

## HOUSE OF ASSEMBLY

Wednesday 11 October 1989

The **SPEAKER** (Hon. J.P. Trainer) took the Chair at 2 p.m. and read prayers.

## PETITION: HUNTING AND FISHING RESTRICTIONS

A petition signed by 6 559 residents of South Australia praying that the House urge the Government not to restrict further hunting and fishing was presented by Mrs Appleby and Messrs Duigan and Tyler.

Petition received.

## PETITION: GLENELG TRAIN LINE

A petition signed by 173 residents of South Australia praying that the House urge the Government not to establish an O-Bahn busway or arterial road along the former Glenelg train line was presented by Mr Becker.

Petition received.

## PETITION: ADOPTION

A petition signed by 656 residents of South Australia praying that the House urge the Government to review the veto requirements for restricting information released about adopted persons and relinquishing parents was presented by Mr Becker.

Petition received.

## QUESTIONS

The **SPEAKER**: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 3, 13, 15, 19, 48, 72, 85, 106, 109, 111, 113, 127, 130, 132, 137, 138, 141, 143 and 168; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

## RAINWATER TANKS

In reply to the **Hon. JENNIFER CASHMORE** (Coles) 22 August.

The **Hon. S.M. LENEHAN**: I have been advised by the Minister of Housing and Construction that the Housing Trust's policy with respect to corrugated iron rainwater tanks is to remove them on vacancy where filtered mains water is available and where the tank has rusted out or is considered to have a very limited life. Tank stands are also dismantled when a tank is removed. The trust will also relocate serviceable tanks from vacant houses to occupied dwellings where the sitting tenant's existing tank has rusted out.

On 7 July 1989, a rainwater tank was removed from the trust's property at 9 Elgin Avenue, Evanston. This tank was removed in accordance with the above policy. As filtered mains water is available in this area, the tank will not be replaced. The tank at this property was badly rusted internally and water was weeping through pin holes at various

places over the tank. Therefore, the tank was removed and disposed of on the recommendation of trust maintenance staff.

At 40 Marsh Avenue, Gawler, the rainwater tank was removed while the property was vacant, and relocated at a nearby property for a tenant whose existing tank was no longer useful. Again, this practice was in line with trust policy as outlined above.

## GRAND PRIX

In reply to the **Hon. JENNIFER CASHMORE** (Coles) 17 August.

The **Hon. J.C. BANNON**: There has not been any reversal of any decision made by the Australian Formula One Grand Prix Board. The board this year agreed on the policy that provided residents with circuit access passes which would not only enable them to have access to their own properties but also access to the circuit itself.

In addition, the residents would also be provided with 10 guest passes per day which would enable similar access to both their properties and the circuit. These benefits have not been available in previous years. Any additional circuit access passes for any additional guests can be purchased from the Grand Prix office. However, any guests who they wish to get to their property, over and above the passes provided, will be given access to their private premise but not access to the outlet. Negotiations have been conducted between the board and private companies who are using their premises for commercial gain during the event.

## DEFAMATION CASE

The **SPEAKER**: I have received a letter from Baker O'Loughlin, Solicitors, acting on behalf of Mr Steven Wright of the *Advertiser* newspaper, seeking to petition the House to waive privilege in relation to a defamation case prosecuted by Mr Peter Lewis, member for Murray-Mallee. I propose to take no action on the matter at this time, but I will make a copy of the letter available to any member on request.

## PAPERS TABLED

The following papers were laid on the table:

- By the Premier (Hon. J.C. Bannon)—  
Remuneration Tribunal—  
Report Relating to Agent-General.  
Report Relating to Chief Executive Officer, Attorney-General's Department.
- By the Treasurer (Hon. J.C. Bannon)—  
Parliamentary Superannuation Scheme—Report, 1988-89.
- By the Minister of Health (Hon. D.J. Hopgood)—  
Nurses Board of South Australia—Report, 1988-89.
- By the Minister for the Aged (Hon. D.J. Hopgood)—  
Office of the Commissioner for the Ageing—Report, 1988-89.
- By the Minister of State Development and Technology (Hon. Lynn Arnold)—  
Small Business Corporation of South Australia—Report, 1988-89.  
Technology Development Corporation—Report, 1988-89.
- By the Minister of Agriculture (Hon. Lynn Arnold)—  
Metropolitan Milk Board—Report, 1988-89.

