights of the landowner are to be removed, then the extent to which they are removed must be compensated. If the restrictions are total, then the compensation must extend to outright purchase by Government of that land at a fair market value. That market value must reflect the land use to which the land could have been put had the restrictions not been imposed.

That is exactly what is set out in the legislation to which I referred earlier and which was brought down in another place by the Liberal Party. It was further stated:

> Where the restrictions are partial, then a formula must be devised which recognises the extent to which a financial penalty has been imposed and an appropriate compensation formula devised. It is not sufficient to simply offer peripheral incentives to the landowner such as waiving of council rates or similar imposts. These incentives, although worthwhile, do not adequately compensate the lost income potential which has resulted from the controls.

Finally it is stated:

> If government, that is to say, society, is unable or unwilling to meet the compensation costs which must accompany such controls then the landowner must be exempt from the controls. This, of course, could work on a case-by-case system; that is to say, a decision may be make to acquire one property but not another, such that in the latter case the landowner would then be free to proceed with his land clearing and development as he wished.

The person who prepared that submission has given the matter considerable thought. I know that that is only one submission of many that have been well thought out and presented to the Select Committee, but it is one of which I hope the Minister will take note, as it is practical. It considers many of the issues that are causing concern and provides some answers. I do not want to take up the time of the House for too long, but I refer to another letter that I received only yesterday, because I believe that it shows how pathetic this whole situation can be and indicates the ramifications of these controls on certain individuals.

The writer of the letter states that in 1949 his family partnership purchased a D4 crawler tractor, the majestic plough and twindisc plough, harrows and drill and started clearing land and bringing it into production. In the early days most of the work was carried out on the property and some 1 600 acres was developed leaving areas of trees in most paddocks. In 1962 the writer and his brother went their separate ways and some land was cleared on two separate properties, being portion of the land held by the writer. Due to the very low returns from wool in the latter 1960s land clearing operations were curtailed until the farm was more profitable. He states that, as will be recalled, the beef market crashed in the middle 1970s, followed by the arrival of the lucerne aphids.

Further clearing of the high country was deferred until the CSIRO developed aphid resistant varieties of lucerne, by which time the writer's son was contemplating coming home to work on the property when he left school. Wishing to do the farm management course at Glenormiston, he did 18 months at home and about four months on another property (the two years work experience being a mandatory qualification for entry). During his four years (two years precourse and the two year course) the writer concentrated on restoring the financial situation, so that his son would be able go ahead while he was young and clear some country. Of the 4 500 acres, it was intended to set aside somewhere between 1 000 and 1 500 acres of wetlands country and adjacent high country for conservation purposes. In 1980

the writer negotiated the freeholding of some of the country into three parcels of leases that had a revaluation clause. One lease was purchased outright and the other two were purchased over five years, the last payment being this year. He states:

> You can very well imagine my very great concern when the Government introduced, through the back door by way of regulation, the land clearance controls. Because I have cleared the flats where clearing was cheaper, I have reached the stage where I am getting into trouble in the wet years, as up to 90 per cent of the flats can get under water for varing periods, so the decision had been taken to clear some of the high ground to provide a better balance in winter. Because of the clearing ban last year when 1 000 or more acres of high ground came on the market right next door. I just had to get it and in turn sold a small block... where we used to fatten all our cattle. Even on the changeover I am still $140 000 out of pocket, and the block contains 200 acres of scrub which cannot be cleared.

He refers to costs and adds that it would appear that he and his son now have 2 000 acres tied up, with no equity value whatsoever, because it cannot be cleared.

He paid $250 per acre for the high block of which 600 acres urgently needs resowing to lucerne and other pasture species. He states that, allowing for the 200 acres of scrub the high country cleared cost him $300 per acre: $100 per acre would bring the virgin high ground into production, so in effect $200 per acre has been shaved off his equity. Spread over 800 acres, that represents $160 000. On the other properties there is an area of about 500 acres which would develop with logging and the combine, probably for less than $50 per acre. Neighbouring country was sold for $500 per acre three or four years ago. He thinks it is fair to say that $450 per acre has been shaved off the value of that property, that is 450 multiplied by 500 acres at $225 000. Add that figure to the above $160 000 and it would appear that the Government has engaged in a $385 000 assets stripping exercise.

They are the sentiments expressed by the writer. He states that he is only one of hundreds of primary producers affected in a similar manner. Finally, he states that he realises that some of the scrub has to be saved, and that is the point I made previously. Every person to whom I talked recognised that point. That person is quite prepared to put what he thinks is reasonable into a heritage agreement, so that it is tied up for all time, but he makes the point that the present Government's offer has been an insult and in no way will he now co-operate with such an obstinate Government department until it shows a little more flexibility.

I would suggest that it is not the Department but the Minister and the Government in power at present that are so obstinate. The Minister has a bit of a smile about that: he does not recognise the problems that are occurring. I guess that the Minister recognises that the votes are in the metropolitan area, and so he does not have to go very much further afield than that. That is one of the main problems in this whole matter.

If any member went into Rundle Mall this afternoon and asked 50 people what they thought about the Government's vegetation clearance controls, 49 of them would say that they are the best thing since green cheese, because they know nothing about the hardship that is faced by a considerable number of people in rural areas. I have referred to only two examples this afternoon, but there are hundreds more. That is why the Select Committee is so valuable. Evidence is still coming forward, and it is important that that evidence be heard, as that might do something to change the Minister's mind, as well as the Government's. It might do something to indicate to the Government just how serious this situation is.

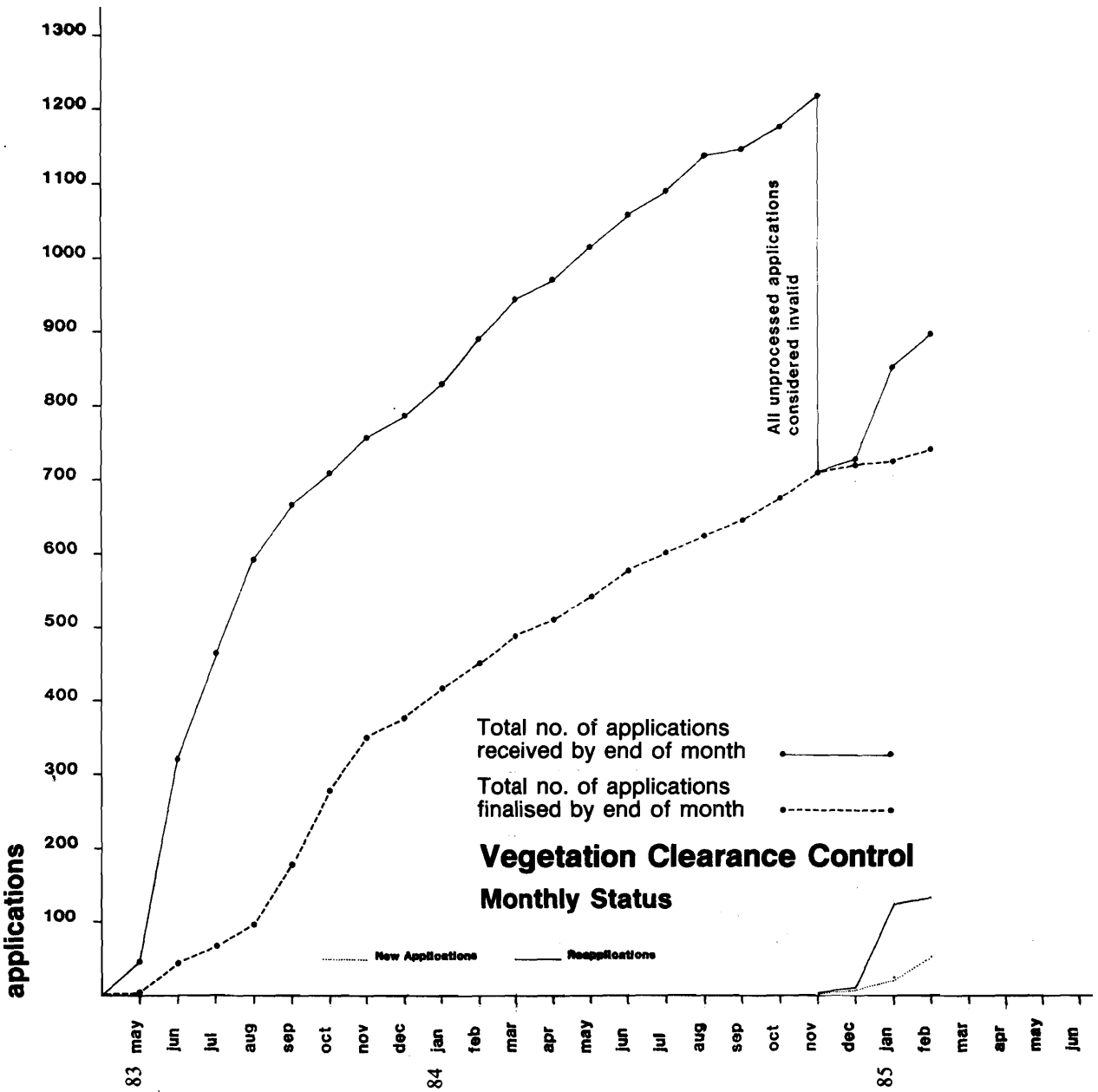
It might get the Government to recognise the practicalities of implementing the legislation brought down by the Liberal Party, which was a proper and working alternative. It might start that ball rolling. The Liberal members of that Select Committee have made quite clear to the Chairman that they will do everything that they can to facilitate the smooth working of that committee to enable the evidence to be heard, to enable a report to be brought down and to enable the Government to take some action. For over two years the Government has been roaming around this area. As a result of this Bill it is suggested that, instead of a decision being made in May, we will hold it off again for another 13 to 15 months and maybe make a decision when it comes up in June 1986. I made that point earlier. I am sure that that is the main reason for the delay.

The Government's attitude is: let us get it out of the way while there is an election around the place; let us remove it as an election issue and tell people we have been fairly good and that a Select Committee is sitting and taking all the evidence; we will not need to worry about it until the election is over and it all will be solved. However, the Opposition wants the matter to be sorted out now. The Minister has had plenty of time. Plenty of evidence has been put before him to suggest the necessity of moving on this issue as a matter of urgency, and the Opposition strongly opposes the need for having to provide for another period of 13 months for the Government to get its act together to bring down some positive decisions in this matter. The Opposition strongly opposes the legislation.

The Hon. TED CHAPMAN (Alexandra): I, too, oppose the Bill and propose to canvass the range of matters that my colleague has canvassed, although a few matters ought to be placed on the record first. I vividly recall the introduction of the land clearance regulations in May 1983 and I witnessed firsthand the reaction at rural community level which prevailed at the time—and, indeed, still prevails out there—in relation to that step taken by the Government. No question exists that the motive possessed some merit, and the need for the community at large to recognise the care and attention required at land clearing development level was important enough for it in legislation to be introduced.

At the time those regulations were introduced, I expressed my support and that of the rural community for a system of monitoring land clearance to ensure, albeit in isolated cases, that the job was not overdone and the soil structure of our rural community destroyed as a result. In the main I said then, and repeat now that with approximately 20 000 primary producers in South Australia they are extremely conscious environmentalists; and, indeed, when involving themselves in the ordinary management practices of farming in this State and, in particular, involving themselves in land clearance, they are as conscious of the need to protect the soil from which they derive a living and to protect the general environment of their properties and surrounds as are the people within the Department who purport to be carrying out this legislative procedure.

My colleague has mentioned a couple of cases where reports have been provided for the Select Committee. I do not know that it is appropriate to talk about what is currently before the Select Committee, except to say that, as far as I am aware, sufficient evidence has been put before that committee to date on which it could quite reasonably and responsibly provide a report for the Government. I am certainly aware that on file are a number of requests still to be answered by eyewitnesses, and they should be given that opportunity to come forward. I accept the explanation given by at least the Liberal members of that committee that they are prepared to meet each day during the month of April after Parliament adjourns in order to address themselves fully to the task of taking evidence and reporting to the Government.



The Hon. TED CHAPMAN: The document is, I understand from Mr Tim Dendy, of the Department, the most recent one available. The Minister, when he addresses the House later, might care to explain why he was seeking the date of the document. That statistical and chronological element of the document is the part that the House has approved to be inserted.

In the meantime, hold over provision was made, the last time the Act was amended, to extend the date from 1 May 1985 to June 1986. It has become clear to me that the alternative referred to by my colleague as a policy produced by the Liberal Party could well be considered and accepted by the whole Parliament. What we have done in an effort to fairly and reasonably deal with this subject is lay down a procedure that would enable land clearance and development of virgin country in this State to continue to be monitored, identifying, in those cases where difficulties accrue as a result of rejection, the sort of compensation that should be available to the landholder, not in an outrageous money-making fashion but simply to compensate for the sort of losses one incurs when they are refused the ordinary management process and the orderly development process of their farming operation.

I never have understood throughout this exercise why the Government, and the Minister in particular, have been so bitterly opposed to this principle of compensation. I have never argued that there are areas of virgin land of native vegetation in South Australia that should be preserved both on public and on private holdings and, where it is clearly determined to be a case of need in the public and the community's future interests, then it is fair enough that that land be so preserved for those purposes. In such cases it is equally fair that the public pay for that public asset. There is no other way within our system of the public paying than the Government, on behalf of the public, indeed making payment to the owner of the land for the time being.

I just cannot accept that, if someone wants to enjoy a facility, that person must pay for its acquisition: if the public wants to enjoy, in the opinion of the Government or the Parliament of the day, a facility then accordingly the public should pay. When a parcel of land comes up for auction on the public market, as in a parcel of virgin land in the

It is not unreasonable in those circumstances to presume that following a report fully considering the evidence of the witnesses in question, a brief sitting of the House could deal with that matter as it involves the current legislation. In those circumstances there is no need at all for an amendment to the Act postponing the ceiling date of section 56 (1) *(a)* until June 1986 or whatever precisely is proposed. Since the introduction of the regulations in May 1982, there has been an attempt by the Department to cope with the job. I do not use this forum to reflect on those who have genuinely applied themselves in that direction. However, clearly a number of officers who have been engaged to assist the Government in this process have demonstrated their incapacity not only to perform but also to co-operate and rationally discuss the subject at community level. Accordingly, there has been a reaction from the primary sector to the treatment and attitude shown by some officers when property inspections have taken place and, indeed, on other occasions during interviews.

The worst thing that has occurred over the period is that within the community at large a 'them and us' attitude has developed. The farmers are wrong in the view of the greenies and environmentalists, who in many cases fail to understand the real practical aspects of the subject, and the farmers have been critical—justifiably in some cases, but unduly so in other cases—of officers who have the opposite viewpoint. A genuine attempt has not been made and certainly no success achieved in narrowing that gap between the two groups. Generally speaking, the groups may be described as the metropolitan and rural sectors of the community.

For years political Parties of one persuasion or another have paid lip service to the objective of lessening that gap and creating a better understanding between metropolitan and rural communities, developing a recognition of the interdependence that each of those sections have upon one another. The introduction and application of this land clearance regulation has absolutely destroyed the progress that was under way. It has put us back, in relationship terms, many years and will take a very long time to heal. The way the Minister is playing with this subject at the moment in his proposition could only further aggravate that situation rather than heal it, as is most desired.

I am extremely disappointed that a clear effort by the Minister and his Government has not been forthcoming to cool off the situation that is prevailing at the moment and, indeed, to engage people who understand the subject to catch up with the backlog of applications on file and acknowledge some of the applicants who have written to the Department. Reports I have had, both directly and via correspondence, indicate that in many cases primary producers have lodged applications and/or simply written for information from the Department on this subject and have been ignored for a long period, indeed, too long.

I seek leave to insert in *Hansard* a table provided by the Department that identifies the number of applications in the several categories: those that have been exempted, withdrawn, refused, approved in part or in full, etc. I give an assurance, after having had the two papers checked by the Clerk, that they are of a statistical nature and comply with Standing Orders.

The Hon. D.J. Hopgood: What is the date of the information?

The Hon. TED CHAPMAN: It is 28 February 1985.

Leave granted.

STATUS OF VEGETATION CLEARANCE APPLICATIONS AS AT 28 FEBRUARY 1985

	Ongoing	Status	Monthly
Applications deemed valid (Total +)		876	
+ Applications received prior to 1 December 1984 and deemed valid	686		—
+ Reapplications	135		10
+ New applications	55		35
Applications assessed from May 1983 (Total *)		721	
* Applications exempt	42		—
* Applications withdrawn	33		2
* Applications refused	69		1
* Applications approved	577		13
Applications determined by SAPC (Total X)		83	
X Applications approved	16		—
X Applications refused	67		1
Applications determined under delegated authority		563	13
Illegal clearance assessed by SAPC		13	—
Appeals lodged		36	2
Appeals withdrawn		2	—

(Note: Prior to 1 December 1984, applications received totalled 1 220. Therefore the new ongoing total = 1 220 + 55 (new applications total) i.e. 1 275).

case of the 18 000 hectares at Gosse on Kangaroo Island, there was no reason at all in my view why the public should not have been represented at that sale and indeed put a bid in for it. If the public (or the Government, on behalf of the public) was fair dinkum, the Government would pay the highest price and obtain that land. It would not inflate or unreasonably put out of kilter the land valuations in the region; it would simply be a case of the Government's buying what it considered was in the public interest to buy. Or, if an individual greenie or environmentalist wished to have that land preserved (that individual or a syndicate of such people might wish to hold the land in its present state), then he too should have the same opportunity to purchase at public auction.

Then, in a case like the one I cited, everyone would have had an opportunity, but in that case the community of Kangaroo Island, particularly those who were farming in the region and had developed their properties in the person of a number of soldier settlers and their sons in the Gosse area, were denied an opportunity to even put in a bid for the land. I think it is absolutely ridiculous, especially in that case, in a 35 inch rainfall region of the State, an area with a soil type that is much sought after in Australia (let alone just in South Australia), with potentially 4½ to five sheep to the acre carrying capacity country, potentially a high yielding grain country, that it is now locked up for ever.

If it were an isolated parcel of land even I could understand the action that was taken by the Government, but it happens to be adjacent to 100 square miles of similar land with similar vegetation, similar vermin (which some people call native fauna) roaming on it and around it and on adjacent properties. It is absolutely incredible that the Government should have taken the step it took in that instance without at least giving the local community an opportunity to clear, not all of it or anything like all of it for farming purposes, but at least that portion of it which was ideally suited for that purpose.

But not one hectare of that large parcel of land was made available for primary production. Collectively in the community to which I am now referring some 25 per cent or more of the total area of 1 640 square miles on Kangaroo Island is locked up as national park or reserve of one kind or another. It is a matter of when enough is enough, and it may be, in the opinion of the Government, that perhaps half the area should be locked up. One of the Ministers in this place suggested at one stage that the whole lot should be locked up, and that even the occupied areas should be taken away and preserved for the public to trample over in future years, for God's sake! He valued the whole community at some ridiculously low figure—which I will not canvass here because it was well covered in the local press in the community directly after he made the statement.

The Hon. D.J. Hopgood interjecting:

The Hon. TED CHAPMAN: More than half is not cleared—that is absolutely untrue. More than half of that total area of Kangaroo Island is not cleared. It is absolutely ridiculous, the poppycock that the Minister carries on with, and that is the sort of propaganda that he and his officers have peddled, that has stirred up the community. It is not true. There are 460 farmers in that community altogether, 150 of whom were soldier settlers, and fewer than one-third of those soldier settlement properties have had any extension of land development on them since they took over after the Second World War. Those occupied properties that have to be in the category of cleared properties as indicated by the Minister are not cleared at all. Some of them have the 800 acres of original development by the Government when the settlers went on the land and not an acre has been cleared since.