- By the Minister of Fisheries (Hon. Lynn Arnold)—  
Fisheries Act, 1982—Regulations—Exotic Fish Farming and Diseases—Permits (Amendment).
- By the Minister of Education (Hon. G.J. Crafter)—  
Children's Protection and Young Offenders Act 1979—Regulations—Infringement Notices.  
Companies (Application of Laws) Act 1982—Regulations—Cooperative Scheme Legislation.  
Futures Industry (Application of Laws) Act 1986—Regulations—Cooperative Scheme Legislation.  
Securities Industries (Application of Laws) Act 1981—Regulations—Cooperative Scheme Legislation.
- By the Minister of Housing and Construction (Hon. T.H. Hemmings)—  
South Australian Department of Housing and Construction—Report, 1988-89.  
South Australian Housing Trust—Report, 1988-89.
- By the Minister of Transport (Hon. Frank Blevins)—  
Highways Department—Report, 1988-89.  
Metropolitan Taxi-Cab Board—Report, 1988-89.  
Department of Transport—Report, 1988-89.
- By the Minister of Employment and Further Education (Hon. M.K. Mayes)—  
Department of Local Government—Report, 1988-89.  
Outback Areas Community Development Trust—Report, 1988-89.  
Parks Community Centre—Report, 1988-89.  
University of Adelaide—Statutes Report, 1988.  
Public Parks Act 1943—Disposal of Parklands, Young Street, Parkside.
- By the Minister for Environment and Planning (Hon. S.M. Lenehan)—  
Adelaide Festival Centre Trust—Report, 1988-89.  
State Theatre Company—Report, 1988-89.
- By the Minister of Water Resources (Hon. S.M. Lenehan)—  
Engineering and Water Supply Department—Report, 1988-89.
- By the Minister of Lands (Hon. S.M. Lenehan)—  
Crown Lands—  
Return of Surrenders Declined, 1988-89.  
Return of Cancellation of Closer Settlement Lands, 1988-89.  
Discharged Soldiers Settlement—Return, 1988-89.  
Pastoral Act Schedule of Improvements, 1988-89.
- By the Minister of Emergency Services (Hon. J.H.C. Klunder)—  
Commissioner of Police—Report, 1988-89.  
South Australian State Emergency Service—Report, 1988-89.
- By the Minister of Mines and Energy (Hon. J.H.C. Klunder)—  
Electricity Trust of South Australia—Report, 1988-89.  
Office of Energy Planning—Report, 1988-89.  
Department of Mines and Energy—Report, 1988-89.  
Pipelines Authority of South Australia—Report, 1988-89.  
Petroleum Act 1940—General Regulations.
- By the Minister of Forests (Hon. J.H.C. Klunder)—  
South Australian Timber Corporation—Report, 1988-89.  
Woods and Forests Department—Report, 1988-89.
- By the Minister of Labour (Hon. R.J. Gregory)—  
Commission for Public Employment and the Department of Personnel and Industrial Relations—Report, 1988-89.

#### MINISTERIAL STATEMENT: PRISONER FRATERNISATION

**The Hon. FRANK BLEVINS (Minister of Correctional Services):** I seek leave to make a statement.  
Leave granted.

**The Hon. FRANK BLEVINS:** In this House on Thursday 29 September the member for Mitcham asked me a question about prison officers 'fraternising' with prisoners. During the course of my answer I undertook to thoroughly investigate and report back to the House on the veracity of the case the member for Mitcham referred to in his question, and the other cases which he later gave to me.

I can now report to the House that the results of that investigation have shown that there has been no improper conduct by any prison officer with any prisoner while that prisoner has been under the care and control of the Department of Correctional Services. In addition, the allegation that a prison officer is now, or ever has been, living with a prisoner whilst the prisoner is on the home detention scheme is not correct. I am happy for any member of this Parliament to peruse the departmental file on the investigation if they so desire. However, I do not think it appropriate for me to publicly release the details of the personal lives of the prison officers concerned. The member for Mitcham stated in his explanation:

The information we have suggests that, contrary to Government statements that prisoners are not allowed conjugal rights, these activities are taking place within our prisons, provided the other party is a prison officer.

On behalf of the Department of Correctional Services and all prison officers, I refute the allegations made by the member for Mitcham, and call on him to apologise to all staff of the Department of Correctional Services.

#### MINISTERIAL STATEMENT: NORTH-EAST BUSWAY ACCIDENT

**The Hon. FRANK BLEVINS (Minister of Transport):** I seek leave to make a statement.

Leave granted.

*Mr S.J. Baker interjecting:*

**The SPEAKER:** Order! I call the member for Mitcham to order before calling on the Minister.

**The Hon. FRANK BLEVINS:** On Monday 2 October at around 1.30 p.m. two STA buses were travelling to the city via the North-East busway. Both buses had just left the guided track to enter the Klemzig interchange when the rear vehicle, a rigid bus, ran into the tail of the leading vehicle, an articulated bus. Both buses were moving at the time. As a result of the crash, 80 people were injured and later admitted to hospital.

Emergency services were on the scene of the crash within nine minutes of the call and they did a tremendous job. All but one of the injured have now been discharged from hospital. The bus driver is still in hospital, and is now in a satisfactory condition. The STA is now offering assistance and information on post-trauma counselling and support to all accident victims, the cost of which will be paid for by the STA.