Those properties are not unique. A third of the total rural holdings on Kangaroo Island are not unique. The vast majority of the balance have large slabs of native vegetation that has never been touched, and many have native vegetation of such a height and size and on such terrain that it is uneconomic to touch it. However, the Minister does not count those aggregated large areas as native vegetation land. He is categorising them as cleared land. He is wrong, however, and it reflects on the first settled place in South Australia where the people have applied themselves responsibly over 150 years in a way that has preserved that large part of the land in its natural state.

There are a host of other areas in South Australia where the same sort of responsible attitude has been applied by the settlers over the generations. It is an absolute insult for the Minister to re-endorse, as he has today, his attitude toward that community. His is the sort of attitude that has aggravated us over a period to the point where now it is hard to get people to discuss this subject rationally, because an immediate 'them and us' attitude develops and there is a big argument. I should have thought that this was an ideal opportunity to get rid of this legislation and get on with the job of having the Select Committee report, and adopt, in South Australia, a land clearance policy consistent with the one that has been outlined by the member for Murray, who is the shadow Minister for Environment and Planning. Then everyone would get a fair go. We do not dictate what a person shall or shall not do with his plot of land.

I should like to see the Minister, his departmental officers and anyone else in the metropolitan area have someone come in and say, 'You cannot dig the garden in your back yard. You must preserve the current state of that land so that it will be available to someone else in the future.' What has happened to our Torrens title principle and to the principle of land ownership? They are a joke to this Government. I recognise that the Government's philosophy is that it shall own the land and lease back the primary and secondary industry sites to the community and that profits, if any, shall be shared. That is the long term objective of this crowd in Government, but it does not fit the rural community that I represent or the broad section represented by the Liberal Party, and it never will because it is wrong in principle, crook in its objective, and should not be tolerated. Here we have an alternative. The Opposition is not knocking a Government move merely for the sake of doing so. This has been on the file for months and has not received from the Minister the attention that it deserves.

I agree with criticism that was recently levelled at a member of the Upper House when it was said that the Select Committee could not get on with its jobs because one of its members, the ageing Democrat, was swanning away in Austria or some other place. I appreciate that a hold-up developed because of that, but the Select Committee has met since then and has commenced taking evidence. It is on the track and the Liberal members on that Select Committee have agreed to meet every day and every evening in April, if necessary, to give everyone a fair chance to present evidence and to give the Select Committee plenty of time in which to bring in a report. The Minister, if he is fair dinkum about this matter, would be given plenty of time to call the Parliament together for a day or even a half day and to adopt a policy of the kind that we have presented.

If the Minister does not like every part of the report and considers every aspect of this matter, he will be able to identify in this public forum the parts that he can or cannot accept for one greedy reason or another. However, these principles are right and, until such an approach is made on this subject, the 'them and us' attitude, which was instigated by this Government and cultivated by the officers of the Minister's Department, will be developed further. The Min-

ister's officers have not understood their job, and the attitude to which I have referred still prevails to a point where it is most unfortunate for the community of South Australia at large.

It disturbs me greatly to have to report here in the vein and fashion that I did 12 months or more ago, as well as a couple of times in the interim, about this subject, which should have been resolved but which has only been further aggravated, creating further distress in the meantime. The whole responsibility for that must rest on those who initiated this matter, on those who failed to grapple with it fairly and properly, and on those who are fiddling with it at present for petty political reasons. It is convenient for the Minister to introduce a Bill so as to put this matter off for the time being until after the next election. Why is it 1 June 1986? What justification is there for amending the Act for that purpose, other than for political convenience?

Mr Gunn: Do you think that the Minister—

The Hon. TED CHAPMAN: There is plenty of time. The member for Eyre is well aware of the feeling and emotion in the rural community and the level of distress that prevails around the electorate on this subject. We are not against preserving a respectable and responsible amount of native vegetation on existing partly developed holdings or on new holdings yet to be developed, but we do not want to be dictated to by a bunch of bureaucrats, many of whom do not know what they are talking about in relation to this subject. They have demonstrated that to my constituents who have put on paper their views and feelings on this matter. Those bureaucrats have demonstrated it to witnesses throughout the State who are placing evidence before the Select Committee. They have also demonstrated it to me and members of my family. Indeed, I have encountered the level of inexperience that prevails in the Department.

I was fortunate in our case to find an officer who could deal rationally with the subject of our family situation, so that, albeit after a long delay, satisfactory results were obtained. However, I vividly recall the frustration that occurred during the discussions that I and another member of my family had in relation to that situation. So, I have had firsthand experience of the sort of paraphernalia and mucking around that the genuine rural people in the South Australian community have had to put up with since May 1983, when this measure was introduced. In summary, I believe that it is fair to conclude by saying that there are officers in that Department—

The ACTING SPEAKER (Ms Lenehan): Order! The honourable member's time has expired. The honourable member for Eyre.

Mr GUNN (Eyre): I wish to say a few words on this Bill because, like the member for Alexandra, I have spent all my life in the agricultural area where extensive development has taken place. I have been involved in land clearing and land development, and I represent an area where much land is still available for development. Since this measure was first enacted it is reasonable to say that the whole matter has been embroiled in controversy, indecision, concern, and confusion. The confusion has resulted in ill feeling and annoyance on the part of people who want to develop their properties.

I do not wish to denigrate personally the people who have been attempting to administer this matter. I understand that it was foisted upon them: they did not particularly want to be involved in the administration, but they had no alternative. One morning it was lumbered on them, and they have been trying to grapple with a difficult situation.

This course of action has brought about a rash of applications because people do not know where they are going. Large amounts of regrowth have occurred within the five-year period on areas much of which would never have been cleared had it not been for those regulations. The same thing happened in about 1976 when there was some talk about controls on land clearing. People panicked and thought that they had better get on with the job. It appears that people in the departments are overworked: there are not enough staff to process the applications, nor enough people with experience and understanding.

From time to time this matter has caused a great deal of concern in the Department. I have found, having been a member of Parliament for about 14 years, that I have the ability to threaten some of those people—some feel uneasy talking to me. I do not know why. I thought I was a very reasonable sort of fellow. I always try to treat people fairly and squarely. I admit that perhaps I talk straight to them from time to time but there should not be any problem in relation to that.

An honourable member interjecting:

Mr GUNN: I am trying to do that. If people are prevented from clearing large tracts of agricultural land, some will face financial ruin. I know of cases where people have purchased properties with the intention of clearing them but they have been prevented from doing so. People have planned on a programme of development and have financed and committed themselves to plant and stock but their applications have been refused. Those people do not know where they are going.

I heard the other day of a person who had a block of land transferred to him under perpetual lease. Even Blind Freddie would have known that he was buying 1 500 acres not to look at or walk through but to develop—for no other reason. He did not own any other land, yet suddenly he was advised that this land had some unique plant on it. When we did some investigations we found that this plant grew from Fowlers Bay through to Koonibba and the Gawler Ranges. That information is readily available. I was forced to appear before the Planning Commission on behalf of this constituent, and fortunately we were successful. However, it seems to me that the Planning Commission must have better things to do with its time than sit in judgment on every development application of this nature that is brought before it.

I can foresee that, unless some of these cases are cleared up rapidly in future, heaps of people will be lining up to appear before the Planning Commission. I do not think that the Planning Commission would be particularly pleased about that. I have been concerned that it has been given inaccurate and incorrect information. The Minister should put on the panels that assess these applications at least one practical person who has had experience in farming, developing and clearing land. Anyone with any experience can go on to a property and in a very short time judge what should and should not be cleared.

I do not believe that every hectare of virgin scrub in South Australia should be cleared. We should leave adequate areas of scrub. It is the interests of the landholder, the farmer and the community at large to have sensible amounts of scrub. However, in relation to all small agricultural enterprises in which people are refused the opportunity to further develop someone must pay, because there are no free feeds. This legislation is faulty because there is no provision for adequate compensation. This involves the general community, those in the environmental movement and those who tag along with them. It also involves concerned citizens, some of whom are ill informed about the current situation. However, when applications are refused the taxpayers will have to pay; there is no alternative.

If the Select Committee cannot complete its evidence by the end of May, the Minister should give it another month.

That is not a problem, but for it to go on to the end of June next year is taking a good thing much too far. It is not necessary. The Select Committee should not run for that length of time. In the next week the committee will have received all the evidence it requires. I understand that it has been inundated with people since the member for Mallee alerted the community that the committee was operating. I understand that people from a wide area of the State have made submissions to it. That is good. I hope that the committee gives the matter its full attention, and I sincerely hope that it comes up with a better report than did the Select Committee which considered bushfire control on Government reserves. That was a whitewash and nonsense. I was far from happy with that result. I think that the member for Alexandra would share my views.

I want the Minister to give proper consideration to the points made by the member for Murray, who was the Opposition spokesman. I could quote thousands of cases involving my constituents who have experienced problems, but I will not do so, because there is no point in delaying the House any longer than is necessary. However, I hope that the Minister will not proceed in this way because it is unnecessary. I want to see this dispute resolved in a sensible fashion so that the adequate demands of the rural community can be met, bearing in mind the concern and need to conserve adequate amounts of native vegetation in this State.

For years there has been within the Department of Lands a policy that there remain a belt of scrub between the Gawler Ranges and farming areas. I agree with that: it is common sense and it should remain. I know of areas in South Australia where land has been cleared that should not have been cleared. However, we are past that stage and common sense is applying. If the Minister wants to resolve this matter quickly, he must employ more officers to assess the claims rationally and consistently. Permission cannot be given to one person to clear a large amount of scrub while the chap alongside is refused permission. There must be consistency and applications must be handled more quickly.

There is little point in one's driving hundreds of kilometres to see one farmer and refusing to see the bloke opposite. Those involved should deal with all applications in one area when they are there. People are most irate. One constituent contacted officers at a hotel, and those officers said they were going down to see a certain person but they would not go across the road to see him. This man could not understand it; he was far from impressed when he phoned me one morning. However, I could do nothing, except to say in this place that those sorts of actions should not occur; they merely cause difficulties for the Department.

I have discussed this matter with numbers of departmental officers, many of whom are reasonable, responsible and helpful people. I have had one or two differences, and I suppose I will have a few more before I am finished. I do not deliberately set out to be provocative, even though from time to time my patience has certainly been tested when these matters were not resolved speedily. The suggestion put forward by the member for Murray is an effective way of solving our current problems. We all recognise that there is a need to conserve adequate amounts of native vegetation. Good farming practices in South Australia are essential for the continued wellbeing of agriculture.

As part of those good farming practices we have to leave adequate areas of native vegetation. The programme of the previous Government should be encouraged. I want to end my contribution on this note: if people, particularly where properties are small and where there is a need to increase income earning ability, are required to conserve a large percentage of their property under native vegetation, someone has to pay, and there is only one person who pays—the long suffering taxpayer.

The Government through the Department of Environment and Planning or whoever is going to assume responsibility for this matter will have to make adequate compensation to the people affected. I am not willing to support the measure. We have not been given sufficient information. We have not had adequate reasons supplied to us about the need for this legislation. The Government should get on with the job of ensuring that the Select Committee completes its job and reports to Parliament. The Government should call Parliament back so that we can debate the recommendations and I am sure that if we all approach the subject with goodwill then common sense will apply. I oppose the Bill.

Mr RODDA (Victoria): I want to say a word or two about the Bill because I come from the Lower South-East, where this Bill has caused as much anguish as any since I came to this place. Indeed, we have had some considerable pieces of legislation in this place that have caused anguish in the community. The Select Committee of this Parliament is bringing together the people who are expressing the strongest concern about this matter. People can take their opinions to a properly organised committee of this Parliament.

I understand that the committee is to visit country areas. Indeed, I have seen an extensive list of people wanting to appear before the committee, which will certainly be busy. Some of the people I know will not be in and out in five minutes in view of what they have to say. Further, the committee will have to inspect some areas to become familiar with what is being talked about.

My two or three colleagues who have spoken before me on the Bill have expressed concern, but I want to raise another issue. In the past we have seen much devastation of natural flora, and I refer particularly to the big red gums in the red gum country. Recently, in my district we have seen extensive bulldozing of the red gum, the *Eucalyptus amaldulensis*. In some instances the reason for this destruction has been the extension of vineyards in my district. Other landowners have cleared land for wheat growing purposes, and we have seen increased salinity in those areas. There are other characteristics: gum trees do not last forever. Many are estimated to be 400 or 500 years old and they, too, are dying. Additional danger comes from extensive grazing of stock when mother nature provides the reproduction of species because small gum trees are extremely diminutive in their early stages. I have noticed on my own property a few months ago after the January rain that some delightful little redgums came up. My daughter-in-law, who is a keen propagator of trees, went to gather them but some wide mouthed wethers beat her to it.

What can happen in red gum country is that, if farmers fence off a small area, they can achieve regeneration and, generally, such vegetation regenerates. I refer to a property in the South-East at Glenroy, half way between Struan and Penola. The Magarey property has extensive regeneration of red gums, and Mr Peter Magarey, the proprietor of that property, has achieved that. Only last week I noticed clumps of young red gums fenced off, and they make a great show. That is part of the plan—it is the other side of the situation.

Landholders should be encouraged or directed to regenerate vegetation along fence lines (in the case of gums) to provide a wonderful stock shelter. The big forests that grow in that country attract rainfall. The environment can benefit if we put back energy into the land and bring back large quantities of fence lined areas, which often take the place of what has gone before.

On the other hand, there are large numbers of landholders—the member for Murray quoted a letter of which I

have received a copy from landholders living in my district, and there are many more people like him—who have gone through the trauma of purchasing virgin country at considerable expense while not financially being in a position to develop it or have the wherewithall or equipment to clear it. They have then been confronted with this Draconian legislation—as they describe it—that has prevented them from realising the balance of their properties.

In referring to the balance of their properties, it is not uncommon to have massive clearing in the South-East, where there has been extensive expansion of agricultural areas in the past 30 years, and especially the past 20 years since the advent of soldier settlement. I refer to strawberry clover, perennial legumes, perennial grasses, phalaris and tuberosis and the perennial ryegrasses. We saw a tendency to go into the strong low lying country with its marshy areas carrying gamier cutting grasses and extensive rush reeds that could be easily cleared. These areas became excellent pasture lands, but became inundated with water in winter time.

Such areas make excellent summer pasture, but landholders have nowhere to put stock in winter. Such lands involve heavy clearing of red gums, there are many young red gums in the land to which the honourable member referred, and it is fair to make that comment. In addition, extensive areas can be left and pasture plants can be left among them. In regard to the under story, the orchids and rare species about which people complain, no grazier minds keeping some virgin country, which is good for the ecology in keeping wildflowers—bluebells and the like—to maintain the chain of birdlife in the area. There is a need for balance, and the establishment of a Select Committee to look at the situation is a good idea.

If it does its job properly, the Select Committee will not complete its task in five minutes. It is proposed to extend the consideration of this matter to 1986. However, I suggest that the matter of preservation and replanting of the natural species will be considered long after 1986. These matters will have to be reviewed in, say, 20 years time.

Agricultural pursuits and the preservation of natural species can go hand in hand, and I think the vast majority of landholders want to ensure that that happens. The Minister would not be unaware that he has made some bad friends in relation to these matters. A balance can be achieved, but I am saying to the Minister that there is a way around these matters. At the same time, we can ensure that we prevent the rape of woodlands, such as has occurred in the past, where grand old gum trees have been bulldozed and burnt, and where soil has been put under increased strain due to increased salinity, and so on. So, such actions have a resultant effect on the ecology of an area, and we must not lose sight of those matters when considering this Bill.

I have perused the list of witnesses who propose to present submissions to the Select Committee, and it indicates that a number of people from my area, for one, have some immediate problems. The list of landowners who propose to appear before the Select Committee is extensive, and, if I know anything about the operations of a Select Committee, with a list of witnesses that long the committee will not be able to conclude its business in five minutes.

I think that through the Minister we can tackle immediate problems with some viable solution, but, at the same time, some direction should be given in all areas. On my farm, for instance, and others, we should be replanting the species that have been pulled out. We can plant along fences, on rocky grades, and in convenient areas. In this way we would not minimise the productivity of a property but, rather, enhance it. The stock shelters that can be developed through properly arranged and looked after trees is beneficial, although the trees must be fenced off because it is no use letting the stock ring bark them and get at the trees. Trees grow quickly.

I was very pleased to see on Monday evening as I was returning to Adelaide a grove of trees that I had not realised were there. They were planted some two years ago, and following the most recent rain they had lifted their heads above the grass, so that there is now quite a grove of trees just outside Naracoorte that are doing very well on some good podsollic soil. With those remarks, I indicate that I hope that my comments will not fall on deaf ears.

Mr MEIER (Goyder): I am pleased to have the opportunity to speak on the Bill. I am concerned about the proposal to extend from 1 May 1985 to 13 June 1986 the time for replies in relation to this matter. That is certainly a long extension. The shadow Minister, the member for Murray, clearly spelt out the Opposition's feeling on this matter. In the other place, the Opposition will do everything in its power to see that the Select Committee proceeds as rapidly as possible so that this whole situation can be resolved.

Many landholders in the electorate of Goyder have been affected by the clearing regulations. When the regulations were first brought in quite a few of those people felt that their whole investment had suddenly been ruined overnight. This was quite understandable, especially in relation to several landholders whose land was almost entirely covered with scrub. Although they had paid top dollar for that land, it was obviously worthless unless it could be cleared.

By way of example, I refer to a farmer with two sons who also wished to go into farming. That man moved from the Adelaide Plains area, where his expansion opportunities were limited, to a property of a relatively virgin nature on the Southern Yorke Peninsula. This farmer invested very heavily and took his family over there. However, a short time later the crash occurred: the Minister announced that no land clearing could occur without permission. Most of us would know of the very small number of applications for clearing that have been approved since that time.

People who have endeavoured to sell scrub country have made clear to me that the value of that land has decreased considerably. At an auction over a year ago a landholder hoped to sell some scrub land, although no sale occurred. I believe that there was every not even one bidder, because the land had become worthless to anyone in the rural industry. People are unable to use uncleared scrubland.

The Government has succeeded in making life very difficult for farmers with an excess of scrubland on their property. It grieves me that this type of decision was made, apparently unilaterally, without any consultation in the early stages, and this is especially so in view of the Government's promise made prior to its coming to office that it would consult before making decisions. That sounded great, but so did many of the things that the Labor Party said before assuming office. Many of the Government's commitments have been transgressed or forgotten.

Comments made by the President of the UF&S, Mr Michael Shanahan, in the December 1984 issue of the *Farmer and Stockowner* were interesting: there was no prior consultation before the regulations were introduced on 12 May 1983. Therefore, it is apparent that organisations representing farmers also fully appreciate and accept that position. The Government was therefore heading towards a confrontation situation, far removed from a consensus situation. The Government did not seem to be interested in that.

The member for Murray pointed out that perhaps the Government wants to delay this whole land clearance issue for more than a year, until June 1986, when the election will be out of the way. I believe that that thinking is quite correct and makes sense, because, if the Government has

to deal with this problem before June 1986, it is quite obvious that it will be unable to settle it in the way that it wants to and that from the point of view of an election it will lose votes. However, the matter of winning or losing votes is of no interest to me: I want the man on the land and the industry to get a fair go. This industry has supported Australia since its earliest days and it will continue to do so, whether or not we want it to. However, the industry is being ignored at present by the Hawke Government and, through this Act, by the State Government. Other instances are involved, too.

I wish that both the State and Federal Governments would wake up and realise that the people of Australia, and South Australia, will suffer as a result of decisions currently being made by both State and Federal Governments. Further, large industries such as BHP also have a very important role to play in this country, and they receive millions of dollars of subsidy each year to ensure that they continue and that they are viable.