On the afternoon of the accident, a board of inquiry was established which has two objectives: to try to determine the cause of the accident; and, to review existing procedures operating on the O-Bahn system and to make any necessary recommendations for change. The board is made up of senior officers of the STA and union representatives. The Chairperson is Mr Bob Heath, the STA's Director of Operations, with membership of the board comprising the Risk and Injury Manager, the Director of Engineering, the Medical Officer, and two occupational health and safety representatives from the St Agnes depot. Following an offer from the police, the board coopted the services of the Police Accident and Investigation Squad to conduct the investigation into the crash. The police team, headed by Chief

Superintendent Collins and Chief Inspector Hay, has set up headquarters at Holden Hill police station to carry out this task. They have interviewed all available witnesses, the STA's mechanical report on the buses has been finalised and the police technical analysis of this data is now taking place.

We know that speed was a contributing factor to the accident. We also know that there was nothing wrong with the bus braking systems. However, the complexity of technical analysis, which in this case is yet to involve a detailed re-enactment of the accident, means the investigation will take some time to complete. I have, therefore, directed the General Manager of the State Transport Authority to prepare an interim report on the cause of the accident as soon as it is known. This report will be complete within a few weeks, at which time I will immediately release it to the public and make it available to the Parliament. The final report, including the technical analysis and any recommendations on changes to procedure, will follow and again will be publicly released.

There have been various issues raised in the last week regarding the accident that I would like to comment on. First, there is the suggestion by the Opposition that infrared detectors had been offered to the South Australian Government by Daimler-Benz for use on our O-Bahn system. This claim has been checked out with both our O-Bahn project team and Daimler-Benz in Germany, who both refute that such an offer was ever made, as such a system does not actually exist. However, people have been sending in some very constructive suggestions of remedies. These are all being looked at, but the best solution can be established only once we know what the problem is.

Another matter was raised by a former employee of the State Transport Authority, Mr Jim Sinclair. While employed as the Area Safety Officer at the Hackney depot in 1987, Mr Sinclair was asked to carry out an investigation into the distance between buses travelling at high speed on the busway. As a result of his subsequent report, the STA implemented the suggestions he made which were practical—in particular, further efforts to enforce the existing STA rule that buses should not travel any closer than 150 metres apart. However, other proposals such as the installation of marker posts every 150 metres along the busway were not considered practical and were therefore not proceeded with.

An issue raised by the bus drivers' union, the ATMOA, concerned rosters and the possibility of driver fatigue being a contributory factor to the accident. The bus driver in the rear bus was working overtime. However, he had just had two rostered days off prior to that particular shift. There is no argument that the driver could have been overworked. The State Transport Authority rosters staff only within the conditions of the award and, if the union has any complaints about that procedure, it should negotiate change through the normal industrial processes, that is, through the Industrial Commission of South Australia.

There were also various claims and questions raised last week regarding the STA's insurance liability. As I said immediately after the accident—and I reiterate today—all those injured as a result of the accident will be compensated. The State Transport Authority carries the risk for up to \$1 million public liability and rolling stock damage within its own budget. For claims exceeding that amount, the authority is insured with the Government Insurance Risk Management Program administered by the Public Actuary. In regard to rolling stock, there was considerable damage to the buses involved in the accident. However, both the articulated bus, worth around \$400 000, and the rigid bus, worth around \$200 000, can, and will, be repaired.

As I said earlier, I will release both the interim report into the cause of the accident and the final report with the conclusions of the technical analysis with recommendations as soon as they are available. Without pre-empting the inquiry, I can say with some confidence that the integrity of the O-Bahn guided busway system is not in question, but the procedures associated with the interchange areas do need review and are being reviewed.

#### PUBLIC WORKS COMMITTEE REPORTS

The **SPEAKER** laid on the table the following reports, together with minutes of evidence, of the Parliamentary Standing Committee on Public Works:

Port Pirie Health Service Incorporated—Redevelopment,  
The Queen Elizabeth Hospital—Limited Upgrade Stage 1,  
Royal Adelaide Hospital—Replacement of Linear Accelerator No. 2—Final Report,  
Wynn Vale West Primary School—Final Report.

Ordered that reports be printed.

#### DISTINGUISHED VISITORS

The **SPEAKER**: My attention has been called to the presence of distinguished visitors in the gallery, members of a visiting United Kingdom parliamentary delegation. On behalf of the House, I welcome the delegation and I invite Sir Michael Shaw, M.P., leader of the delegation, to take a seat on the floor of the House. I ask the honourable Premier and the honourable Leader of the Opposition to conduct Sir Michael Shaw to the Chair and accommodate him with a seat on the floor of the House.

The Hon. Sir Michael Shaw was escorted by the Hon. J.C. Bannon and Mr Olsen to a seat on the floor of the House.

#### QUESTION TIME

##### MARINO ROCKS MARINA

**Mr OLSEN (Leader of the Opposition)**: Following assurances that the Premier gave to Parliament about the Government's investigations into the proponents of the Marino Rocks marina, and particularly the principal shareholder in Mintern, Mr Bill Turner, will the Premier reveal who carried out those investigations, from whom was information sought other than Mr Turner, did the Government receive a written report following these investigations, if so, will he table that report and, if not, why not?

The Opposition first questioned the financial background of the proponents of this project on 8 August. On 12 September, the Premier assured the Estimates Committee:

As to the financial substance of the principals and owners, we have made our own investigations and we are quite satisfied.

Further, on 26 September, he told the House:

We have no reason to doubt the financial viability and ability of Mintern Pty Ltd to carry out this development.

On that same day, 26 September, a company called Braemar Limited was placed in receivership. The principal shareholder in Mintern, Mr Bill Turner, held a 30 per cent interest in Braemar through the Crestwin Corporation.

In the past fortnight, at least another four companies controlled by Mr Turner have gone into receivership. They are, first, his private company, W. and B. Turner, through

which Mr Turner owned the land on which the Marino Rocks marina is to be developed. W. and B. Turner has been placed in receivership by the State Bank of Victoria. Crestwin Corporation Limited has been placed in receivership by the ANZ Banking Group and this week two other Crestwin subsidiaries, Crestwin Trading and Crestwin Wool and Hide, also went under.

In addition, in reporting yesterday a record loss of almost \$200 million, the State Bank of Victoria revealed that its exposures include \$34 million to the Crestwin group and about \$60 million to two other companies, Pro-Image Studios and Quatro Limited, which Mr Turner established but from which he was forced to resign directorships last year. It was this collapse of Mr Turner's companies which, according to a letter read to the House on 28 September by the Deputy Premier, forced the sale of Mintern to the Burlock group and continues to threaten the marina project.

All the evidence is that Mr Turner was a person of very dubious business and financial repute and that the Government should have established this fact rather than vouch for his financial substance and the ability of Mintern—

**The SPEAKER:** Order! The Leader of the Opposition is out of order. He is clearly debating the question and not putting a question before the House with the appropriate explanation. The honourable Premier.

**The Hon. J.C. BANNON:** It is very easy for the Opposition in hindsight, particularly following the events which were accurately described by the Leader of the Opposition relating to the Trikon Corporation collapse, the calling up of debts by Mr Turner and the subsequent winding up of his companies—

*Members interjecting:*

**The Hon. J.C. BANNON:** Trikon—I am sorry, the Opposition's hearing is defective.

*Members interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat. The Chair has no intention of allowing the House to degrade to a standard that would not be acceptable to those whom we represent. The honourable Premier.

**The Hon. J.C. BANNON:** It shows how closely members of the Opposition have been following this, if they do not understand the role—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:**—of Trikon in this matter. I know that the Opposition delights in gloating about this. Incidentally, this is the project about which the Leader of the Opposition organised a little meeting at which he was going to make a grand announcement that this was going to be done by a Government that we would have the misfortune to see being led by him. When he got there, he discovered that perhaps it was not all unalloyed support and he had to backtrack very rapidly. He ended up refuting totally the grand and ringing declaration he made at the boat owners show—that 'we will construct this marina'—and saying instead at this meeting, when confronted by a handful of residents and by a very active local member who was listening to what was being said, 'I am not quite sure that this is the appropriate spot for it. It might be somewhere down there or over here.'

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** This is the person who stands up and, in the light of these events, with the great benefit of hindsight, says, 'You should have known all about this.' As I say, in the second part of the explanation of his question the Leader of the Opposition indicated why we did not know about these things and why those events took

place after I had made the affirmations here. It is certainly true that, for instance, articles appeared about Mr Turner and his lifestyle. An article in the *Herald* of 6 July was drawn to my attention. It was drawn to my attention again late last week when it was reproduced almost word for word in our afternoon daily paper, including the picture that had been run in the *Herald* of 6 July.

That was simply an investigative article about the flamboyance, the lifestyle and other aspects of Mr Turner's operations. Over some months our officers have been working with this group under the directorship of Mr Tony Vaughan, who is still involved in the project. The fact that an article appeared in relation to Mr Turner, his lifestyle and interests was not something which would necessitate a full-scale investigation by the Government, or some attempt to ascertain *bona fides* at that stage of development of the project.