I recognise that we need a strong steel industry, and I recognise the related aspects, but equally we need the rural industry and rural production. Huge exports are derived from that industry, yet the Government is taking away incentive after incentive. The primary producer is suffering—I hear that more and more. Primary producers are sick and tired of the Labor Government and the way in which Labor is prepared to write off the people who make most of the money, from the point of view of generating capital in this country. The worrying thing is that perhaps the Government will wake up too late and we will have to start from the ground and build up the industry again, whereas at present there is a reasonable structure in hand.

I relate that to vegetation clearance. Obviously, farmers have been disadvantaged. We must consider whether restrictions on the clearance of vegetation are necessary. Most farmers and I would acknowledge that some areas of vegetation must be maintained for a variety of purposes. I do not believe that any farmer would quibble over that. However, there was a Big Brother approach in 1983 (the Government could not get it through in 1984) and unrealistic restrictions that are grossly unfair were imposed.

I believe that what the Government should be doing (and is doing to some extent) is to consider inequitable situations regarding vegetation maintenance. The previous Government introduced an excellent scheme, but under this Government it is in the wilderness. Under that scheme the farmers retained some vegetation voluntarily, receiving Government assistance in that respect. We should consider that scheme further. There must be a programme of reaforrestation in rural areas because, after all, some areas, for example, the major part of my district, through which I pass regularly, are relatively devoid of vegetation. I would say that the majority of people who live in rural areas do not appreciate the vegetation they have been forced to retain. Those areas are away from the roads, and people who want to see them have to go out of their way—or that is the case in my district, anyway.

We could strive for a programme under which there was planned planting of vegetation: that is happening, and I saw a classic example at Malalla last year. I was pleased to visit that area with the honourable member opposite. A school and other bodies in that area organised a planting programme under the 'Greening of Australia' scheme. We complimented the people of Malalla for what they are doing. The trees that were planted are progressing well, I am pleased to say, and there are plans to plant thousands more. That is something that people can see: it will restore natural vegetation to the area. I am infuriated when people ask, 'How can you possibly bulldoze a tree that is 50 or 100 years old? You will destroy the natural environment.' But trees die sooner or later. The Minister looks at me as if to say, 'Trees don't die.'

I am very distressed that roadside trees on the Peninsula are suffering a form of die-back. The regulations currently provide that councils cannot cut back trees. I spoke to one chief executive officer who said that there was a huge uproar involving a Government department because the council wanted to cut back trees that were growing on a corner but was prohibited from doing that because the trees were natural vegetation. Finally, some of the trees were cut back, but the area is still unsafe. Some trees that have reached their full height regrow from the base when in fact they are dead. The Government could allow regulated cutting back of trees so that there is proper regrowth of roadside vegetation. We could also encourage farmers to allow regrowth of natural vegetation.

Positive results are being achieved by the efforts of volunteers, councillors and farmers associated with the soil conservation scheme in revegetating and reclaiming land that has been lost. On Southern Yorke Peninsula about 100 acres of land that was formerly useless for cropping is now being remanaged, and in 18 months a phenomenal change has occurred. What was virtually salt waste land is now regrassed land, and the farmer who owns the land and those involved with the project believe it will be possible to recrop that area in two or three years. They also believe that that land will not become waste land again. Marvellous forward strides are being made in soil and vegetation conservation and reaforrestation, and that is the area to which the Government should give its prime attention instead of trying to ruin the livelihood of rural producers at a time when South Australia needs every cent it can make.

So often in this House we have discussed the massive tax hikes imposed by a Government that promised no tax increases. Incidentally, it is quite laughable for the member for Hartley (who is now in the House) to compare the tax increases and charges under the previous Liberal Government with those under his Government, because the Liberal Government did not promise that it would not increase taxes. People will recall that the Liberal Government abolished many taxes. The Bannon Labor Government clearly promised that it would not increase taxes or use charges as a form of backdoor taxation, so any comparison along those lines has no bearing on the argument. But that is by the by.

I re-emphasise that the Government should do everything possible to promote primary production within the bounds of common sense. If one looks at the private member's Bill introduced by the Liberal Opposition in the other place, one sees a commonsense approach to the land vegetation problem with which we are currently faced. Compensation is clearly an element that must be considered. It is interesting to note a comment of the President of the United Farmers and Stockowners, Mr Michael Shanahan. In the *Farmer and Stockowner* of December 1984 he stated:

> One of the worst features of the regulations is that they do not attempt to cover compensation to disadvantaged landowners. The UF & S recognises the problem. Further, landowners are concerned because of the way in which they have been treated in relation to land clearance applications, involving areas of vegetation that they want to maintain and those areas that they want to clear.

I cite the case of one particular landholder who took me around his property so that I could see the land he intended to clear. Having been allowed to clear some of that land earlier, he had used his common sense and said that he was quite happy to leave vegetation on the rocky areas and on the hilly ground particularly, because it would be difficult to cultivate that land. It would require a lot of work, and if vegetation had to be kept anywhere that is where it should be kept.

Similarly, members would be well aware that higher ground, particularly in sandy country, is easily subject to soil drift and therefore if vegetation could be kept there it would help to retain the soil and also act as a wind barrier.

I agreed that this landholder was taking a commonsense approach. When his application went before the appropriate authority he received permission to clear some of the hilly and rocky ground (the areas he did not want to clear) and he did not receive permission to clear some of the area that was a potentially excellent cropping area. He said that common sense had not prevailed at all; bureaucracy had gone mad. I believe that subsequently a person went out to his property and reassessed the situation. I give credit, if credit is due, to the fact that people in the Department did not close the case there and then and they did go and have a look at it and recognised some of the points the farmer had made, although not all of them. Nevertheless, that type of action is worrying.

I know of another landholder who had a similar experience. His land had been cleared a few years earlier but he made the unforgivable mistake of letting some of it revert to its natural state. The legislation came in, and certain criteria were set that stated that, if vegetation had reached a certain height and had not been cleared for a certain period, it was to be regarded as natural vegetation. When I drove around his property with him, he told me that he had an application in for clearance of that large piece of land. I told him that that was a waste of time because it looked as if with a bit of luck it could be cropped at that time, he could pull up the high tough grass and a few little trees. However, he said that he could not do that because according to the regulations he had to reapply to clear the land.

I can understand his grief at the fact that he had let that area remain in a semi-natural state for a few years and was then faced with the possibility of not being able to use the land. He also indicated that the original application had been handled by referring to a map and the person concerned saying, 'You can crop here, here and here, but we don't want you to crop there and there.' He said, 'If you looked at the lie of the land and the situation as it applied on the ground, it did not make sense.' It is a little while since I spoke to that person but the last time I did he was still having hassles, trying to get cleared some of his land that he felt that he had every right to have cleared. In relation to applications for clearance, I draw the attention of the House to the following article that appeared in the South Australian *Stock Journal* on Thursday 10 January 1985, under the heading 'UF & S warning on scrub forms':

> Farmers seeking permission to clear scrub should not alter their original applications, even though they have been returned to them by the Department of Environment and Planning. This is the advice of the United Farmers and Stockowners following a detailed legal study of documents posted by the department to land clearing applicants over the last few weeks. UF & S Assistant General Secretary, Mr Denys Slee, yesterday warned farmers against re-signing and redating their original application forms, following suspension of sections of the Planning Act late last month.

Mr Slee then indicated why that advice had been given. The article continued:

> However, the UF & S legal advice is for farmers not to alter or amend their original application in any way. Farmers should ask the department, in writing, to process that application, according to the UF & S lawyers. 'They may, if they wish, submit a new application in similar terms to the original application asking that the new application be processed at the same time as the original application,' the legal advice says. 'This way, all applicants preserve their rights under the Acts.'
>
> Mr Slee said the UF & S legal advisers were concerned that any alteration (including re-signing and redating) of the original application might prejudice the applicant as a court might conclude that the law to be applied was the law in force at the time the application was amended. This was significant as the rules governing land clearing assessments had been changed since they were introduced in May, last year. 'We want to try to ensure that the rights of applicants are protected as much as possible,' Mr Slee said.

I believe that was a sensible approach to follow. When referring to the Minister, the article stated:

> However, the Minister for Environment and Planning, Dr Hopgood, has expressed disappointment at the UF & S rejection of his 'olive branch' in the long-running scrub debate. He said the Government's proposal for applications to be simply resubmitted had been suggested in a spirit of compromise.

Unfortunately, it seems that the compromise had come too late. The lesson should have been learnt much earlier—the lesson which the Government, before coming to office, recognised in terms of consultation being necessary—but that lesson has been ignored. Now the farmers are suffering; the Government is trying to get out of the quandary it is in, realising that an election is due, and in turn the people of South Australia are suffering. I believe the obvious solution is for this House to give full endorsement to the Select Committee currently operating in the other place to proceed with all haste to hear submissions and bring down its report, so that this matter can be resolved, with the result (it is hoped) that common sense will prevail in this long running dispute concerning vegetation clearance in South Australia.

Mr LEWIS (Mallee): I oppose this Bill, as it is not necessary. The Opposition has clearly indicated its willingness to sit for as often during April as is necessary for the Government to make clear its policy position in relation to these originally *ultra vires* regulations and now this Act. There is no reason why the Government cannot do that. During April it should be possible for this Parliament to receive the report of the Select Committee and for the Government's policy position to be made plain. By this measure it simply seeks to extend beyond the next election the effect and operation of the present measure with respect to the sunset clause which at present brings it to a close in just over a month, the Government has been lackadaisical and shown its ignorance, and it has also shown indifference and incompetence by its approach to this whole matter. It refused to consult with people whom it knew the measures would affect. It refused to even consider the implications of the measures it introduced on the people who would be affected. None of those points has ever been denied. The Government and the Labor Party therefore have ignored their membership in rural areas.

Some notable people in the Labor Party who, at the State Council meeting, have been mentioned as people who must be taken account of, such as Norm Napper of Pinnaroo, have been left unheard on this question since discussion on it began. In any other sector of the economy or in any other work force, the Labor Party would not have done what it has done to farmers by this measure.

Justice needs to be done and seen to be done, and justice delayed is justice denied. You, Madam Acting Speaker, and members of your Party in Government have prevaricated on this matter long enough and you know the serious consequences that it is having for hundreds of families throughout the State. The Minister knows the truth of what I have just said, but he does not care nor does any other member of the Labor Party. It is not only those people whose applications have not yet been processed by departmental officers under the terms of this policy, but also the many hidden people affected who are afraid to apply under the terms of the legislation as it stands at present, because they fear that, by doing so, they will be locked into the decision that is imposed on them. They are between the devil and the deep blue sea wondering whether to get out of the frying pan and into the fire, literally.

The viability of their operations is already affected by these regulations. Their property values as security against

which they can borrow funds, not only for the purchase of those properties in the first place, but also to finance their operations, have been so reduced by the effect of these measures under the proposal to extend their operation for a further 12 months, that they are embarrassed and they know that, if they get confirmation of their worst fears about the Department's attitude to the remaining native vegetation on their properties, their bank managers will simply foreclose on them. The land which they presently have under cultivation and available for grazing is grossly inadequate to service their indebtedness established on that land before the introduction of these regulations, let alone provide a living for their families. Yet, members opposite do not care. No members opposite have indicated that they care one jot about the effect of the legislation, and that is disgusting.

When the time comes, members opposite will be accountable in every rural community in this State at the next election and they will see then the consequences of their indifference. Rural people are very angry, and so are the businesses on which rural people depend, because this legislation permanently restricts the capacity of those communities to anticipate their ability to service their indebtedness. No account was taken of that and, if it was, it was callous in its disregard for the consequences. The sooner the Government gets its act together, calls Parliament to sit during April to hear the Select Committee report from the other place, and produces its policy for the public to see, the better it will be.

If the Government goes to the election with this legislation in place, I suggest that it is guilty of an act of gross deceit. It is clear to me that, by extending the operation of the legislation by the 12 months proposed in the Bill, the matter will simply be placed in the 'too hard' basket after the election, in the unlikely event that the Labor Government is returned to the Treasury benches. The Government can expect a swing of about 20 per cent against it in the Legislative Council in rural areas, and I dare say that there will be a trade-off in like kind in the urban areas of metropolitan Adelaide and the major provincial towns.

The kind of callousness to which I have referred and about which members opposite smile is the kind of thing for which the Labor Party was never known in the past, but members opposite have clearly established a reputation for that callous indifference by their actions in this matter. I shall do everything in my power to ensure that all individuals and the communities in which they live and who are adversely affected by this legislation get the justice that they deserve. The Liberal Party clearly has the most sensible applicable policy for this kind of measure if we want to see a sensible retention of an adequate range and quantity of all the ecosystems in those areas of the State in which we presently practise agriculture, and the only fair way to achieve that is the Liberal way.

Mr S.G. EVANS (Fisher): I shall be brief. I have had a matter before the Minister for some months, and the three families concerned are still in the same position as they were in, except that they have learned a little. When the O'Riley and Smart families bought a property, they took all the necessary precautions to ask whether there were any restrictions on the use of their land for agricultural purposes. They bought 1 500 hectares, of which about 250 hectares had been cleared. They bought the land with the intention of clearing some, but not all, of it for a rural pursuit to back up a small business venture. To show that these are the sort of people that members opposite claim to represent, I point out that one started a sports store in the city and another started as a grocery delivery boy for a local store that later became Foodland. Indeed, he delivered to my family from the age of 16 years. The other brother, with a similar battling background, married. They bought homes, took out mortgages on those homes, started to raise families, and saw the opportunity to buy a carrying business and associated with it was the sale of wood as a fuel. The larger operators, such as Thomas Nationwide Transport, virtually crushed most of their opportunities to progress to any great degree in the carrying business.

When they cleared the land, which is just outside Murray Bridge, they looked towards using the timber that they cleared as part of their business, but they never asked that all the land be cleared, nor did they intend that it all be cleared because, as their spouses in particular loved that sort of land, they wanted to preserve it. When the regulations were promulgated, about 12 months after they bought the land, they had their homes further mortgaged and the land mortgaged. Then the land became virtually valueless as a business proposition. The Minister, in a letter to me, said that they could approach the rural assistance authorities and borrow money, but that is a hopeless procedure because they could not even make enough off the land as it is partly developed to pay the interest on that sort of money in the long term. So what are they to do with the land? The Minister wrote to me saying that the Murray Bridge council was aware that the Government wanted the land for conservation and that it had been set aside for a conservation area. I wrote to the council asking whether the brothers had been made aware of that before the family bought the property, and the council denied that knowledge. The council did not know.

I am not suggesting where the problem began or who made the error, but the council did not know. This week a farmer called on a family at their business in Stirling and asked whether they had bought a certain property a while ago, and they replied that they had. He told them that he had gone along to buy it and that, just before he signed for it, somebody in the Department tipped him off that it was wanted for a conservation area, and therefore he did not buy it. He told them that they had been caught with a pig in a poke.

So, we have three families who have committed their homes and their life savings to a mortgage to a property of a certain value in the market place. The Government of the day then passed a law which said that they could not develop it any more without seeking permission. They sought permission, but it was refused. What have they left? They can go on paying a mortgage on a property that is bringing in no income, costing them interest. Members opposite must be saying that they must be rich, and therefore can afford it—that is the only conclusion I can reach. It is like going to an individual and saying, 'Where is your bank book? We want to take $50 000 out of the bank for the people of South Australia to look at and we will take it out of your account.' That is what we have done to those three families.

I am doubtful whether they are people who regularly vote for either Party, so I am not playing politics. I would have thought that such people would think through issues at the time, or at least two of the families would do so. This Parliament is now condoning—if the Minister goes on with this measure—the practice of taking from poor individuals, those who have struggled to survive, have not lived off their fellow man, but have got there with sheer hard work, and removing from their accounts thousands of dollars. We have gone further, and said that we are taking the money that they have borrowed. They still owe that money to the bank, but we have taken it from them.

People have borrowed money from the bank to put into a property (it could be their home), but the Government is condoning taking from those people the money they borrowed and is still expecting people to pay interest on the

money. They are the hard cold facts. I have no interest as an individual, but only as a Parliamentarian, in the Minister's regulations.

I have some uncleared land in a native state and I do not wish to clear it. That may come about by some other measure: if another section of society in another part of the world wishes to live here in the future and develop more of our country, the laws we make now will not count for much. That is a real possibility over the next century. We will not be able to live in the luxury to which we are accustomed while a significant part of the world is starving. However, that matter will be for future Parliaments to decide—Parliaments with perhaps a greater ethnic component than at present. They will decide that issue. I am not interested in it, but I am interested when we come to this proposition.

I have said to my own Party when it was in power from 1968 to 1970 and during the next period when we were in power that, if we believe that a piece of land or building should be kept for the benefit of the total society, and if we believe that that is what the community wants, the community should buy it. There is nothing illogical about that. Why do we make a minority foot the bill for the majority? It is totally against the philosophy that the Party opposite espouses. So, why do we have that sort of philosophy? To me it is improper.

I will relate an incident about a time when I did remove some trees that grew on a piece of cultivated land. They were gums, about 33 years old. A neighbour said that I could not cut them down because he liked to look at them. I pointed out that he had bought his property first, and asked why he had not bought my property also so that he could look at the trees on both properties. I said that he had more trees on his property than I had on mine and asked why he wanted to look at mine. The neighbour got a bit jumpy. At that stage he did not know who I was, as he was new to the area. He told me that he would write to the local MP and complain. I told him to go home, write it down, bring it back, and I would take it from there. That is the attitude in society today. People are saying that somebody else should provide the things that they enjoy and that the taxpayer should not pay for it.

If the Minister wants the property of O'Riley and Smart to be kept as a conservation area, he should do the right thing and buy it. He should not tell them to borrow money at a lower interest rate; that will only lengthen the burden without solving the problem. It may relieve the initial problem, but the end result will be an uneconomic piece of land that nobody wants to buy for anywhere near the price paid for it. It is a result not of bad judgment, but of the Minister's Department not telling the council that it wanted the land for conservation, or the council not telling the intending owner. Another buyer knew about it before the Smart and O'Riley families bought it, and pulled out for that reason. The council did not tell that first intending buyer. If we are to put these conditions on properties, and if we want them for conservation parks, let us buy them as a Government on behalf of the people and keep them the way we want to keep them—with proper management, care and attention.

If we doubt whether the community wants to support the monetary contribution to buy the properties and maintain them, let us put it to a referendum. We could say that we want to buy 25 more parks for a certain amount and ask the community to support it. We will find out how many people want us to buy more parks. People are looking for Governments, of whatever political persuasion, to look after the parks we have already. The Minister will say that by that time a lot of our native vegetation will be gone. There is virtually no vegetation in this State if we want to restore it to what was there when the white man first came that cannot be restored.

There are a few cases of fauna and flora (but not much) with which we would not succeed, but in the main we can succeed. In high rainfall areas, as in the hills, the vegetation would go back to its natural state, if noxious weeds are kept out, in about 15 years. There are more trees and natural bushland in the Stirling council area now than there was when I was a boy. I will vouch for that. Trying to regenerate native bushland is not as difficult as some people argue. I oppose the measure.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I thank honourable members for the attention they have given to the Bill. I mean that sincerely. I am in a conciliatory mood this afternoon and could probably have a good word to say about practically every member who entered this debate, not because I think that that would in any way induce the way that they will vote on the measure at the second reading (I am not so wet behind the ears as to believe that), but because honourable members have genuinely applied themselves to this matter and believe they are honestly advancing the interests of their constituents in this issue. I exempt from that commendation the rant of the member for Mallee and will say nothing more about his contribution in this debate. The member for Fisher is at least consistent and, in fact, is very consistent.