Therefore, with the great benefit of hindsight, one could say, 'But that was a warning; you should have followed it up.' Nothing of the sort! Inquiries were made through our Corporate Affairs Commission as to what was known about Mr Turner and his companies and, certainly, some matters had been raised. In fact, twice in this House I mentioned one of those matters, and its resolution. But there was nothing—and I come back to the point I am making—reported to me or my officers that said, 'You should not or cannot deal with this company or this individual.' At the time that the project was announced, that Mintern was the owner of the land and identified by us as being the appropriate proponent on the basis of all the work that it had done, it was a reasonable approach for the Government to take.

Of course, the Opposition is delighted that there have since been problems in this area. Members opposite have been much to the forefront of the 'damned if you do, damned if you don't' school. If we say that there are too many doubts about a project—for example, Sellicks or the Mount Lofty cable car—the Opposition is quick to say, 'We probably would have done that; we are not saying we would have, but we probably would have done that.' As I say, this was subject to a bit of cheer chasing by the Leader of the Opposition himself at the boatowners conference, where he declared that this was a great project, that the Government should get off its tail and do something about it—pursue it with vigour and make it happen—and that is what we were doing and what we will continue to do.

## NUCLEAR WASTE

**Mr RANN (Briggs):** My question is directed to the Premier. Has the State Government considered establishing a high level nuclear waste dump in South Australia? Would such a dump be allowed to be established under South Australian Government policy?

*Members interjecting:*

**Mr RANN:** I can understand the nervousness of the Leader of the Opposition—

**The SPEAKER:** Order! That last remark was out of order.

**Mr RANN:** On Friday 29 September, the Leader of the Opposition in the Legislative Council (Mr Martin Cameron) was interviewed on television about the synroc nuclear waste disposal method. He said synroc was an excellent way of safely storing nuclear waste. In the *Sunday Mail* on 1 October the Deputy Leader of the Opposition was quoted as saying that the 'only problem with a plan to establish a synroc waste disposal facility at Roxby Downs was convincing the public it was safe'. The *Sunday Mail* also quoted the Deputy Leader as saying:

I am convinced in my own mind, but we would have to convince the public as we did over Roxby Downs itself between 1979 and 1982.

The Deputy Leader of the Opposition was also quoted as saying that the synroc process was superior to any other nuclear waste disposal system known and, again, I quote him as follows:

Roxby Downs is, geologically, an extremely stable area. It has been stable for millions of years. The problem is not with the technology; it is with public education.

The *Sunday Mail* also reported that the State Government had been approached to support the establishment of waste disposal technology in South Australia.

**The Hon. J.C. BANNON:** My short answer to the question is 'No'. In explanation, let me concentrate particularly on what the honourable member said. Certainly, the issue of nuclear waste is a major one for the world: we all know that, and no satisfactory method of disposal that has been totally proven has yet been established. Much work is going on in order to try to find such a method. In particular, work is proceeding in Australia and I think we should all commend that. One such company, Nuclear Waste Management Pty Ltd, has been making strenuous efforts to develop ways of disposing of nuclear waste, and the synroc process is the basis of that proposal. I would support that sort of research and development. Equally, I would certainly support—and I have given public support to—its efforts to develop those techniques and market them overseas.

However, that is a different matter indeed from suggesting that South Australia should be the haven or repository of nuclear waste from the rest of the world: that is just not on and this Government refutes it totally. I had better not continue too much in that vein because, in an effort to gag discussion and debate on this issue, some people like myself have been served with a writ, which I find extraordinary action considering some of the things that are said by members opposite. However, I will not canvass that issue. This whole area—

*Members interjecting:*

**The SPEAKER:** Order! There is a point of order.

**The Hon. TED CHAPMAN:** We are reminded in this place, with respect, of the occasions and matters that shall not be discussed, to wit those that are *sub judice*. By his own admission, the Premier is continuing to refer to that subject.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Albert Park is completely out of order.

**The Hon. TED CHAPMAN:** Thank you for your support in that respect, Mr Speaker. However, coming back to the point, I ask you—

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Leader is now out of order.

**The Hon. TED CHAPMAN:** Again, I ask you to call on the Premier to withdraw and refrain from commenting in that vein.

**The SPEAKER:** I ask all members to refrain from mentioning any matter that is clearly *sub judice*.

**The Hon. J.C. BANNON:** By his point of order the honourable member indicated precisely the intention in that instance. The fact is that there should be serious concern about the great vision for the nineties propounded by the Leader of the Opposition—South Australia as the uranium province, the nuclear province. We all recall his grand announcement on 15 September that a Liberal State Government would support a uranium processing operation in South Australia. He said that the Liberal Party would be right into uranium enrichment. He did not outline where

that would be; what its cost would be; what its funding would be; or all the technology that would be involved. This was going to be a centrepiece of a strategy for the downstream processing of raw materials.