In effect, he has just said to members of his own Party, 'You, my colleagues, are inconsistent in wanting to apply compensation to native vegetation matters, but you passed up the opportunity in three years in Government of not applying compensation to heritage matters.' Of course, he is perfectly right: the same principles should apply.

The Hon. D.C. Wotton: It's a totally different situation.

The Hon. D.J. HOPGOOD: It is not a totally different situation and I am sure that the member for Fisher agrees with me, otherwise he would not have made that advocacy in his Party room. It was not only during that period under Mr Tonkin as Premier but also under Mr Steele Hall. It is not a voluntary situation at all. We are not talking about a native vegetation heritage agreement: we are talking about heritage generally—a situation such as has often been reported in our papers, where someone wants to convert an old house into a block of flats and they are not allowed to do so because of a decision of the Adelaide City Council, Walkerville council, or someone like that, because a heritage item is involved.

I do not intend to canvass this afternoon the merits of the vegetation retention scheme. I have done that on many occasions here and elsewhere. It is a great temptation to be drawn by some of the comments that have been made by members opposite. The member for Goyder said that he feared that the Government would wake up too late in this matter. I would like to turn those words back on the member for Goyder. Governments did wake up far too late in this matter.

At least with all the problems we have had with the High Court decision, and so on, regarding to this regulation, the dialogue has been elevated in relation to this matter of native vegetation. One must scratch pretty hard to find anyone who would argue against some measure of controls. Of course, we have the member for Alexandra, who still regrets that I proclaimed the Gosse Crown lands as part of the Flinders Chase National Park. However, that same member is prepared to use the word 'vermin' as a synonym for native fauna, because he said so this afternoon in the debate.

So, one can well understand the impetus that that member had as Minister of Agriculture in the clearing of a good deal of that land against the advice of his Department that such

clearance would bring unacceptable salinisation to that part of Kangaroo Island. Again, I challenge the member in relation to clearance in his own bailiwick. I invite him to inspect the native vegetation maps and aerial photographs. No part of South Australia has been photographed and surveyed in greater detail in relation to remnant vegetation than has Kangaroo Island.

The Hon. D.C. Wotton: He has lived there for generations.

The Hon. D.J. HOPGOOD: He has lived there for a long time, but it is possible to get a false impression through living too close to things. One wakes up in the morning on the farm and there seem to be trees all around the place. One needs that bird's eye view to get a concept of just how much has been cleared and how much remains.

I will recheck my sources of information on this and, if I am wrong, I will be only too happy to apologise to the member for Alexandra because, if it is true that more than half of Kangaroo Island is still under native scrub, that is marvellous—it is tremendous. There is no other comparable part of the agricultural areas of the State in that sort of condition. However, I am afraid that I am right and that the member for Alexandra is wrong. If he is right, I will not only congratulate him but I will also rejoice that that is the case in his own bailiwick.

As I said, I do not really want to be drawn as to the basic questions in relation to this regulation. All I want to do in responding to this debate is simply place on record the reasons why the Government is inviting this House to support this Bill. I put a series of propositions to honourable members, and I would think that as I go through they will probably be persuaded to assent to them.

The first is that, if no legislation is passed by 30 May, not only will the vegetation retention regulation fall to the ground and we will have no controls over the clearance of native vegetation, except those which have proved over a period of 30 years to be ineffective in the Soil Conservation Act but also, in addition, our planning legislation in this State will be in chaos.

I again invite honourable members to consider the agreed interpretation of the High Court decision in the Dorrestjin case which went far further than purely having an impact on vegetation clearance and looked at the wide gamut of existing use and the way in which supplementary development plans would be used. Some have gone as far as to say that, in the light of a strict interpretation of the High Court decision if section 56 (1) *(a)* and *(b)* are returned to the Planning Act, we can forget supplementary development plans, because they will, in effect, have no effect. I do not want to go on with that because, after all, it is not terribly pertinent to what we are talking about. However, it is not irrelevant, because that would be one of the consequences of not having certain changes in the Planning Act. That is sometimes one thing that is forgotten. People talk about separate legislation for vegetation clearance. That may well be one of the outcomes of the Select Committee.

The Hon. D.C. Wotton interjecting:

The Hon. D.J. HOPGOOD: I ask the honourable member to let me develop my own argument in my own way. I am putting before him a set of propositions that I think he, as a reasonable person, will be prepared to accept. I am being as conciliatory this afternoon as I can be. It is possible that we may eventually embrace separate legislation for vegetation retention. I would not rule that out at all, but that in itself will not solve the problem that has been created for this State by the way in which their Honours in the High Court have interpreted section 56 (1) *(a)* and *(b)*. I do not—

The Hon. D.C. Wotton interjecting:

The Hon. D.J. HOPGOOD: There is a new departure!

The Hon. D.C. Wotton: I have said that time and time again.

The Hon. D.J. HOPGOOD: No, the honourable member has never said that because originally I tried to strike section 56 (1) *(a)* out of the legislation and I indicated that there were real planning problems for us as long as those declaratory words were in there because of the possibility of the courts finding work for idle words to do, and that was rejected by the Liberal Party. I was told that I was creating a phantom: that there was no problem in relation to section 56 (1) *(a)*. I am afraid I have been proven correct. I am sorry in a sense that I have been proven correct because, if the High Court had interpreted it in a different way, we might not be here doing what we are doing right now.

I accused, perhaps a little unfairly, the member for Murray of not understanding the import of 56 (1) *(a)* and *(b)* when he wrote those clauses into the legislation. I will bet that the member for Murray never anticipated that the High Court would bring down the sort of interpretation that it has brought down in relation to those matters. It may well be that the member for Murray has a sneaking suspicion that perhaps Their Honours were wrong in this matter, except, of course, that the High Court is never wrong, and whatever its decision is we have to cop it, and the legislators have to act accordingly.

The Hon. D.C. Wotton interjecting:

The Hon. D.J. HOPGOOD: It does not matter which way they split; the majority of the High Court is always right, whether they are right or not, to be just a little Celtic for the moment. Without legislation of some sort the basic planning legislation in this State will fall to the ground.

The second proposition that I would put to honourable members is that I have no control over the timing of the Select Committee report, nor should I have and nor, in a sense, should I try to exercise any influence. I am not even sure that I was not in breach of Standing Orders of another place in relation to an action that I took in late December or January this year. Part of that story has already been told by the member for Alexandra when he raised it in this place.

Honourable members will recall that the Hon. Mr Milne in another place got to his feet and moved that a Select Committee be formed. That was agreed to on, if one likes, a tripartisan basis. The Hon. Mr Milne then went off to Austria. I do not criticise him for doing that, as it is his prerogative to have a Christmas holiday in the other part of the world, if he is lucky enough to be able to do that. However, as the mover of the motion he, in effect, had to initiate machinery for setting up the Select Committee. Therefore, I wrote to the Hon. Mr Milne and pointed out to him that it was necessary for him to initiate the committee. He wrote a very nice letter back to me and indicated that he had not understood (or perhaps it had slipped his mind) that this was his responsibility and that he would write to the Clerk. I assume that that was done. Nonetheless, despite that, the Select Committee was not able to meet until the current sittings of both Houses of Parliament.

The member for Mallee, I believe through the *Stock Journal*, has already urged all primary producers who have been affected by the regulation in any way to come in and put evidence before the Select Committee. Lord knows how long that will take—how much longer that will elongate the sittings of the committee. However, that is a factor that will have to be taken into account. Further, there may well be cause for the Select Committee to actually go to the country and meet primary producers there—and no-one knows how long that will take, either. So, I have no control over what the Select Committee will do or how long it will take, nor should I exercise control. If I tried to do so, I would almost certainly be in breach of Standing Orders and possibly even be in contempt of the other place. Therefore, I have got to

back off and let the Select Committee do the best that it can in the circumstances.

I will urge the Select Committee to not unduly delay its task, although, of course, it is a big task. Already one of the member for Murray's colleagues in this place (I think it was the member for Victoria) has expressed concern about how long the Select Committee will take to conclude its business. The Bushfires Select Committee took 10 months to conclude its deliberations.

The Hon. E.R. Goldsworthy: You had a plant servicing that committee.

The Hon. D.J. HOPGOOD: That comment is now on the record; I find that very interesting indeed. I can only assume that the Deputy Leader of the Opposition is casting a gross slur on a public servant. Is that in fact what the honourable member is doing?

The Hon. E.R. Goldsworthy: He handed out the record of the private telephone conversation of the member for Eyre—at your behest.

The SPEAKER: Order! I call the Deputy Leader to order. The honourable member has now been interjecting consistently for something like five minutes. I ask that he cease interjecting.

The Hon. E.R. Goldsworthy: I have just started.

The SPEAKER: I warn the Deputy Leader of the Opposition.

The Hon. D.J. HOPGOOD: I refer the Deputy Leader of the Opposition to comments made by his colleague the member for Eyre, who knows and concedes that at no stage was the transcript of that conversation transmitted to the Select Committee. The honourable member knows that, and that has been stated here.

The Hon. E.R. Goldsworthy: The report was.

The Hon. D.J. HOPGOOD: The report contained nothing of substance of the telephone conversation. Of course, the honourable member is now backing off; he knows that he made a mistake in interjecting in the way that he did.

The Hon. E.R. Goldsworthy: The report wasn't accurate.

The Hon. D.J. HOPGOOD: The report of my public servant from the National Parks and Wildlife Service (who was not the person servicing the committee) was made available to the Select Committee on a confidential basis. It is interesting that that confidence was breached, and I can only assume that that was done by a colleague of the honourable member from another place. However, we shall let that go, and I shall continue with the argument that I am developing.

First, I make the point that unless special legislation is introduced, in effect, the Planning Act will fall to the ground. Secondly, I have no control over the timing of the Select Committee. Thirdly, we could get ourselves into a situation where the Select Committee may have no Parliament to which it can report.

The Hon. D.C. Wotton: That's your fault; you have responsibility for that.

The Hon. D.J. HOPGOOD: We do not know exactly when the Select Committee will report. I put the case that it is not impossible that it could report in January next year. Since there must be an election some time early next year, it is unlikely that the Parliament would be in session in January, February or March of next year. Therefore, the Select Committee would have no Parliament to which to report.

Finally, I assume that honourable members of both Houses would reject the proposition suggesting that the Government should legislate on a certain matter while there is a Select Committee of the Upper House deliberating on the same matter. After all, it was agreed between the three Parties in the other place that a Select Committee should be set up. In a sense, it was put to me by the honourable member's colleagues in another place that that was the price I was paying for the extension of the suspension of section 56 (1) *(a)* and *(b)*. Therefore, I assume that it would be the desire of members of the Liberal Party that we should await the report of the Select Committee before preparing legislation. To do otherwise would be to make a mockery of the whole Select Committee process.

Finally, I point out that one cannot just rush in and put together legislation in the light of a Select Committee report in a matter of a week or so. I seriously considered wording this Bill to provide that the further suspension of section 56 (1) *(a)* and *(b)* would continue for a further two month period following the presentation of the Select Committee's report in another place. However, I finally rejected that idea, because it seemed to me to involve a rather clumsy drafting procedure, and, again, we could run into the situation where, in following that to the letter, there might be no Parliament to which the Select Committee would report.

I give an assurance to honourable members that the Government is concerned that this matter be resolved as quickly as possible. The Government is concerned that an opportunity should be given for the Select Committee to make a real input into the drafting and finalisation of the legislation. By wording the Bill in the way in which we have done, I believe that we have provided sufficient room for manoeuvre to enable that to occur.

Finally, in deference to a point made by the member for Murray, I simply make the point that I think he is wrong in saying that the Government is trying to dodge this as an election issue. In fact, the way in which one would dodge this as an election issue would be to ensure that the whole thing was resolved before the next election. However, the effect of this Bill could be (if the Select Committee was still sitting in March, April or May of next year, when possibly an election will occur) that the matter would still be a live issue. I urge honourable members to support the Bill.

Bill read a second time and taken through Committee without amendment.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That this Bill be now read a third time.

The House divided on the third reading:

Ayes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, M.J. Brown, Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Plunkett, Slater, Trainer, and Whitten.

Noes (18)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Oswald, Rodda, Wilson, and Wotton (teller).

Pairs—Ayes—Messrs Peterson and Wright. Noes—Messrs Blacker and Olsen.

Majority of 4 for the Ayes.

Third reading thus carried.

PUBLIC WORKS STANDING COMMITTEE

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That, pursuant to section 18 of the Public Works Standing Committee Act, 1927, members of this House appointed to the Parliamentary Standing Committee on Public Works have leave to sit on this committee during the sittings of the House tomorrow.

Motion carried.

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 14 March. Page 3270.)

The Hon. P.B. ARNOLD (Chaffey): The Opposition supports this Bill. The second reading explanation clearly indicated that the South-Eastern Drainage Board, to overcome a problem regarding prosecutions, requested these amendments. It also states that sheep carcasses dumped in a drain in the South-East caused a real problem for the Board, which found that it did not have the power to do anything about the offender. As a result, the Chairman of the Board requested that the matter be rectified. We certainly support the Bill.

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

RACING ACT AMENDMENT BILL (1985)

Adjourned debate on second reading.
(Continued from 20 March. Page 3390.)

Mr INGERSON (Bragg): I support the Bill. It introduces three new forms of betting in connection with football and involving the South Australian National Football League. The three specific types of betting to be introduced are Footywin, Footytreble, and Footyscore. I will not go into the details, as they were adequately explained in the second reading explanation.

The Hon. Ted Chapman: What about two-up? Is that the next one on the list?

Mr INGERSON: I think we ought to put that to the Minister. The Minister stated that there could be about $600 000 in turnover, and perhaps he will explain how that figure is derived, because it seems to be a fairly small sum. The 20 per cent commission of the TAB is significantly higher than that for any other betting operation in which the TAB is involved. Obviously, negotiations have taken place, but will the Minister explain why that percentage is so high? Will the Minister also say how much will be available to the recreation and sport fund and the South Australian National Football League? That is what the whole exercise is all about.

I am a little concerned that in this form of betting there may be an indirect pay-off, in that the Minister may believe that grants will no longer have to be made in connection with football, particularly junior sport. I hope that that is not the case, and I ask the Minister to give an assurance that junior football in particular will not be disadvantaged. It has been stated that there will be no substitution of betting, and that is interesting. Perhaps the Minister can explain what has happened in Victoria and say whether there has been a significant movement from racing to football. I am interested to know why this provision has been inserted. I recognise that the TAB comes under the Racing Act, but that provision seems strange.

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

Mr INGERSON: In the past three years football grants have decreased from some $25 000 a year to the current level of $15 000 a year, and that directly affects junior sport. In that time the Football League has put up something like $300 000 a year. Probably very few other sports are contributing to their own well-being to the extent that football is supporting its junior sport. I would hope that in the future we do not see a reduction of grants in that area due to the introduction of this new form of betting.

By means of this Bill, the Minister has chosen to change the control of the allocation of administration costs. In section 56 (1) *(a)* of the Act—'in the payment of administration and operating expenses of the board'—there is no suggestion of any control by the Minister, whereas in the new provision there is no question as to the Minister's involvement. That is an interesting move and one which the Opposition supports. The Minister ought to have more control over the direct movement of funds and also control over costs, but it is important to note that it is now clearly to be provided that the Minister will direct the movement of funds. That is a very significant change and one which we would like the Minister to explain further in Committee.

Clause 23 implements a change inasmuch as there has been a move away from consultation with the particular group (in this case the South Australian National Football League) in the setting up of rules and regulations and anything else pertaining to betting (we are dealing here with football). In terms of amending the Act, it is important to have consistency. As it is also very important that the Football League be involved in the consultation process, in Committee the Opposition will be moving an amendment to enable the League to be involved in future consultations.

One other area of concern to the Opposition relating to clause 23 is the subclause removing from Parliamentary supervision any changes concerning rules and regulations. When looking at the Act, I thought it important that I go through and look for consistency. We have two distinct sets of rules for two distinct groups.

The Hon. J.W. Slater: Were you suprised?

Mr INGERSON: No, I was not surprised, but I had hoped that over the years we as a Parliament would have attempted to maintain some consistency in the Act. However, in this case we find that the Betting Control Board, the Greyhound Racing Board and also the Trotting Control Board have to bring their rules and any changes to their rules and regulations before Parliament, whereas the South Australian Jockey Club, which is a controlling body, does not have to do that. We also find that in relation to the TAB, which happens to be the largest single money earning operation under this Act, any rules and regulation changes it wishes to make do not have to come before Parliament. I find that sort of thing difficult to accept.

I hope that the Minister will look at this problem and attempt to bring within this one single Act the same set of rules as applies in every other case. It seems quite ridiculous that the Betting Control Board, which looks after bookmakers (with their income and taxes), has to report to this Parliament as to any rules or changes, and yet the TAB, which is in fact doing the same sort of thing but as a statutory authority, does not have to report its changes to the Parliament. The Opposition sees that as being not only inconsistent but something which it would like to see changed. I hope that the Minister will do something about that; if he does not, we can assure him that when in Government in some 10 to 12 months time we will do that for him. That inconsistency in the Act is a matter which does concern me. It is very important that this Parliament ought to be looking at all rule changes, particularly when it involves not only income for a statutory authority but, as the Minister would be well aware, significant income as far as the Government is concerned, yet we have the situation where this significant income earner can virtually make rules and regulations and totally bypass Parliament.

If this new form of betting on football had not been introduced, we would not have had an opportunity to go back and look at the Act in its totality. That, of course, happened because of certain consequential amendments that have been introduced (consequential, because the Minister chose, and rightly so, to separate betting on racing and the

three codes from betting on football). There are, in fact, two variable provisions, as between the Act and this Bill, involving subordinate legislation as it applies to this matter, and, bearing in mind the different wording (albeit the same meaning) involved, I would hope that Parliamentary Counsel and the Government of the day would at some stage try to rectify this matter.

It seems almost incredible that we should single out the Betting Control Board, the Trotting Control Board and the Greyhound Racing Board and say that their regulations and rules need to be controlled, yet allow the SAJC to operate as it does at present, particularly when, taking the TAB into account, it involves something like 78 or 79 per cent of the total turnover. That is another point to which I may return later. However, the operations of that major controlling body and any changes to rules in the racing area are not supervised by Parliament. I find it incredible that for such a long period we should have allowed the South Australian Jockey Club to get away from the control of Parliament and yet it has such a responsibility as the controlling body in exactly the same way as have the Trotting Control Board and the Greyhound Racing Board.

It is clear that the Racecourse Development Board does not set any rules and regulations, so the fact that it has to report to Parliament once a year is in itself sufficient. Again, I would hope that the Minister will consider bringing the Act into line and making it consistent throughout, in particular making sure that the TAB reports to Parliament on any significant rule changes.

In relation to the TAB, one of the important things that we ought to talk about is the situation of 5AA. If we read the Act, we find that the Minister has direct control over the TAB and has a significant involvement in its functions. Yet in the last week or so, we have had a continual fobbing off by the Minister of his direct relationship with 5AA. Several times the Minister has said that we have this 95 per cent coverage of the South Australian community by 5AA, yet an interesting statement was made in another place on 20 March by the Hon. Dr Cornwall, representing the Minister. Speaking generally there was a comment that 5AA was not able to broadcast to such areas such as Port Augusta and Whyalla and areas to the west. It was also noted that it cannot broadcast to the Riverland and points north-east of Blanchetown, and that in the South-East, whilst 5AA had a coverage similar to that of 5DN, there was a significant number of pockets that 5AA could not reach.

On the West Coast, apart from reaching Port Lincoln, it was virtually impossible for 5AA coverage to go very much further. For those in the country who understand that is almost 90 per cent of the total State, it is interesting the Minister should make the comment that between 90 and 95 per cent of all people who wish to bet on the TAB are to be covered. It is important that we make that note and let the Minister advise us how this 95 per cent can possibly be covered when all of those areas, almost the total country of this State, cannot be covered by 5AA.

I received today a letter from a colleague, and I think it is important to read it into *Hansard*. It is a letter to the Hon. Peter Arnold, and states:

> On behalf of all TAB users in the Riverland, I wish to bring to your attention the shabby deal handed out to us by the TAB and radio station 5AA. We do not receive 5AA in the Riverland...

Whilst the Government has taken over 5AA, with a very important and obvious need to make sure that 5AA is kept within this State, and obviously will continue to give the TAB and its clients an excellent coverage, is important to note that only 30 000 people live in the Riverland. The letter continues:

> We do not receive 5AA in the Riverland, therefore no racing coverage.

Again, although we are covering 90 per cent of the State, we need to keep on reinforcing the fact that 30 000 people in the Riverland are not getting any coverage at all. The letter continues:

> Many people, myself included, will not bet if race descriptions cannot be heard. The TAB has been aware of this situation for quite a long time, but in a very cavalier fashion seems to have decided to discriminate against country South Australians. I believe this to be the first step in closing country TABs so that a lesser service may be provided cheaper by an agency, such as the local hotels. I implore each of the people or organisations to whom this plea is directed to do their utmost to obtain a fair go for all.

I believe a copy of that letter has gone to the Minister of Recreation and Sport.

It is important to introduce that letter into this debate because we have had a few comments from the Minister on that matter and, whilst his 90 to 95 per cent may be important, there is no question that if we eliminate the country of South Australia we tend to bring it back to a little less than 90 to 95 per cent of the people.

Another important area in this Bill is the specific allocation of money to the Recreation and Sport Fund. Whilst we support it, as we did in the formation of soccer pools, it is absolutely diametrically opposed to the rest of the Act. If we are to talk about consistency in the Act, the TAB, in the case of racing, pays its share of the profits into the Treasury. The Betting Control Board pays its share of the profits into the Treasury, but in this instance we have a specific payment into the Recreation and Sport Fund.

As I said earlier, it concerns me that grants that probably would have been made to sport out of the general allocation of funds to the Recreation and Sport Department may now not be given to those sports (in this case, football) because of the fact of setting up Footybet. The other clauses dealing with the setting up of fractions and unclaimed dividends and the payment of those into the funds are consistent with the rest of the Act and we see no problem there.

Later, I will move an amendment in relation to the payment of funds or dividends to the South Australian National Football League. In the principal Act, payment to the racing clubs is made quarterly. In this provision of the Bill, it is paid once a year and I see no reason why the Government should not pay to the Football League at least twice a year. The first half of the football season, like the first half of the racing season, can be quite easily defined. The profits made in that first half of the year could be separated and paid to the Football League I suggest by September, and the balance by December. With those few comments and a very brief statement, I commend the Bill to the House and indicate the support of the Opposition.

Mr GUNN (Eyre): I want to speak briefly and to support what the member for Bragg has said about the relationship between 5AA and the TAB, and the lack of adequate coverage for country areas of South Australia now that 5AA has taken over the broadcasting of races and, in particular, TAB dividends. I have had a number of complaints from constituents who are amazed that the TAB and the Government would be so naive as to purchase this radio station in the mistaken belief that it would cover the whole of South Australia.

I have made some inquiries, have complained to the Minister and others in relation to this matter and I am awaiting a far more responsible reply than that given to the member for Bragg in answer to his question yesterday. The Minister was talking nonsense. If the Minister believes that 90 per cent of South Australia is covered by 5AA, it is time he took a Saturday afternoon drive in his Ministerial car and tried to get 5AA at Streaky Bay, Ceduna, on Upper Eyre Peninsula, in the Upper North or at Hawker. Not much thought was put into it, and people in my area are

damned annoyed about this matter. It will certainly have an effect upon the TAB operations.

In my judgment it could be the sort of action that SP bookmakers require. I know that the Minister is keen to stamp out that problem, and I will say more on another occasion. I highlight to the House and the Minister that the current arrangement is unsatisfactory and he ought to negotiate with other radio stations that can be received in the country areas that I have mentioned (in fact, all country areas of the State) to ascertain whether he can come to an arrangement with them to broadcast races and dividends.

The current situation is not only unfortunate but unsatisfactory. I call upon the Minister to give the matter his urgent consideration and to discuss the matter with the TAB, the racing industry and 5AA. I have difficulty understanding that when the TAB purchased 5AA it was not aware of the limits of the station. It was not a popular station in country areas because people could not get it. It was all very well for those who want to engage in empire building such as the TAB involves itself in. That is well and good. However, it has a responsibility, as a statutory organisation, to ensure that it is not giving a poorer service. At this stage the service the people in my electorate are receiving is far below what it should be and what it was when 5DN was doing the broadcasting. I have made my point. I want answers, I want them quickly, and I want to see the situation resolved.

The service leaves a great deal to be desired. I do not want a flippant answer from the Minister such as he gave yesterday. Since that time he has had a chance to be properly briefed: he did not know what he was talking about yesterday. I want to know how one can listen to 5AA at Ceduna. If the Minister has a magic wand and can do it, well and good, but the local residents do not know how to get it. Radio 5AA cannot be received in the Mid North or at Streaky Bay, and it is damn nonsense to say otherwise. Why was this foolish action taken, and what action can the TAB, 5AA or the Minister take to rectify the problem? We will have a chance to follow up that matter in Committee if the Minister cannot give an adequate response.

The Hon. J.W. SLATER (Minister of Recreation and Sport): I will deal with the points raised by the member for Bragg. The first concerned estimated turnover. I emphasise the word 'estimated', because it is only a guess and is based on some of the experiences of the Victorian Government in regard to the TAB and Footybet in that State. It may be that the amount of turnover will be much larger, and that depends on a number of things: it depends on how well Footybet is promoted; it depends largely on the response from the public generally and, indeed, upon people's understanding. That is where they went wrong in Victoria in the early days with betting on football. The system was complicated, and the average person in the community found it difficult to understand. If it is to be a success, it must be readily understood by the public at large. We are catering for a limited section of the community which is interested in Australian Rules football. It is a harmless type of betting.

The unit will be the same—a 50 cent unit with $1 minimum, as it is with the TAB presently for race meetings. I would anticipate that the average bet would be $5 to $10 (I would be surprised if it is anything larger). We are catering for a clientele that I would call casual punters who would like an interest and investment in Footybet with the TAB. The amount stated in the second reading explanation is an estimate of what might occur. I hope that it is much larger. If it is, the profit (the 20 per cent) will be shared between the TAB for its expenses, with the remainder split 50/50 between the South Australian National Football League and the Recreation and Sport Fund. The larger the turnover, the bigger the profit to the Football League and to the Recreation and Sport Fund.

The member for Bragg raised the point of a grant to junior sport by the Department of Recreation of Sport and the South Australian National Football League. I have given an undertaking to SANFL that whatever it acquires from this sort of betting will make no difference to the departmental assessment of grants for junior football. It has been operating now for a couple of years and, indeed, the amount available varies, depending on circumstances and the availability of funds. I have given that undertaking to SANFL and it has been accepted. Members can rest assured that it will be adhered to.

I also raise the point about the TAB rules, which have to be approved by the Minister. Under the legislation they do not have to go through the same format as those of the Trotting Control Board, the Betting Control Board, or the Greyhound Racing Control Board. I see no reason for change. The TAB has proved itself over the years and is a successful organisation. I have confidence in the appointed board and the officers of the TAB who administer the affairs of the TAB on a day-to-day basis. I see no reason why we should change it for the sake of change.

The member for Bragg may not agree with that viewpoint, but I see no reason why we need to do the same and gazette the TAB rules when they are subject to the approval of the Minister and, as far as I am aware, no difficulty has been experienced in the past. The member for Eyre is not now present. He gave me a burst about 5AA, and that was mentioned also by the member for Bragg. I repeat what I said yesterday. I quoted a letter that I had written to the Federal Broadcasting Tribunal, pointing out very clearly that I gave an undertaking not to interfere with the content of the station. It is a commercial operation administered by a board upon which the TAB has representations. It is a commercial venture, and the TAB was probably well aware of some difficulties that would occur in regard to transmission to distant country areas.

They are aware that there is a problem and they are doing whatever they can to rectify it. It is only two weeks since 5AA took over racing broadcasts from 5DN, which had a stronger signal. I am no technician, but I understand that they were able to extend, with some difficulties as the member for Mount Gambier would know, to the South-East prior to 5AA's broadcasting the races. Nothing has changed there.

The 5AA Board is well aware of the problem and is endeavouring to do its best to address it. I could not agree more that if we had an agency in a particular location in South Australia there should be an opportunity for people who have had a bet to hear the race broadcasts. I understand that on Saturdays in the district of the member for Eyre, at Streaky Bay, and so on, the ABC broadcasts races, although possibly that service is not available during the week. However, people in that area can receive race broadcasts on weekends and public holidays. So, it is not true to say that there are no broadcasts there at all. I do not want to dwell too much on that matter, because the decision must be taken by the TAB and 5AA Boards to determine what needs to be done to rectify the situation.

In this Bill we are dealing with what I describe as a limited extension of gambling in South Australia. It will be popular with the public at large. We will deal with a certain type of clientele. The measure has 100 per cent support of the South Australian National Football League. I have had discussions with the President and General Manager of the League, and these discussions revolved mainly around profit distribution. The distribution of funds for Footybet has been accepted by the TAB, the South Australian National Football League and the Government. I am not able to say

with a great degree of certainty just how much that will be but I hope it is more successful than anticipated, because there will be more money available for the promotion of the great game of Australian Rules Football and of sport in South Australia. It is up to the public to respond by having a wager on Footybet when it comes into operation.

I have made some statements about the introduction of Footybet if this legislation is passed. We may have some difficulties, because of ticket printing and promotion material, in its introduction for the first round of football on 6 April. The first round is a split round competition so, depending on this legislation passing this House and the Upper House, there may be a delay of a week or so, which will mean that it will not be introduced in the first round, as I anticipated. I ask honourable members to support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—'Functions and powers of the Board.'

Mr INGERSON: New paragraph *(da)* of section 51 (2) provides for arrangements or contracts being entered into with persons other than the South Australian National Football League. What is the purpose of having other persons when the only group, so far as I am aware, interested in football betting is the National Football League? I understood that this type of betting would be restricted only to league football.

The Hon. J.W. SLATER: In regard to arrangements with the Victorian Football League, if there is a South Australia *v* VFL match in Adelaide or the VFL grand final is held on a day when there is no match in South Australia, it will give an opportunity for the TAB to take totalizator bets on those matches.

Clause passed.

Clauses 8 to 12 passed.

Clause 13—'Application of amount deducted under s. 68.'

The Hon. JENNIFER ADAMSON: I draw your attention to the state of the Committee, Sir.

A quorum having been formed:

Mr INGERSON: There has been a significant change with the combination of sections 56 and 69 of the old Act and bringing it before the Parliament as new section 69.

Honourable members interjecting:

Mr INGERSON: Can Government members be quiet while I ask the question?

The CHAIRMAN: Order! The Chair will decide whether anyone will be quiet.

Mr Ingerson: I apologise, Sir.

The CHAIRMAN: Order! The Chair will decide whether any Government member can stay in the Chamber in a minute.

Mr INGERSON: There has been a significant change in this clause. The principle is that the Minister now has power to direct payment of moneys towards the administrative and operating expenses of the Board, whereas under section 56 in the Act payment of administrative and operating expenses was automatic. Why has this very significant change taken place?

The Hon. J.W. SLATER: I do not think that it is a significant change, although it is reasonable. I have been advised that it is necessary to enable the Minister to be satisfied that a correct apportionment of funds is made to the racing and football operations. That is the reason for the alteration. I have also been advised that in relation to apportionment it is vital in protecting the interests of both the racing and football codes. As the Minister is ultimately accountable in this matter, he should have that power to direct the apportionment of funds, and that is why this provision has been included in the legislation.

Mr INGERSON: The Minister is saying, in effect, that prior to this change, the correct apportionment of money to the SAJC, and the greyhound and trotting codes might have been questionable, since the adding of a fourth category does not really affect matters regarding correct apportionment of funds in relation to the other three codes. As a straight bookkeeping exercise, it is almost nonsense to say that if there are three funds each with a distinct identity that, historically, the apportionment to each of the three funds was all right, but with the addition of a fourth fund it is not. Is the Minister suggesting that there was some question in relation to the control of apportionment of funds to the three codes previously? Is that what the Minister means?

The Hon. J.W. SLATER: Not quite. I do not think that the problem that the member foresees really exists. There was a formula, and there still is, based on percentage of turnover for distribution to the three racing codes. Under this proposal, Footybet is an entity that will be separate from the racing codes, and if there is a dispute, for instance, about the apportionment of money from Footybet, as compared with apportionment to the racing codes, it will be necessary for the Minister to have the power to ensure that the apportionment is equitable, reasonable and in accordance with the Act.

Mr INGERSON: Does this mean that a Government decision to control or allocate a certain percentage of funds to any of four codes, namely, galloping, trotting, greyhound racing, or football will now be done under this clause? Does this provision relate, as it stipulates, only to administrative costs and expenses, or does it encompass the whole distribution of funds in another way?

The Hon. J.W. SLATER: No, it does not encompass distribution of funds in any other way. The purpose of the exercise is to ensure that there is proper apportionment of Footybet money and racing code funds. The provision is not designed to change in any way the formula that exists at present.

Clause passed.

Clauses 14 to 22 passed.

Clause 23—'Insertion of new Division III in Part III.'

Mr INGERSON: I move:

Page 6, line 39—After 'Board' insert 'and the South Australian National Football League'.

I ask the Committee to accept the amendment.

The Hon. J.W. SLATER: The amendment does not really do anything. The member for Bragg considers that the Totalizator Agency Board and the South Australian National Football League should be consulted in relation to making any rules that will apply. One of the reasons for the stipulation as it stands relating to consultation with the Totalizator Agency Board is that in relation to the racing industry the TAB operates an on-course totalizator system as well as its other operations, and a common dividend is paid. Any rules that are made will affect both on-course and off-course investments and dividends. Such consultation ensures uniformity of operations between the two.

Of course that is not likely to apply in relation to the South Australian National Football League, which will not be operating an on-course tote. I should not think that that would be the case: they were not even allowed to run a trifecta on the Magarey Medal. However, who knows, maybe the member for Bragg is anticipating a change of the rules. Anyway, I am a fairly generous bloke and I am in a generous mood: I have no objection to the Minister's consulting with the South Australian National Football League. I think that that is fair and reasonable, even though I do not think there would be a great deal of purpose in it. Nevertheless, there may be occasions when it is necessary, so I will accept the amendment.

Amendment carried.

Mr INGERSON: I move:

Page 7, lines 22 to 25—Leave out subsection (2) and insert the following subsection:

(2) The Totalizator Agency Board must make payments under subsection (1)—

(a) in relation to football totalizator pools resulting from betting on football-results in respect to football matches conducted on or before the 30th day of June—not later than the following 30th day of September;

(b) in relation to football totalizator pools resulting from betting on football-results in respect of football matches conducted after the 30th day of June—not later than the following 31st day of December.

I ask the Committee to accept the amendment.

The Hon. J.W. SLATER: Again, I do not think that the amendment will do anything other than create some administrative difficulties for the TAB. As I mentioned earlier, it is not anticipated that profits will be large, and it is proposed that distribution will take place before 30 June and not later than 30 September and that it shall remain for 12 months, to be paid not later than 31 December. There is a quarterly distribution for the racing industry, involving a far larger amount of money. Indeed, amendments to the Act were made some four or five years ago to provide quarterly distribution to the racing codes to enable them to establish a budget. Certainly, whatever we anticipate from the South Australian National Football Leage take as far as Footybet is concerned will not affect its budget, and in this regard it will be possible to budget, as happens with the racing codes.

The TAB's contribution to racing is extremely important, and consequently there is a quarterly distribution. In this case that will not matter at all. The amendment will cause administrative difficulty for the TAB. My advice is that distribution in the way proposed will cause difficulty. I anticipate that the period would begin from the commencement of the football season in April until the grand final in October, so it is not really 12 months. I do not see that the amendment does anything, and I oppose it.

Mr INGERSON: I ask the Minister to reconsider his position. While the sum may be small in relation to the TAB, it is a significant sum in relation to the Football League. Cash flow is important to the League, as it is to any organisation, and, while the proposition may cause some administrative difficulties for the TAB, the same system operates in the racing industry. The system would be fair and, indeed, legislation should be fair for those involved. Payment once a year instead of two payments from the TAB is not really a major administrative exercise because, as the Minister has said, there is not likely to be a big pool. With modern computers, the administrative exercise is really very simple. I ask the Minister to reconsider his position.

The Hon. J.W. SLATER: I have listened carefully to the comments of the member for Bragg, but he has not convinced me that this amendment is absolutely necessary. The sum involved is small compared to the total turnover: it will not affect the cash flow of the SANFL, because the League did not have this opportunity previously. The amendment is not necessary, and it would result in administrative problems for the TAB. It is anticipated that the funds will be distributed as soon as possible after the end of the football season, that is, in October. We would not gain much from the amendment but it would result in administrative difficulties for the TAB. I do not accept the amendment.

Amendment negatived; clause as amended passed.

Title passed.

Bill read a third time and passed.

EVIDENCE ACT AMENDMENT BILL (No. 4)

Received from the Legislative Council and read a first time.

DANGEROUS SUBSTANCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 March. Page 3269.)

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): This Bill does several things. First, it gives the Director of the Department of Labour the power of delegation: the licensing and other functions vested in the Director can be carried out on his behalf. This will tend to simplify and rationalise the licensing of people who wish to handle material such as petroleum and liquefied petroleum gas. It will allow for the delegation of responsibility to regional officers and simplify the operation of the Act considerably. It seems to be a sensible provision.

Mr Whitten: I'm pleased that you are so co-operative.

The Hon. E.R. GOLDSWORTHY: Members opposite will have no problem with me for the next half hour. I will agree to everything, so they should make the most of it! The second provision concerns the arrangement under which licences were granted in relation to existing premises when the new Act came into operation. The Government intends, sensibly, to bring these premises up to the requirements of the Standards Association of Australia. Of course, some premises were not of that standard, but there was no intention to put these people out of business—rather to ensure that over a period the standard of the premises was upgraded. Therefore, there was a conflict in law between the new Act and the regulations in relation to reconciling the current situation with what the regulations dictated. This Bill seeks to overcome that conflict.

From memory, the third substantial provision relates to the authority to ensure that premises are upgraded. The Opposition is always willing to support sensible legislation. That means that we oppose a fair bit of the legislation proposed by the Labor Party, but on this occasion we support the Bill.

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

BOILERS AND PRESSURE VESSELS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 3454.)

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I am pleased to say that the Opposition also supports this Bill. This is something of a record: I am supporting two Government Bills *seriatim*. Members opposite should not pass away in a complete faint. This Bill is also pretty sensible (and that is a record for the Government). It does three things. First, it requires manufacturers or installers of pressure vessels and boilers to commission and submit to the Chief Inspector an expert report in relation to the engineering of and calculations in connection with the boiler or pressure vessel.

The only question that arises is that of the entrepreneur or installer paying for this special report. It previously fell to the resources of the Government to see that the pressure vessel or boiler was constructed safely. I do not think that this is an unreasonable proposition for people who wish to set up in business. I can think of some of those magnificent developments during the life of the former Liberal Government, such as Stony Point, where I do not doubt for a moment that an enormous amount of work was involved in checking the pressure vessels on that site and I can imagine that that would have involved the Department—

Mr Max Brown: All done by boilermakers.