We produce many raw materials in South Australia, and we can do much more work in the processing of them. Many things are in train at present in foodstuffs, in minerals, in rare earths, and so on. This Government rejects that approach to uranium. It is interesting that the Leader of the Opposition treats it as is the centrepiece of his particular policy, and he went on to say that we should consider nuclear electricity generation from this State. There has been no suggestion either that we need it or that we should get into it. It is quite reckless of the Leader of the Opposition to go down that track.

*Members interjecting:*

**The Hon. J.C. BANNON:** 'Wrong again!', the Leader says.

*Members interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat. The call to order includes the honourable member for Alexandra. I ask all members to try to conduct themselves—including the Deputy Leader, who does not seem to be prepared to extend the appropriate courtesies to the Chair—with appropriate decorum. The honourable Premier.

**The Hon. J.C. BANNON:** The Leader of the Opposition says, 'Wrong again'. I am quoting from the statement that is reported in the paper. If that was wrong, I have looked in vain for the refutation of it. There it was—

*Members interjecting:*

**The SPEAKER:** Order! The Leader of the Opposition and the member for Briggs—

*Members interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat while the House is being called to order. The Leader of the Opposition and the member for Briggs are both clearly out of order, and I ask them to bear in mind the request put to the House a moment ago. The honourable Premier.

**The Hon. J.C. BANNON:** If that statement is wrong, how does the Leader of the Opposition ask us to interpret his statement that we cannot stay half-pregnant in relation to uranium processing enrichment and the nuclear fuel cycle? We cannot stay—

*Members interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat.

*Members interjecting:*

**The SPEAKER:** Order! I include the Minister of State Development and Technology and the Minister of Education and, again, the Leader. The reason I called for a momentary pause in the debate was the continuous interjections of the Leader of the Opposition. I warn him that, if he persists in that line of confrontation of instructions from the Chair, he will be named. The honourable Premier.

**The Hon. J.C. BANNON:** I assume that the Leader of the Opposition is not denying that statement, which appears in quotes. It is a nice little phrase, and I think it puts in good context all that I have been saying on this matter. I know there is great sensitivity opposite, but if that is the policy, let the Opposition stand up and advocate it cleanly and clearly. That is how it is declared and we are being told that it is wrong again.

*Members interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat. This is absolutely the last warning the Leader of the Opposition will receive.

*Members interjecting:*

**The SPEAKER:** Order! The Chair has been extremely tolerant but for the sake of the decorum of the House I cannot continue to extend unlimited tolerance. Has the honourable Premier finished his reply?

**The Hon. J.C. BANNON:** To assist you, Mr Speaker, I will not impinge on the sensitivities of the Leader of the Opposition any more.

### MARINO ROCKS MARINA

**The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition):** Will the Minister for Environment and Planning confirm that a senior officer in the Department of Environment and Planning received advice on 3 July this year that Mr Bill Turner, the proponent of the Marino Rocks marina project, was in serious financial difficulty, and will she explain why the Government ignored this advice?

On 3 July Dr Nick Harvey of the Department of Environment and Planning was provided with a number of documents relating to the financial position of Mr Bill Turner and his companies. They included a document lodged in the Supreme Court which showed that, at 25 May this year, Mr Turner's group of companies had debts of more than \$57.6 million. I have a copy of that document given to the department. Other information provided to the Minister's department at that time showed that Turner's group of companies was in effect insolvent, yet the Premier is reported in the *News* today as saying his department had done everything in its power to check the *bona fides* of all people concerned before it announced its support of the project.

**The Hon. S.M. LENEHAN:** I understand that the honourable member's question was detailed in regard to a report prepared on 3 July. I have not seen that report, if such a report exists.

### CRIME RATES

**Mr HAMILTON (Albert Park):** Will the Minister for Emergency Services indicate whether he has found any need to review crime rate information contained in the booklets *Confronting Crime* and *Together Against Crime* released in August as part of the Government's crime prevention strategy? My question is prompted by an assertion made by the member for Light in Question Time of 28 September that FBI burglary statistics obtained by the Opposition completely contradicted the Government's claim that South Australia had lower crime rates than American States. An article in the *Advertiser* on the following day stated:

South Australians were almost twice as likely to be burgled as people in the United States, State Parliament was told yesterday.

The State Opposition told the Assembly 1987 figures showed South Australia's burglary rate was 95 per cent higher than the US rate for the same period, and 34 US States had a rate less than half that of South Australia.

**The Hon. J.H.C. KLUNDER:** I thank the member for Albert Park for his question and acknowledge the consistency that he has shown in promoting crime prevention, and I acknowledge the work that he has done in setting up Neighbourhood Watch. I also thank him for providing me with the opportunity to again expose the misrepresentations and misinterpretations peddled by the Opposition. The short answer to his question is that there is no need for such a review because none of the crime statistics and comparisons published in these booklets were challenged by the member for Light. The phrases he quoted from the booklets were

extracted from passages which discussed serious offences—offences such as murder, robbery, and serious assault. The statistics and comparisons offered in the booklets dealt almost exclusively with such major crimes for the stated reason that only in such categories could accurate comparisons be made.