The Hon. E.R. GOLDSWORTHY: Yes, but the checking was done by the inspector and the Department. No doubt those people were highly qualified. I imagine that it would have involved the Government in an enormous amount of effort. It does not seem to me to be an unreasonable proposition that, when people intend to construct these fairly complicated structures involving complex engineering, it should be checked at their expense. The Liberal Party does not believe that the Government should undertake activities at public expense unless there is a very good reason for doing so, so I do not think that the first proposition advocated in this Bill is unreasonable, and the Opposition supports it.

If a great deal of effort is required to check the safety of proposed structures or pressure vessels, it is not unreasonable to expect the entrepreneur, manufacturer or installer to convince the Government that it is safe, because that is what it is all about—making sure that life and limb are not put at risk as a result of the construction of these facilities. So we support that proposal.

The second proposition in the Bill also seems to me to be very sensible. It seeks to facilitate the checking of boilers and pressure vessels already in operation. As has been explained in the second reading speech, it is with a great deal of inconvenience in some cases that the annual checking of boilers is undertaken. Of course, the obvious time to make a check on these vessels is during downtime, when maintenance work is being carried out. Under the present terms of the Act it is statutorily required that this be done annually by an inspector of the Department. I can imagine in many cases that this would be very difficult to accomplish, if it is accomplished at all, so the second substantial provision in this Bill seeks to allow the company concerned to have one of the employees do the job, if he is authorised by the chief inspector. The decision really comes back to the chief inspector to decide who is a fit and proper person to perform this check and, if he is satisfied, the employee is authorised to undertake a check and to supply a special report, as it is called. As was the case in the first proposition, a special report must come to the chief inspector for his perusal, and he must be satisfied. That seems to be also very sensible.

Thirdly, the Bill increases penalties rather steeply for infringements relating to refusal to obey lawful directions and generally in relation to infringements in regard to safety. We have no complaint about that. Quite obviously, when dealing with pressure vessels and boilers, unless one is meticulously careful, then the health, welfare and safety of workers is at risk. Despite allegations by the Minister occupying the front bench in the Premier's seat that the Liberal Party is anti-worker, that is the last thing we would want. Nothing could be further from the truth. The honourable Minister must not forget that I do have a long memory. It is incumbent on everybody concerned to see that every effort is made in these areas to ensure the safety of the people in the work place. So we have no complaint about the provisions which increase the penalties quite steeply on average from about $500 to $5 000 for breaches of the Act, because, when we are talking about the life and health of workers, we must be meticulous. I commend the Government for the second sensible provision to which I have referred, and we support the Bill.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I thank the honourable member for his support of the Bill. I think he has grasped what it is all about.

The Hon. E.R. Goldsworthy: Are we on the same wave length?

The Hon. T.H. HEMMINGS: Yes.

The Hon. E.R. Goldsworthy: Somebody has got to be wrong.

The Hon. T.H. HEMMINGS: When talking about the health and safety of workers I am being very serious. When I was about 22 I was working in another country where a pressure vessel exploded and caused a disastrous situation not only for workers in the area but for the actual workshop. The points made by the Deputy Leader were very relevant. He also made the point that when companies carried out their own inspections that gave the governing inspectors a chance to work on other areas with far greater effectiveness. I thank the Opposition for supporting the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Approval of design and construction.'

The Hon. E.R. GOLDSWORTHY: The only query I would raise is in relation to the cost of industry furnishing this special report concerning new and complicated installations. As I said earlier in my remarks, I think it is fully justified that this be a cost to the entrepreneur, the industrialist or whoever is involved, rather than a cost to Government. Would the Minister or any of his advisers know what sort of effort would be required in checking the engineering and the design work for the Stony Point development, including the Moomba/Stony Point project?

I imagine it would involve a fair bit of checking and a fair allocation of resources. It is the last major project I can envisage involving pressure vessels. Could the Minister or his advisers indicate just what would be involved from the Department's point of view in terms of man hours, how long it took, or what it cost? It is going to be transferred to the entrepreneur, with which I agree, so the chief inspector has an oversight of the whole operation. All he has to be convinced of is that the check is genuine, and there are fairly substantial penalties involved. What would be involved in checking a project such as that?

The Hon. T.H. HEMMINGS: The Deputy Leader of the Opposition mentioned Stony Point, a very good case in point. The cost for that checking would be around $30 000 to $40 000, but the Industrial Relations Advisory Council, when it considered this clause, agreed that it was the responsibility of the entrepreneur, and, in effect, whilst the cost was $30 000 to $40 000, that was money well spent because it fast tracked the whole thing down. There was expertise available. If departmental officers had done it, it would have taken far longer and in effect would have delayed the project.

The Hon. E.R. GOLDSWORTHY: I was not aware of that information. If I understand the Minister correctly, the Department called on the resources of the companies concerned (or in this case Santos, the operating company) to provide some of the checking. Is that what the Minister is saying?

The Hon. T.H. HEMMINGS: We did it ourselves, but on a project of that size—the Deputy Leader quoted Stony Point—the cost of the company doing it itself would be of the order of $30 000 to $40 000. The cost to the company would be only $440, because that is what the Statute says at the present time, but in future (and I am sure the Deputy Leader joins with me in hoping that there will be other projects of that size in South Australia) the cost of the company using its own consultants would be in the order of $30 000 to $40 000.

The Hon. E.R. GOLDSWORTHY: The fee was $440 to the company for the Government to do the checking, which cost the Government $30 000. In future the company will do the checking and it will cost it $30 000; the Government will spend some time (I do not know what that would be)

to make sure that the $30 000 has come up with the right answers.

Clause passed.

Remaining clauses (5 to 20) and title passed.

Bill read a third time and passed.

URBAN LAND TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 March. Page 3456.)

The Hon. D.C. WOTTON (Murray): Mr Deputy Speaker, before I start I draw your attention to the state of the House.

A quorum having been formed:

The Hon. D.C. WOTTON: Mr Deputy Speaker, I again draw your attention to the state of the House.

Ms Lenehan: That is childlike.

The Hon. D.C. WOTTON: It is not childlike. What is the use of bringing everybody in and seeing them all traipse out again?

A quorum having been formed:

The Hon. D.C. WOTTON: Mr Deputy Speaker, it shows what a farce it is when the Government is supposed to be holding the numbers and you call for a quorum and have to repeat your call within a matter of minutes.

I say at the outset that the Opposition opposes this Bill, and I will explain why in due course. Before doing that and before dealing with the provisions of the Bill, I want to refer to what we saw during the term of the previous Liberal Government as the main aims and objectives of an appropriate land banking policy. It is a policy that we would wish to rekindle when returning to Government at the next election.

Our Government, the previous Liberal Government, was naturally concerned that land prices should remain relatively stable, but was totally opposed to direct intervention by the public sector in the land development process to achieve that goal. The Liberal Government's major concern was that, under the policies of the previous Labor Government, through the South Australian Land Commission, public funding was being used in an activity which could be far better carried out, we believed, by the private sector. Creating a climate of private investment confidence was of paramount concern in considering the changes we believed necessary. That is why, in early 1980, the Government redefined the Land Commission's role limiting its activity to land banking.

Under that arrangement development was to be undertaken by the private sector. The restructured Land Commission (now known as the Urban Land Trust) is subject to the direct control of the Minister in matters of general policy. It requires Ministerial approval for the purchase of land as it stands at the present time and does not have powers of compulsory acquisition. Changing the structure and function of the Commission was one component of a set of Government policies aimed at promoting the orderly and economic development of metroplitan Adelaide. Others included a commitment to limiting the rate of urban sprall by encouraging infill and redevelopment in existing developed areas and implementing, where possible, policies that result in effective and efficient use of land in the existing developed urban area.

In restricting public sector activity to land banking the Government saw that it had the duel objective of promoting a healthy stable development industry whilst, at the same time, relieving the need for investment of public sector funds in areas of the industry within the financial capacity of the private sector. So, the Government's role was one of urban land management rather than development and the land bank constituted its most effective mechanism for maintaining minimum prices for residential allotments whilst encouraging the orderly development of the metropolitan area.

The private sector was given the responsibility, and has carried that responsibility very effectively and efficiently, to market development blocks. The Urban Land Trust was to sell parcels of broad acre land for subdivision by private developers in a range of locations at a rate that reflects actual demand and in a manner in accord with the programmes and infra-structure of servicing authorities. Responsibility for preparing the broad development strategies and undertaking structure planning of new residential areas as we recognise it now rests with the Department of Environment and Planning, in association, of course, with local government.

In doing this the Department, under the previous Liberal Government (and I do not think it has changed very much under the present Administration) undertook certain activities. It could be divided into four structure areas: first, monitoring; secondly, forecasting; thirdly, development programming; and, fourthly, structure planning. The department had a responsibility in monitoring activity in the land and housing market to ensure the supply of vacant developed allotments, and allotments in the planning pipeline or under construction to meet forecasting demands. That information is summarised on a quarterly basis and made available to the industry. I presume that that still happens, although I am not sure whether it still comes out on a quarterly basis. I hope that it is. The Minister indicates that that is the case.

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: No, I do not. I would appreciate that. I have asked previously and for a while I was getting them, but in recent months that has not been the case and I would appreciate picking it up. The Department had the responsibility of forecasting dwelling demands for Adelaide. I presume that such forecasts are still produced by the Department annually. Those forecasts are used by the Department in development programming work and distributed to other Government agencies to provide a consistent basis for their forward planning.

We looked at development programming with dwelling demand forecasts for Adelaide, which go toward the local government area level and are compared with vacant allotment stocks in those locations. This, of course, establishes the location, timing and extent of need for appropriately zoned broad acres which provides the basis of the programmes of the Urban Land Trust and servicing authorities.

Structure planning that is based on predicted demand where the Department is able to prepare, in co-operation with local government, broad plans for new residential areas incorporating the requirements of local government and servicing authorities. We saw that that package of procedures provided the previous Government with the means of maintaing orderly and planned development of the urban fringe and went a long way to ensuring adequate supplies of development land for residential purposes without participating directly in actual development.

The Government of our day certainly recognised the responsibility it had for guiding the future development of the metropolitan area, and was committed to protecting the standards of urban amenity enjoyed by the majority of Adelaide residents. It also appreciated that development had become a more complex and capital intensive process as a result of both marketing and regulatory factors, and we certainly acknowledged the need for the closer integration of private and public sector activities to maintain minimum allotment prices. We were convinced that the main objectives of the Government could be achieved best through the prudent management of its land bank without becoming directly involved in land development. Its objectives were

to utilise the resources of the private sector in discharging its urban responsibilities by providing to private industry the information, guidelines and raw urban land in a manner which assists and maintains a stable and viable development industry.

I believe that generally the Urban Land Trust has carried out its responsibilities since that time very well indeed. We can be very thankful for the type of people we have had serving on that Trust. They have been able to contribute much, because of a considerable amount of expertise they have had in various areas, to maintaining the appropriate direction as far as development in this State is concerned.

I expressed in a previous debate in this place my concern in that the previous Chairman, Mr John Roche, had to leave that position. His position was taken by Mr Allan Powell, who has filled that role very well indeed. Both gentlemen have had considerable expertise in their own fields, particularly in the area of development, and have been in a position to guide the Trust very well indeed

So, looking back on that, the Urban Land Trust was reconstituted in the early 1980s from the former South Australian Land Commission and the principal effect of that legislation at that time was to reduce substantially the role of the Trust but to establish it as an effective urban land bank with the removal of the powers to develop land in its own right and to compulsorily acquire land.

The present Bill before us introduces a number of significant amendments to the principal Act. I will deal with them in order of importance as I see it. The first is to provide the Trust with limited powers of compulsory acquisition of land. During the period of the Land Commission, public sector land purchase generated considerable controversy, mainly because the then Commission was in direct competition with the private development industry and was sure to be in a position of having an unfair advantage in securing land.

The previous Liberal Government introduced the system which currently applies and which is working well. In 1984 the Urban Land Trust Act was amended to enable the Trust, with the approval of the Minister, to undertake development on a joint venture basis. We expressed concern at the time of that debate that that provision might be broadened to such an extent that we would see a considerable number of joint ventures occurring. At that time some concern was expressed by the private sector that perhaps that may have been the start of the return to the days of the Land Commission. One cannot blame the private sector for being very nervous about that.

The Hon. D.J. Hopgood interjecting:

The Hon. D.C. WOTTON: I am not saying that that is not the case. The private sector is generally satisfied and was very supportive of the direction that the Government took in regard to the Golden Grove development and the joint development procedures there. It has been very well received by the private sector.

I have had considerable consultation with the Urban Development Institute over the reintroduction of limited powers of compulsory acquisition. The Institute has swung a little on this issue. When I first talked to it, it expressed strong support for the need for some form of compulsory acquisition. We had the opportunity to look at examples where it was felt by the industry that it would be necessary for compulsory acquisition to be available.

In latter days, in the discussions that I have had, I do not believe that that support is quite as strong as it used to be in relation to compulsory acquisition. But, whatever the case, I have made my position known to that excellent Institute. We are very fortunate in this State that an Institute such as the UDIA is working as well as it is. They are very dedicated people who have a very good knowledge of land development generally and contribute considerably to appropriate development in this State.

I have made known that, the powers for the Government compulsorily to acquire land for development purposes having been removed, and there being a recognition that the rights of private ownership are so strongly supported by the Liberal Party (perhaps also with people being nervous of the future direction in which a Labor Government might move in regard to this provision), the Liberal Party is opposed to and will not support the reintroduction of compulsory acquisition provisions in this legislation. I recognise that there are what the Minister has referred to as safeguards. I do not go quite that far: I do not think they really are safeguards.

I know that the opportunity is provided in this Bill for a person or organisation that owns land to commence to develop, and if they have not commenced within a two-year period, compulsory acquisition can proceed. If there is a sign that the owners of the land intend to develop the land privately, compulsory acquisition cannot take place. We are not even convinced by that. We are not convinced that there is a necessity to reintroduce compulsory acquisition. It goes right against the principles for which our Party stands. We certainly are not prepared to support it.

There are other matters in the Bill: the development industry has made clear that it is not happy with and is opposed to some of the other provisions that have been included in the Bill. The Minister will have the opportunity to say more about that later. The provision that one of the members of the Trust is to be a person nominated by the Minister after consultation with the Commonwealth is to be removed, and I support that. There is no need for that to happen. Fortunately, there is now no Commonwealth involvement as a result of a lot of hard work on the part of the Fraser and Tonkin Governments.

Many of the problems that were previously experienced at that level were ironed out and there is not now Commonwealth involvement. However, this Bill provides that that person is to be replaced by a person having appropriate knowledge and experience relating to the development and provision of community services. It is obvious that the present Government is on a community services wagon: we have seen it in the Planning Bill. I recall asking a question at that time about some form of definition of community services, and I was not terribly satisfied with the answer that we received at that time.

However, there is already an opportunity for two officers of a Government department or agency to serve on the Trust. One of those people could, if it is the wish of the Government (and I am not denying that) contribute as far as community services are concerned. I see a very real need to have on the Trust someone who has appropriate financial expertise. That is essential. If we look back over the history of the Land Commission and the many difficulties—and I do not want to go into those now because I have had an opportunity to do that in previous debates in this place when I have described some of the massive problems that we had as a result of financial matters, particularly in the latter days of the Land Commission—we see that it is very important that we have someone on that Trust who has financial expertise.

If the same number of people are to be retained on the Trust, I give notice now that on coming to Government we would look very closely at that number. If possible, I would like to be able to reduce the number of people who actually make up the Trust. However, recognising the number that are now there, it is important that we have someone who is able to present to the Trust the financial expertise that is very much needed. So, the Opposition opposes what the Government is doing in that regard.

Regarding the Trust's powers and functions, the Act provides that the Trust shall be subject to the general control and direction of the Minister. This Bill provides that the following should be added:

the proper co-ordination of the Trust's activities with those of other public authorities and the creation of a sound physical and social environment in any new urban areas developed with its assistance.

The Opposition is opposed to that amendment for the following reasons: in relation to the provisions in proposed new paragraph *(a)* of section 14 (6), referring to, 'the proper co-ordination of the Trust's activities with those of other public authorities', the Opposition and the private sector are concerned that this could lead to the Minister or the Government directing the Trust to sell land to the South Australian Housing Trust or to any other Government authority at a price less than market value, once again leading to a heavily subsidised public sector. The Minister might wish to have something to say about that. I can assure him that the private sector is concerned about this matter.

In relation to proposed new paragraph *(b)*, referring to 'the creation of a sound physical and social environment in any new urban areas developed with its assistance', there is concern that the Minister could direct the Trust to fund community facilities from the sale of broad acre land. That used to happen, and there is concern that that might occur again, and to a much larger extent. It is considered that this could reduce the amount of funds available for the purchase of broad acre land and thus reduce the supply of land for the land bank. This could again see the return of a system where funds have to be borrowed and interest added prior to land being made available to the private sector, thus inflating land prices.

A certain amount of nervousness is prevalent in the private sector, and we certainly recognise this. I understand that a provision exists under the New South Wales legislation that allows for developers to be levied for community facilities, that that legislation is now being used extensively, and that, in turn, it has forced up considerably the price of land for first home buyers. The Minister might also comment on that matter; certainly, that is how I see it. I have discussed this matter with people in the private sector in New South Wales, and they have expressed considerable concern about this matter. We certainly do not want that situation to occur in South Australia.

The Bill extends the disclosure of interest provisions and stipulates that they will apply to members and officers of the Trust, and that appropriate penalties will attach thereto. Obviously, the Opposition supports that provision, as it is important. However, when considering the rest of the legislation, we do not think it is important enough to justify support of the Bill. The Opposition does not support the Bill. I will be interested to hear the Minister's response to the points that I have raised. The private sector is seeking clarification in a number of areas through this debate.

Those in the private sector will need to be satisfied of the direction that the Government intends to take in regard to the matters to which I have referred. The Opposition opposes the legislation and certainly opposes the reintroduction of compulsory acquisition. This will be opposed in both Houses. However, depending on answers given by the Minister, it might be necessary for the Opposition to reconsider some matters in the Bill when it is being considered in the other place. At this stage, the Opposition opposes the Bill.

Mr S.G. EVANS (Fisher): I oppose the Bill, and I will first speak in general terms. I am not convinced about the merits of the way in which compulsory acquisition has occurred over the years and whether this power has been used fairly. The Land Acquisition Act provides the Government and local government with power to acquire land for a stipulated purpose, which land can then be used for another purpose, and the power to acquire from an individual land that then can be sold to another individual in a private sector. This happened in relation to the Hilton Hotel, for which the property of W.D. Angliss was acquired by the Adelaide City Council—from an unwilling seller—and then sold to a private operator. That occurred when the previous Liberal Government was in office.

The Hon. D.J. Hopgood interjecting:

Mr S.G. EVANS: I have never supported that, and I make that quite clear to the Minister. In 1969, the Hon. Mr Hill introduced a Bill to change the Land Acquisition Act. I think the Adelaide City Council wanted local government to be provided with land acquisition powers, to enable local government to buy people's properties and to transfer them to other Government agencies, local government agencies, or private individuals. I was strongly opposed to that sort of action. People told me that I was wrong in thinking that and that nothing would happen.

The Hon. D.J. Hopgood: Why didn't you vote against it?

Mr S.G. EVANS: I did not vote against it because of the restrictions that are sometimes put on members when in Government—and the Minister knows that. I expressed my views in the strongest terms to the Party. I admit that at times I bow to Party pressures. I do not deny that. However, at that time people tried to convince me that what I feared would not occur, but it did occur. The same thing very nearly happened at Salisbury in relation to a proposed new major shopping centre. The Government wanted to buy private houses and kick people out of where they had lived all their lives so that some shopping complex could go ahead. The principle of acquisition of properties for these sorts of purposes is pretty cruel. Going back even further, Carclew is an example of this. The principle of acquisition of property by Government agencies to sell to private individuals is even worse. If private individuals or companies want to buy properties, they should negotiate for it in the market place with other private buyers.

More specifically, in relation to this proposal, the Urban Land Trust does not need this provision. It could be argued that, as an individual body, they might need it. However, in this case, if the Government so wished, it could acquire the required land under the Land Acquisition Act as it now stands; it could then transfer or sell the land to another organisation if required. Therefore, the compulsory acquisition provision in the Bill is not needed by the Urban Land Trust to enable it to obtain properties that it may require. Therefore, members should recognise that this is an unnecessary provision.

I now want to refer to what I term a 'cussed provision'. I have called it that because I think it is a disgrace. I refer to proposed section 14a (4), which relates to the Trust's issuing a notice to an individual indicating that it wants a certain property. If the individual concerned can show that a plan or application for subdivision to use the property has been lodged, and that person can proceed with the proposal within a two year period, the Trust cannot go ahead with the proposed acquisition. That provision sounds reasonable, and gives the owner of a property the opportunity to proceed with the development if that person so wishes. If one believes in acquisition of land by the Trust, that proposal would not seem unreasonable. I do not support that provision, but it introduces some reasonableness. New section 14a (7) provides:

Where the Trust has been prevented by the operation of subsection (4) from acquiring land for any period but the land is subsequently acquired by the trust by compulsory process within

three years after the service of the first notice of intention to acquire the land served by or on behalf of the trust, then, notwithstanding the provisions of the Land Acquisition Act, 1969, the compensation to which the proprietor of the land is entitled shall be assessed in all respects as if the acquisition had been effected as soon as practicable after the service of that first notice of intention to acquire the land.

It provides that, during a recession in the land market, the Trust can serve notice on property holders. Future development may be envisaged in the knowledge that the market must improve. The Trust can serve notice on people who, it knows, have plans to subdivide, but the process can be held up a little because the market may be depressed. People may not be prepared to spend money putting in sewers or water mains, increasing the value of the property to some degree because, when they sell, an increased land value would attract increased land tax. Therefore, people have to cover an increased cost factor in a depressed market. It is then stated, 'We cannot compulsorily acquire the land because of the two year process', and the owner may be forced to battle it out, trying to recoup equity or costs arising from the extent of the loans. Three years later the process of acquiring the property can proceed according to the value that was set three years previously. In that time the market might have boomed, but the owner is not entitled to the market value at that time.

If the Minister thinks I am wrong, let him say so. Irrespective of the 1969 Land Acquisition Act, that is the position. We cast aside all those provisions, and as far as I am concerned, that is not on. The Minister might say, 'What happens if a notice is served when the market is booming, when prices are high, and three years later there is a depressed market?' In that case, the Government will have taken a punt, but it can better afford to carry the load than a person who has borrowed money for that purpose. If the Bill provides a person with the opportunity to develop land over two years before the acquisition process can be put into effect (if the development goes ahead) and if the Urban Land Trust believes that it should still acquire the property, the Trust should pay the market value at that time. What happens once the first notice is served, as regards the ordinary inflationary trend including land or the interest paid on money? A person may have borrowed most of the money for the development (he might have been paying 15 per cent on, say, $250 000 over a three-year or 3½ year period, and we have seen huge inflationary trends over such periods), and the Government then says, 'The Trust will pay you what the land was worth 3½ years ago.' That is my reading of the clause. If that is the correct interpretation, the clause should be deleted. I would object to it very strongly.

The Urban Land Trust was established to bring cheap land on to the market. It was able to do that when cheap land was available. However, over the years we have allowed the E and WS Department to charge huge prices for installing water and sewer mains. The developers and the Urban Land Trust have had to pay these fees. The Department claims that it costs a lot to dig drains, but we could dig them more cheaply with a tablespoon and they would be better than the drains that the Department digs with back hoes. I have heard complaints about water mains extensions. Because I have a background in the earthmoving field, I am disgusted. Local government, which has the burden of repairing roads, is trying to ensure that subdividers establish better quality roads, but the subdividers and the Urban Land Trust do not pay for that facility—the property owners and the house builders pay for it.

Underground power is much more expensive than overhead lines. It is claimed that wires should be underground for aesthetic reasons and in some areas, it is claimed, for fire safety reasons, but, in the long term, that is hogwash. The question is not whether a fire will occur but when. There is a rotten system of land tax. The more land one owns, the more one pays in the dollar, so the cost of holding allotments increases and not only for developers.

We talk about acquiring land and creating allotments for individuals, but we do not encourage the average person to acquire a block of land for their son or daughter. Holding charges, minimum council rates, land tax, and all the other costs make that prohibitive. The argument behind the establishment of this organisation is that it will acquire land and make it available, but that does not stand up when we consider what the Government does in other areas. In good old Aussie terms, it is ripping people off and making the holding process of land prohibitive for the private individual.

The Urban Land Trust might want to own a lot of land and to have the power to force certain areas of land on to the market at a time that suits it. That has been done to a degree in recent years under the old Land Commission, the Housing Trust and some of the bigger developers. We did what Hugh Hudson argued, when he was in this place, was not a good practice—something which I agreed with him, and with many other people who understood that the sensible development of urban areas was to achieve a society mix, should not occur. However, we have allowed it to occur and we are faced with a situation where a community grows overnight, where there is a demand for child care centres, kindergartens, primary schools and high schools all at once, but where later there is a decline in the age grouping of the population so that there is an over-supply of certain facilities in some areas.

We remove the opportunity for a society mix. Old people in the community can keep an eye on the neighbourhood and act as nannies and look after the younger ones, so that the cost of living in that area is cheaper. It is also safer, and people have a better understanding of the age groupings of society. The shadow Minister said that the private sector was reasonably happy with the Golden Grove project, but I am not yet convinced that that is a good scheme. The big operators may do all right from it, but the small potential home owners and the small builders particualrly have been left out in the cold. I am not thrilled with the way in which the Golden Grove scheme has gone ahead so far. The future will show whether we as a Parliament have tended to condone the big operators getting bigger and the small builder, particularly in depressed markets, paying the penalty. I oppose the Bill for the reasons my colleague mentioned and also for the other reasons I have outlined.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I really am bluffed. I guess one sits here and sometimes feigns a deal of suprise at what the Opposition does, but I really am genuinely suprised that the Opposition is opposing this Bill. I was interested in what the member for Murray had to say. He put a good deal of work into his speech and of course he has the advantage of having been the Minister who had charge of this legislation for something like three years. He seemed to me from time to time to be, in a sense, wanting to justify his opposition to compulsory acquisition in terms of the restructuring that took place under the Liberal Government and the Liberal Government's opposition to the Urban Land Trust's acting like a Land Commission and in fact selling serviced allotments to the community.

However, he of course is honest enough in his own mind to know the Urban Land Trust's acting as a Land Commission is not the issue here. Clearly this legislation does not envisage it and this Government has now been in government for almost three years and has made no attempt to reinstate the Land Commission. In fact, the matter of land banking and whether or not compulsory acquisition is pertinent to land banking is a separate matter from the way

in which serviced blocks should eventually be delivered to the end consumer. In a sense the honourable member seemed to be flagging some of this confusion by pointing out that he felt there was some controversy in relation to the compulsory acquisition powers under the Land Commission, but then went on to say that that was largely because the Land Commission was in competition with the private sector.

The Hon. D.C. Wotton: Not 'largely because'—that was a component.

The Hon. D.J. HOPGOOD: It was the point he made, the point that was pertinent to the argument it seems, but of course that is not a matter that is in issue. We are not attempting to restore an agency that has both compulsory acquisition powers and also powers of subdivision in the marketing of serviced blocks. So that concern, which may have been within the breast of private enterprise at that time, is not one that would return. In fact, the other factor which occurred in relation to the acquisition process under the Land Commission was that a good deal of financial uncertainty and eventual financial embarassment was transferred from the private sector to the public sector. There were those people who complained when land was acquired from them. The land had originally been purchased by them as an investment, but in fact they probably would have lost the lot in the land slump of the 1970s if they still had those investments alive. Of course, those investment have been liquidated and they received their cash as a result of the acquisition. It was the Land Commission itself which had to bear the brunt of that collapse of the market.

The honourable member went on to talk about the package that had been put together by the Government of which he was a part. What I found very interesting about that (and we are all aware of the outlines of the package) was that it did not deliver the goods. It did not do what it was designed to do. What I am sure was uppermost in the mind of the honourable member and his Premier at the time was, 'Things are pretty bad in the land market. The Land Commission must be to blame'—firstly because it was introduced by a Labor Government and, secondly, it was what the Liberal Government would see as an instalment of socialism. Because they did not like either of those two things and the Liberal Government said anything the Labor Government did was socialism, therefore, that must be to blame and, therefore, they would change all that, remove that element of socialism, and provide that subdivision can be carried out only by the Urban Land Trust in the broad and put marketing back to private enterprise. When all that did happen did private enterprise leap into the breach? Did they say, 'All of these controls and dreadful things which are associated in certain people's minds (Liberal Party politicians, and so on) with Labor Governments, now are all gone, so let us get in there and start to subdivide land and say we go?' They did not.

Of course, the reason they did not was that the market conditions simply were not there. Nobody was buying land. It had nothing to do with whether the instrumentality was publicly or privately owned, whether it was being financed with public or private funds, but it had an awful lot to do with the fact that there was a market that had hit rock bottom. I have always maintained that in fact a public instrumentality does have a degree of insulation against the market which private enterprise obviously does not have.

Despite the financial constraints and the difficult market conditions of 1979 and 1980, and perhaps into 1981, it would have been possible, had there still been a Land Commission, for some continued provision of serviced blocks of land on the market to have been made available; for that function which private enterprise was not fulfilling, because it was not making a profit out of it, to be fulfilled by the public sector. But there was no longer any public sector for that to happen, so nobody was fulfilling that function, and it remained for the return of market conditions for the industry to get going again. This Government has tried to do all it possibly can to encourage the industry, to take obstacles out of the way, and to get supply and demand back, but we have to accept that, for as long as the provision of serviced blocks of land is a private enterprise, we are almost completely at the mercy of the market.

If we want to cut through that, then there is a way to go which was pointed out by the previous Labor Government. That is not what we are attempting to do, and indeed the market conditions at present are very favourable to private enterprise. Private enterprise is of course attempting to make up for the lost years of the very late 1970s and early 1980s. I think they are doing very well. They are performing extremely well, and eventually that benefit will flow to the consumer. Of course, the tragedy is that quite obviously the industry was not able to tool up as quickly as everybody would have liked to meet the renewed demand when it came. That is being reflected in the market at present and in the end cost to the consumer. There are other factors at work, but they are the main ones.

The honourable member has said quite a lot about the fears of industry. He mentioned the UDIA, which I agree is an excellent body. I want to go on record, and I do not think I am breaching any confidence here, by saying that, so far as I am aware, to the best of my knowledge, the UDIA and the industry generally take issue with only one subclause of this Bill, and it is a subclause upon which the honourable member dwelt for some time. I refer to clause (5) *(c)*.

The Hon. D.C. Wotton: I think you will find it is more than that.

The Hon. D.J. HOPGOOD: I do not think it is more than that. I do not want to breach any confidence, as I say, but so far as I am aware that is the only real objection by what one might call the opinion leaders in the industry. Indeed, as the honourable member would be aware, the industry originally called for the reinstatement of the compulsory acquisition provisions. That occurred at a seminar at Wirrina, when the industry called for the reinstatement of the compulsory acquisition provisions. So what it really gets back to is, given that, so far as I am aware, the industry is not nervous about the reimposition of the compulsory acquisition powers, but that it has some problems with detail about one aspect of the Bill, an ideological position on the part of the Liberal Party.

I guess I am putting the kiss of death on the member for Fisher, who has twice today earned an accolade from me, but he is consistent. He said he has always opposed compulsory acquisition, but he reminded us that the Land Acquisition Act, 1969, was introduced by a Liberal Government and the then member for Mitcham (Mr Millhouse), who I think was introducing the Bill, and the Premier at the time (Mr Steele Hall, now MHR) did not see that legislation as being in any way foreign to Liberal Party philosophy. I do not think the member for Murray does, either, but the member for Fisher does, and that is another thing. I was also interested in his admission that from time to time on policy matters members of the Liberal Party do indeed respond to the Whip.

That is an interesting one, because I had to sit through my first four or five years in this place with a lot of drivel from people opposite trying to pretend that they really were independent, and it just happened that occasionally they got together. With a bit of honesty from the member for Fisher, who rejoins us, that is a breath of fresh air. I will not go any further and embarrass the honourable member in relation to that matter.

The South Australian Housing Trust, I remind the member for Murray, is not in competition with private enterprise. There is no intention on the part of this Government that it should direct the Urban Land Trust that it sell land to the South Australian Housing Trust at less than what any private enterprise purchaser would pay for that same land. It may be that the Urban Land Trust will be looking for cheaper land. It may well be that it is private enterprise that will go for the dress circle blocks, wherever they happen to be, because they are able to recoup by servicing a broader sector of the consuming population, and that will be shown up of course in the statistics. That has nothing to do with favouritism being exhibited on the part of the Urban Land Trust or by any direction that I might give.

Members of the Opposition also raised matters such as the qualifications of membership on the Urban Land Trust. We are taking the opportunity of there no longer being any substantial Commonwealth involvement to change things a little here. I want to say a couple of things about that. First, in some respects I regret that the Commonwealth is no longer involved.

I know what the honourable member was talking about. I am aware that the defect in the financing from 1974 or whenever it was, where in effect the Urban Land Trust had to work completely with borrowed money (that was always a problem for it), was fixed up during the time of his Government. I have never tried to hide that particular matter. The reason the Commonwealth was originally involved was because of the considerable Commonwealth assistance by way of that $17 million loan provided by the Whitlam Government.

The reason for compulsory acquisition powers is that we really have to get back into land banking, and compulsory acquisition is seen as a tool that is necessary in land banking, though, as the honourable member would know, under the old Land Commission, for the most part acquisition occurred by agreement and not by the compulsory process. That would remain, but compulsory acquisition is seen as a necessary part of that scene.

The other thing that is necessary in a scheme of land banking is to have the wherewithal, the resources, the simoleons, the mazuma with which to acquire this land. Ministers for Environment or Planning or whatever we call them around the country are saying here and now that if we are to look to the future of our cities, 15 to 20 years into the future, it will be necessary to look to Commonwealth assistance in the acquisition of future broad acres.

In the last year or so, the Urban Land Trust, in common with private enterprise agencies, has done fairly well out of the land boom. It had blocks that were still on the market, of course, from the old Land Commission days, and that was eventually cleared. So people in the business have done fairly well. There has been an accession of cash to the coffers of the Urban Land Trust which in turn can be put into land banking in the future.

I doubt very much when we look down the track whether that will be seen as sufficient resource to be able to adequately address land banking problems. We would certainly be looking to the Commonwealth to assist, as with the other States, and for that reason, in some ways I regret that the Commonwealth is no longer directly involved.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Constitution of the Trust.'

The Hon. D.C. WOTTON: I made the point in my second reading speech that I saw it as being very appropriate that we have a person who is recognised as being able to contribute financial expertise to the Trust. I believe that that is the case currently and that person on the Trust who has had considerable experience is able, I am sure, to assist the Trust in a number of matters relating to finance. I would like to know from the Minister how he feels about that, as I said, and he did not refer to those with appropriate knowledge and experience relating to the development of provision of community services. As I pointed out, already there is the opportunity for two officers of a Government department or agency to serve on the Trust and one of those could fill that capacity, but I see the need for a person specifically to be there in regard to financial expertise. I would like the Minister's opinion on that.

The Hon. D.J. HOPGOOD: The Chairman and the General Manager of the Trust are both financial specialists and I envisage that that matter would continue. I draw the honourable member's attention to sections 14 (2) *(c)* (ii) and 18 (3) of the Act which talk about the powers of the Urban Land Trust to divide land for the provision of community facilities, and again talk about financial assistance for community facilities. That is in the parent Act at present. It seems appropriate that some expertise should be available on the Board to give advice in these matters.

The Hon. D.C. WOTTON: I do not know whether I should raise this, but I have already expressed an opinion that I believe that the Chairman is serving the Trust very well indeed. If I recall, I think the Chairman was appointed to fill the qualification required, the one we are knocking out as far as the Commonwealth involvement is concerned. I am not suggesting for a moment that we have to introduce a qualification on the part of the representatives on the Trust to fit the bill for one person, but I am sure that the Minister will find that that is the case, and I am sure that I am not going too far in saying that I think the current Chairman would have more financial expertise than anyone else serving on the Trust at present. I hope I am not being unfair to any other member of the Trust.

The Hon. D.J. HOPGOOD: So far as I am aware, the current Chairman was appointed as a private enterprise representative and Mr Roche was appointed as a person with experience and knowledge of local government. That position has been filled. The notional Commonwealth representative in that has been filled by the Assistant Director of Lands, Mr Rod Elleway. That is how the various matters pan out.

Clause passed.

Clause 4 passed.

Clause 5—'Powers and functions of the Trust.'

The Hon. D.C. WOTTON: I expressed concern about the fact that we could see a situation where the Minister could direct the Trust to fund community facilities from the sale of broad acre land. I do not want to go into what I said before, but I spelt out the concerns that were recognised at the time of the Land Commission, and I do not want to see that happen again. Will the Minister expand a little on what he had to say?

The Hon. D.J. HOPGOOD: I point out that *(a)* and *(b)* of *(c)* are the particular matters to which the honourable member refers. I would have thought that most people would see these as unremarkable parts of a charter of an Urban Land Trust: an Urban Land Trust should be able to do these things. I would certainly not, as Minister, want to operate in such a way as to give instructions to the board of the Urban Land Trust in the way that the honourable member suggests. However, I believe that the Trust, in carrying out its responsibilities, should have regard to these two matters, and I would have thought that was sound planning and it would be difficult for reasonable men and women to disagree with it.

The Hon. D.C. WOTTON: As the principal Act stands, it states that the Trust shall be subject to the general direction and control of the Minister. There are no specifics at all.

While I recognise and appreciate what the Minister says in relation to *(a)* and *(b)*, there is some uncertainty about why at this stage the Minister would want to become specific, and that is the point I make.

The Hon. D.J. HOPGOOD: One of the problems is that, during the time that the honourable member was Minister, many of the functions that have been carried out in terms of a policy content under the Urban Land Trust were transferred to the Department. That is well and good, provided the traffic of information, usually through the Minister, is flowing free and unimpeded. That does not always happen, and we have to look at giving some of that content and flavour back to the Urban Land Trust.

Clause passed.

Clause 6—'Provisions relating to acquisition of land.'

Mr S.G. EVANS: Is my interpretation of the monetary contribution to be paid for land accurate or inaccurate?

The Hon. D.J. HOPGOOD: We believe that it is important that there should be some financial disincentive to people adopting delaying tactics. If they have a genuine desire to subdivide, that is all right, but there should be some disincentive.

Clause passed.

Remaining clauses (7 and 8) and title passed.

Bill read a third time and passed.

LIQUOR LICENSING BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments Nos 4 to 16, and had disagreed to amendments Nos 1 to 3.

LAND AND BUSINESS AGENTS ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

SUPPLY BILL (No. 1) (1985)

Returned from the Legislative Council without amendment.

ADJOURNMENT

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That the House do now adjourn.