The member for Light had nothing to say about what these statistics and comparisons revealed. He ignored a table which showed that this State's murder rate was half the national rate in 1987-88; he ignored figures which showed a homicide rate in South Australia one-sixth that of the United States; and he ignored comparisons between Adelaide and eight similar size cities in the United States which showed us better off by a country mile in relation to such offences as murder, robbery, and serious assault. Ignoring all cautions, the member for Light sought to inject into the debate comparisons between break-and-enter offences in South Australia and the United States.

The booklets explain the dangers of making such comparisons, and I consider it is highly unlikely that the Australian Institute of Criminology, in providing the Opposition with the FBI Uniform Crime Reports, would not have issued the standard warning about the dangers of using such figures for comparison purposes. It is, after all, a highly reputable organisation which has no interest in promoting invalid statistical comparisons. However, such niceties appear to be foreign to this Opposition. It judges statistics by the number of column centimetres and the size of the headlines they generate—not by their accuracy.

Why are break-and-enter statistics not comparable? To get a definitive answer, I put the question to Dr Adam Sutton, Director of the Crime Prevention Policy Unit and former Director of the State's Office of Crime Statistics. This is part of what he had to say:

There is general agreement that, even within Australia, break-and-enter offences are not comparable from one jurisdiction to another. Therefore, it is most unwise to use this category in comparisons with overseas.

As Dr Sutton indicated, it would take hours to provide a complete analysis of the problems in making such comparisons, but I offer a few of them. There are major differences in the rate at which victims of break-and-enter in Australia and the US report this offence. The latest victimisation survey in the US shows that just over 50 per cent of such offences were reported to police compared with a figure of 70 per cent in Australia. The result is a higher offence rate in Australia simply because more break-and-enters are reported.

There are significant differences in offence definitions and counting rules not only between Australia and the United States but also between the various Australian States. The booklets refer to some of the undesirable counting practices prevalent in other Australian States designed to reduce offence numbers. In the US, where a break-and-enter offence is committed in conjunction with a more serious crime, only the more serious crime is counted. The break-and-enter disappears.

The last victimisation survey conducted in Australia indicated that New South Wales had a higher rate of break-and-enter offences than South Australia, but the different counting rule in NSW artificially reduces the official police statistics. There is general agreement that crime rates are higher in larger urban areas. Comparing South Australia with Nebraska is inappropriate because of different demographics. South Australia has more than 70 per cent of its population in a single urban area. Nebraska has two metropolitan concentrations—one is little over half the size of Adelaide and the other only one-fifth the size. I can do no

better than use the words of Dr Adam Sutton to summarise the situation:

... experienced criminologists are aware that the penalty for ignoring rules and warnings is to produce comparative crime figures that are misleading.

**The SPEAKER:** Order! Can the Minister advise how much longer this reply is likely to take?

**The Hon. J.H.C. KLUNDER:** I will complete it within a minute, Sir. Dr Sutton continues:

This is not what the Crime Prevention Strategy has tried to do. It has made responsible comparisons—none of them challenged by the Opposition. It makes these comparisons in a balanced, non-emotional way—and in a context of acknowledging that South Australia does have a problem of increasing crime, and does need to look urgently for better, more innovative solutions which involve the entire community.

That is exactly what this Government is doing—pursuing the main game, and leaving the misrepresentations and misinterpretations to the Opposition.

### MARINO ROCKS MARINA

**The Hon. B.C. EASTICK (Light):** Because it has been alleged that Mr Bill Turner has illegally sold his major share in the Marino Rocks marina for which the development rights include 90 hectares of public land in the hills face zone and because the Government does not have information about Mr Turner's present whereabouts to help clarify this matter, will the Premier say whether the Government will initiate an investigation by police or Corporate Affairs to determine whether Mr Turner's actions amount to fraud?

**The Hon. J.C. BANNON:** I do not see any cause for that. This is a sensational question that obviously has been devised by the Opposition to try to create a bit of atmosphere and excitement around the matter. I would have thought that the matter was atmospheric and exciting enough without that. What we know is that certain caveats have been lodged on that land. That matter has been publicly canvassed, and Mr Alan Burlock, as he declared yesterday, is discussing that with the Glenvill group that lodged those caveats. I have told them that that is obviously one of the matters that needs to be resolved before they can proceed further with the development.

### HOMESTART LOANS

**Ms GAYLER (Newland):** Will the Minister of Housing and Construction tell the House when the first loans under the new HomeStart scheme will be made? Some of my constituents have inquired via the HomeStart hotline and subsequently received registration forms and a brochure. Others have called me when the HomeStart hotline has been engaged, until we discovered that it was a 24-hour hotline. Many of my constituents have now returned completed registration forms and are anxious to follow up their applications.