Mr S.G. EVANS (Fisher): I wish to express a personal view and explain why the Opposition did not divide on the Bill just passed. If it had, time would not have been available for a grievance debate and the House would not have had the opportunity to make the three 10 minute speeches if a division had been forced. Our opposition to the proposal is strong and our colleagues in another place I hope will take the necessary action to express the strength of our opposition there. That is the only reason why a division was not called on that Bill.

I wish to refer to the matter of vehicles passing on the left or right of the road, a matter that concerns me. My colleague in another place has given notice that it should be made compulsory for people travelling in the right hand lane of a multi-carriageway to move to the left to allow traffic to pass on the right. If they do not, they will be breaking the law. The Government has suggested that it is considering that type of proposal but at making it applicable only to those areas where the maximum speed limit is set at 80 km/h or greater. I wish to express strongly a view about the section of the main south-eastern road which joins the Glen Osmond area with the main freeway at about Crafers.

I express in the strongest terms my concern that neither side of politics has yet taken up the aspect of what one does if one is travelling at the maximum speed allowed by law in the right hand or off-side carriageway and somebody comes up behind at a speed faster than that allowed by law. Does the person travelling at the speed required by law pull over to the left to condone somebody breaking the law and lock themselves in when moving to the left hand side, behind STA buses or slower moving vehicles and run the gauntlet of getting back into the right hand lane to travel at the maximum speed allowed for that section? Neither side of politics has taken up that aspect.

Many constituents have contacted me and said that they have been harassed, have had lights flashed and horns hooted at them on that section of road and others when travelling at the maximum speed entitled by law. Others behind them have wanted them to pull over when the law provides that, if a person wants to pass on the left hand side of a motor vehicle on a multi-carriageway, they may do so. It is not illegal and has always been lawful. If a person wants to go to the inconvenience of breaking the law by travelling at more than 80 km/h in an 80 km/h zone, let him break the law and take their chances.

The motorist who is driving within the law should not be inconvenienced by having to pull over. Some constituents have contacted me and said that the proposal about pulling over to the left to allow people to pass is great. However, when I have explained that neither the Government nor the Opposition has taken into account the aspect of travelling at the correct speed, people have said, 'No; you should not have to pull over then. It is unfair.' I agree with that comment. Another aspect about roads in the Hills—

Mr Ferguson: What's the answer?

Mr S.G. EVANS: I will come back to that point. At times in the Hills, when the weather conditions are bad, say, during a hailstorm, it is unsafe to travel at the designated maximum speed in a zone. One could be travelling at 60 km/h in an 80 km zone after a hailstorm and some fool could come up behind doing 75 or 80 km/h, thereby creating a dangerous set of circumstances, especially if one had to pull over to the left and let him through.

In countries and States that have laws stating that one cannot pass on the left, it is a different proposition, because there is a bigger dilemma to handle. However, I can see the frustration of those who are held back behind a slow-moving vehicle and who do not have the courage to pass on the left hand side. But, I do not believe we should change the law yet, because we have an alternative that we could apply to particular sections of the road about which I am talking.

We built the Mount Barker freeway so that it would adequately carry traffic. People experience frustrations when travelling behind someone who is driving at slower than the recommended speed in the right hand lane and there is no opportunity to pass on the left hand side. It is easier for a vehicle that has momentum and is travelling faster than it is for a slower vehicle to change lanes and continue on the journey. However, the slower vehicle can be locked in for some time. I would like honourable members to consider that point.

The alternative is for us to build passing lanes to give an opportunity for some of the heavier vehicles to get out of the way. This would leave us with two lanes of reasonably fast flowing traffic. The passing lanes do not need to be lengthy. We can pick a section where, for instance, the

strawberry patch once was, about 1.5 kilometres below Eagle on the Hill—or other spots could be below Mountain Hut, above Eagle on the Hill, and so on; that would eliminate the problem in that location.

We could reach the point where we have only one lane of moving traffic, for instance on South Road, going towards Hackham; in the Mid North or on the North East Road, because most of the traffic will be locked into the slow lane. This will mean that there will be one medium flow of traffic, and the others all locked in in the other lane. It is damned annoying to be locked in behind a slow moving vehicle that is sitting in the right hand lane. One sometimes sees a slower vehicle 100 metres or so ahead and another vehicle that loses a gear ratio when sitting behind that vehicle. As a result the momentum is lost, and that vehicle finds difficulty in moving out and passing.

Having experienced driving heavy vehicles before coming to this place, I know that once one loses that momentum one finds oneself in a very dangerous situation when trying to move out. The same applies to motor cars if they do not have the necessary power to get the pick-up required. Recently, I was passed on the road by a gentleman driving a Porsche. Most people know that I wear Army boots when driving my car, which is not a very big one. That vehicle would have been travelling somewhere between 160 and 180 km/h. Why should anyone have to pull over for a rabbit like that? That is what we are suggesting.

We should think over this proposal and consider the frustration associated with having to change lanes. Many people are fearful of passing on the left hand side of another vehicle. However, the law says that one can do so. There is nothing against it—we should educate the public that there is nothing wrong with passing in the left hand lane or with a policeman suggesting to someone who is going a little slowly in the centre that he should pull over to the left.

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

Mr TRAINER (Ascot Park): I address my remarks to the operations of the House. However, first, I make a passing remark regarding what transpired this afternoon: I regret that three of our four television channels chose to give publicity to the action of the poor deranged person in the gallery this afternoon.

I proceed now to other matters relating to the operation of the House, in particular, the behaviour of the Opposition last week with respect to disrupting the House with quorum calls and the petulance that they expressed on that occasion because of embarrassment. However, before discussing quorum calls *per se*, I would like to make a brief reference to 'The Man Who Was Not There'. In the course of the member for Albert Park's drawing attention to the absence of Opposition members on Tuesday last week—

Members interjecting:

Mr TRAINER: The House was deserted as far as Opposition members were concerned. The member for Mitcham, having made his contribution, left the Chamber. The member for Albert Park drew attention to the sparse number of members of the Opposition in the Chamber. At the moment, there are five members facing us. There was none on that occasion. He drew attention to that and I made the remark at that time by way of interjection that it was not just the quantity present, but the quality.

Mr INGERSON: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr TRAINER: I drew attention to the quality as well as the quantity that was present on this side of the House on that occasion. There were 17 Government members present, but no Opposition members were in the Chamber on that occasion.

An honourable member interjecting:

Mr TRAINER: *Hansard* attributed that remark to a Mr Baker, who was not even present in the Chamber at the time. He is not present here now, either. We had the experience yesterday, Sir, of his somehow trying to lay claim to having been here on the basis that *Hansard* had inadvertently listed him in that way as being present. I had noticed that in the *Hansard* galley proofs and, in conjunction with the member for Albert Park who had also drawn my attention to it, I sent a corrected galley proof to *Hansard*. I would appreciate the member for Mitcham's taking cognizance of the fact that the net result of all that is that the interjection does not even appear in the final *Hansard*: it was not responded to and was therefore deleted.

So, his attempt to use an error on the part of *Hansard*, to try to pretend that he was in the House when he was not, has failed. This shows the sorts of things that Liberals will get up to. What caused all the anger and consternation on the other side was that the member for Albert Park drew attention to yet one more example of the inadequacies of the Opposition. They were irate at an article which appeared in the *News* on the following day, which was headed 'Opposition slammed for rising early', and which stated:

> Government MPs had the House of Assembly all to themselves last night.

For the quality of performance we get from the Opposition we might as well have it to ourselves all the time. The report continued:

> There were no Opposition members on the benches during an adjournment debate shortly before the House rose at 10.30 p.m.
>
> It has resulted in stinging criticism today from a number of Government MPs who accused the Opposition of being 'irresponsible' and 'neglecting their duty to the public'.
>
> Mr Kevin Hamilton, the member for Albert Park, claimed it was the second time in three weeks that the Opposition benches were empty before the House rose for the day.

This had occurred almost exactly three weeks before, on 21 February at half past four in the afternoon. What was the Opposition's reaction? Did they try to put in a better attendance next day, having been caught out? No; they determined to stay out even more, and took some sort of childish revenge by having as many people out of the Parliament as possible to try to cause the collapse of the Parliament. They had so much contempt for the operation of this place that they deliberately absented themselves from the Chamber so that they could call quorum calls in the hope that enough Government members would be caught in the toilet, on the phone or whatever, and perhaps thereby cause the collapse of business for the day. This was aptly described by Randall Ashbourne in the *Sunday Mail* of the following Sunday, wherein he referred to the Opposition having been severely embarrassed. He said that they had 'spent Wednesday acting like petulant children'.

With my background as a teacher, I suppose I should be used to having to deal with petulant children, but I am still shocked and surprised at what I see facing me in this Chamber. *Hansard* has indicated that there were a total of 20 quorum calls on that Wednesday. I believe that there were actually 21, because one was called shortly after—

Mr Ashenden interjecting:

Mr TRAINER: You are not only innumerate but illiterate as well, I suspect. In relation to the 20 quorum calls that were recorded in *Hansard*, that is probably one short, because one was called straight after our return from the meal break at 7.30, as well as the quorum that was called at 5.58 p.m., two minutes before we rose for the meal break. I suspect that, whether that number of quorum calls was a record or a near record, it indicates not that the Opposition is trying to make the Parliament work but that it is trying to make

the Parliament fall into further disrepute than it already is in the community. It is already in much disrepute, as the television cameras have shown to the public the way in which the Opposition carries on.

During Question Time members opposite carry on like churlish children, using obscene gestures, continually interjecting, and all the rest of it. I draw the attention of honourable members to a magnificent publication, the *Herald*, from which members opposite so often quote. A headline in that magazine states 'Liberal yahoos get worse'. I find that headline hard to agree with—I do not think that they could get any worse.

An honourable member: What are yahoos?

Mr TRAINER: Apparently, by definition, a yahoo is one of the members opposite: the member for Todd is a prime example. The article in the *Herald* under that heading states, in part:

> Citizens visiting Parliament to watch and hear proceedings have been asking, 'Are they always as rude as this? Is it deliberate or can't they help themselves?'

I wonder whether members opposite can help themselves, bearing in mind the way in which they have been carrying on in recent weeks. It is the duty of all members, not just those on the Government benches, to ensure that there is a quorum in the House.

I draw to the attention of the House a statement in *House of Representatives Practice*, which indicates quite clearly that 'It is the duty of all members to maintain a quorum, not just Government members.' Perhaps members opposite like the member for Todd would like to go to their electors and say, 'I am an Opposition member; I don't have to attend Parliament; that is up to Government members; I will do nothing.' Would members opposite like to justify that to their constituents at the time of the next election? Would members opposite like to go out amongst the public and say to them, 'Oh no, we don't have to be in Parliament; we are just here for relaxation and for knocking.'? On that subject, members opposite are the greatest knockers ever—I have not heard so much knocking like that since a neighbour's FJ Holden's big end collapsed on it!

I believe that the quorum rules are too loose. With your leave, Sir, I seek leave to insert in *Hansard* without my reading it a summary of quorum rules in relation to other Parliaments. I give an assurance that it is entirely statistical. It was prepared by the Clerk of the Victorian Parliament.

Leave granted.

SUMMARY OF RESULTS OF QUESTIONNAIRE TO ALL AUSTRALIAN PARLIAMENTS

Prepared by J. H. Campbell, Clerk of the Legislative Assembly of Victoria.

House	Quorum	Total Membership
Senate	26	76
Representatives	50	148
Council, W.A.	12	34
Assembly, W.A.	19	57
Council, N.S.W.	12	45
Assembly, N.S.W.	20	99
Council, S.A.	10	22
Assembly, S.A.	17	47
Council, Tas.	9	19
Assembly, Tas.	14	35
Council, Vic.	15	44
Assembly, Vic.	20	81
N.T.	10	25
Qld.	16	82
A.C.T.	10	18

Figures compiled as at 4.12.84

Mr TRAINER: Here in South Australia 17 members out of a total of 47 are required. I believe that it is too large a requirement. In Victoria the requirement is only 20 members out of a total of 81—which is only 25 per cent, compared to our requirement of 36 per cent. I suspect that in Victoria the number will be kept at 20, even though this is now in relation to an enlarged House with a total of 88 members. In New South Wales the stipulation is for 20 members out of 99—which is only 20 per cent; and in Queensland the stipulation is 16 members out of a total of 82—which is 19 per cent. Furthermore, in other Parliaments, there are restrictions to prevent abuse of quorum calls such as that unprecendented abuse that took place here last Wednesday. For example, in Western Australia, no quorum call can be made within 15 minutes of a previous quorum call. In New South Wales, the count is made at the discretion of the Presiding Officer: if he believes that the Opposition is abusing the procedures of the House, he can ignore a quorum call. In Queensland, second and subsequent calls may be declined by the Presiding Officer if he is satisfied that there is a sufficient number of members in the precinct of the House.

I would suggest that, because of the undisciplined rabble opposite, we may need some sort of alteration to our Standing Orders. Perhaps there should be a requirement that before a quorum call is accepted by the Chair at least six Opposition members should be present. The undisciplined rabble opposite are bringing this place into disrepute. Indeed, we have an urgent need for some general revision of Standing Orders to prevent time wasting. On a later occasion, I will draw attention to the fact that a Select Committee has been established for that purpose but that unfortunately it has been unable to proceed to fruition because members opposite have not been prepared to co-operate. Finally, I again remind members opposite that it is the duty of all members, not just Government members, to be present when quorum calls are made.

Mr MEIER (Goyder): We have just heard the member for Ascot Park bring the standard of debate down to a new record low level in this institution. I was absolutely astounded to hear what he had to say.

An honourable member: Incidentally, the member for Albert Park is not here.

Mr MEIER: The member for Albert Park was not even here to listen; it is disgraceful. He is prepared to throw stones, but he will not tolerate stones being thrown back at him. It is pretty obvious that the chips are down a long way, and members of the Government, who will soon be in Opposition, realise that the polls indicate that they will soon be out of office. They are desperate and will do anything to try to hang on to Government. Prior to the last election, one can recall the false promises that were made—promises that they could not keep. This time, Government members will start throwing around any sort of mud, not caring what sort of mud it is—whether it is 10.30 p.m. or 2.30 in the morning, they are prepared to throw mud. The public will recognise them for what they are—a fraudulent group.

Members of the Government promise the world yet deliver nothing. The speech that the member for Ascot Park gave this evening put that quite into perspective. The member for Ascot Park said that there had been some childish behaviour, but, boy, we certainly saw childish behaviour tonight! One can cast one's mind back to a debate that occurred last year in relation to a Government Bill, when for a period there was not one member of the Government in the Chamber, even though the Government was responsible for that legislation. What a joke! However, on that occasion we did not take the opportunity to make a big public display about that; we recognised how Parliament works and were prepared to accept that for the moment members might be out of the Chamber.

It is all very well for Government members to point the finger at us, but this has occurred in relation to Government members, and I believe that that is even worse, because the Government is supposed to be trying to govern the State. I

know that in that respect members opposite are not succeeding, but at least we can give them some credit for trying.

Members interjecting:

The SPEAKER: Order! The honourable member for Goyder.

Mr MEIER: Thank you, Mr Speaker, for allowing me to have my fair say. There is no doubt that the contempt that Government members have for this Parliament was shown this evening by the speech made by the member for Ascot Park; it showed quite clearly that the Government is not interested in getting on with the real nitty-gritty running of the State and that it would rather muck around with little trivial things in relation to how things operate in this place—matters that the general public do not understand. I suppose that most members would know—

Mr Ashenden: The member for Albert Park is not present.

Mr MEIER: Yes, one notes that the member for Albert Park is not present—it is easy to reverse the situation. I think that most members would fully appreciate that we all have electorate offices to run and, particularly for country members, it is not possible to be in this House at all times. During the normal sitting days of Parliament, we do not get an opportunity to go to our electorate offices. For metropolitan area members, they can go to their offices in the morning if they want to; they have that opportunity, but country members do not. Therefore, to say that we have to be in this House at all times is just not on.

Members interjecting:

Mr MEIER: Members are not saying that now, but they are saying that we should be here as much as possible, which illustrates the point that one can twist the facts in the way that one wishes, and can keep twisting them. We will get on with the job of showing South Australia how it can be run, and when we get into government we will clearly show that. Talking about knocking, I recall reading continually during the term of the Tonkin Liberal Government (when I was not a member of this Parliament) that the Labor Opposition kept knocking everything that the Liberals did. The Labor Opposition praised nothing: it knocked it all—O-Bahn and Roxby Downs—and it even expelled a member from the Party for daring to think about voting for Roxby Downs.

There was knocking and more knocking during those three years, and now members opposite have the audacity to say that the Liberal Opposition is knocking, when in fact it is looking at the positive aspects and trying to ensure that a fiasco like the one involving the North Adelaide swimming centre does not occur. Members opposite are desperate. It will not be long before the election is held, whether it is in the next few months, at the end of the year, or early next year. South Australia is sick and tired of this Labor Government, which has broken promise after promise. Now the Government is trying to throw in more promises but it is throwing mud as well.

Mr Groom: What about your Government increasing taxes, charges and other things?

Mr MEIER: The member for Hartley refers to taxes, charges, and the like. He thought he had something in comparing the two situations, but there is one big difference. The Tonkin Liberal Government—

Ms Lenehan interjecting:

The SPEAKER: Order! The member for Mawson is interjecting while she is out of her seat. The member for Hartley and other honourable members are continually shouting. That is ridiculous, and I ask members to cease.

Mr MEIER: Thank you very much for your protection, Mr Speaker. The member for Hartley tried to make a comparison between taxes and charges under the former Liberal Government and the position under the present Government. That was completely hypocritical, because the former Tonkin Government at no stage said, 'We will not allow charges to rise. There will not be tax increases.' However, the Bannon Government said, 'We won't introduce new taxes. We won't use charges as a form of back-door taxation.' They have kept going, and they say, 'Too bad about the promise.' Even after two years it seems that the Government has not raised enough revenue.

While the Premier is talking about possible cuts, the Government is still increasing charges, so it was a mockery to begin with. Therefore, I believe that the comparison made by the member for Hartley was a big joke: it was a laugh on him and a laugh on the Labor Government. Electors have to choose between the two Parties. If one Party says, 'If you vote for us we won't introduce new taxes, increase existing taxes or use charges as a form of back-door taxation' and if the other Party does not promise that, the average voter will obviously go for the Party that promises no increases. That is common sense.

Members interjecting:

Mr GUNN: Mr Speaker, I draw your attention to the unruly behaviour, which is contrary to Standing Orders. Members are interjecting out of their seat, deliberately attempting to disrupt the fine speech of the member for Goyder.

Members interjecting:

The SPEAKER: Order! Members will come to order.

Mr MEIER: Thank you very much, Mr Speaker, and I thank the member for Eyre for his support. I hoped to comment on the road system, but it seems that the opportunity will not arise. We note that members opposite are completely in uproar; there is no control at all on the Government benches. That is fairly typical of the way in which members opposite manage to bungle things. They struggle along from day to day but then they look at the poll results and say, 'We must try to come up with something to get back half a per cent.' But it will not work.

Mr Mathwin: They're grasping at straws.

Mr MEIER: Yes, I am afraid they are sinking fast. Thankfully for the public, the economy and the future of South Australia, people have seen the light. They have realised that this Government has broken every promise. It has gone back on its word; it does not know where it is going.

Mr Ashenden interjecting:

Mr MEIER: The member for Albert Park is absent once again. That is typical. He throws stones but then runs away.

Mr Ashenden interjecting:

Mr MEIER: Possibly he has gone home.

The Hon. P.B. Arnold interjecting:

Mr MEIER: Yes, he could well have taken his bat and ball. It is pretty poor that the member for Albert Park is not here. I fully appreciate the comments that have been made in that area.

Motion carried.

At 10.26 p.m. the House adjourned until Thursday 28 March at 2 p.m.