**The Hon. T.H. HEMMINGS:** HomeStart Finance has begun sending acknowledgment letters to the 3 800 people who have registered with HomeStart. Three hundred letters have already gone. Those 300 people have been told that by the end of October they will receive letters of referral to HomeStart retailers. All in all, by Christmas 1 000 or more HomeStart applicants will have been given referrals to one of the three retailers participating in the HomeStart scheme.

The response to HomeStart has been literally overwhelming. In the five weeks since its launch, HomeStart has received 10 000 inquiries and 3 800 registrations for loans.

This fantastic demand has caused some delays in getting back to applicants, but things are now beginning to flow. A waiting list is being compiled and applicants will be referred to retailers in order of application. The Government originally expected 1 500 HomeStart loans to be settled in the first year of the scheme's operation, but it may well be that more than this number will be required.

### MARINO ROCKS MARINA

**Mr D.S. BAKER (Victoria):** In view of the serious questions which hang over the future of the Marino Rocks marina project as a result of the Government's failure to fully investigate the background of the former proponents, particularly Mr Bill Turner, does the Premier agree that there needs to be a much more thorough investigation of the Burlock Group of Companies to which Mr Turner has transferred his interests in the project, and, following the Premier's statement on the ABC 7.30 Report last night that the Government would be making its own further investigations in relation to allegations about property dealings in Melbourne involving Mr Alan Burlock, will the Premier ensure that there is contact with all Victorian Government agencies which may be able to assist in these investigations?

The Opposition has been provided with information that the Victorian police have been investigating a number of allegations in relation to Mr Burlock for the past 12 months. In particular, the Opposition has been made aware of the following:

1. An official police report prepared earlier this year which recommended a full investigation into Mr Burlock's activities involving property developments in the Doncaster area of Melbourne and allegations that he improperly used his position as a member of the council of the City of Doncaster and Templestowe to influence council decisions about those developments.

2. A directive dated 20 June this year, signed by Detective Chief Superintendent K.C. Holliday, Victorian State Crime Coordinator, that there should be further inquiries into allegations that suspicious circumstances were involved in the death of a business associate of Mr Burlock, a Neville Victor Kaye, in a helicopter crash at Baxter in Victoria on 10 November 1985.

**The Hon. J.C. BANNON:** I suppose that one of the conclusions that one draws from that question and the way in which it was framed is to feel very sorry for anyone coming from outside the State seeking to deal in South Australia if they are to be subjected to that sort of thing being put on the record under privilege in Parliament in the hope that it will be reported, whether or not it is true. If the question had been to ask whether we will be checking those facts, I could say to the honourable member—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** —that I have made clear throughout that, at the time the Government seeks to sign heads of agreement for a development of this kind, all those checks and the financial *bona fides* and ability to complete the project will have to be in place. That is, and always was, the situation. That was the situation on the day on which we made the announcement with the former proponents, and it is the situation today with those who seek to take over the project. What I think is pretty rough is an honourable member being prepared simply to pick up something like that and put it on the record in a privileged environment. As I say, it is an example of the way in which the Opposition, in its rather desperate state, will hang on to anything.



*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** I repeat: I can give assurances that a development will not proceed until we are satisfied, but I hope and believe that a development will proceed. Unlike the Opposition, we are trying to make things happen in this State. We are trying to make things happen in the right way, and we are not in the business of needlessly slandering people, using the protection of this House.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! A call to order includes members of the Government front bench, and I specifically mention in that context the Minister of Public Works; I ask him to try to control himself. The honourable member for Adelaide.

### SOUTH AUSTRALIAN ECONOMY

**Mr DUIGAN (Adelaide):** Will the Minister of State Development and Technology advise the House whether the economic objectives set out in the document 'The Next Five Years', which was released during the September quarter of 1985, have been met and what the impact of the document's strategy has been on the performance of the South Australian economy, particularly in light of the release today by the Premier of an economic strategy document for the next decade?

*An honourable member interjecting:*

**The Hon. LYNN ARNOLD:** I shall reply as briefly as possible, because there is a great deal of information to be provided. By way of interjection, the Leader of the Opposition made the comment a moment ago, 'Just like the last time.' In fact, the document that the Premier released today will be just like the last time, because the last document presaged incredible economic growth within South Australia. At the same time as the Premier released that document this morning, he released a background paper which details what has happened until now. That indicates significant improvements on a number of economic indices for South Australia, and I will indicate just a few. For example, gross State product has grown by 32 per cent over the past decade, and the overwhelming part of that growth has been within the past seven years.

There has been a 21 per cent increase in real terms in gross State product *per capita*. The average level of employment in the State in the three months to August 1989 was 113 500 higher than the lowest period, which was in the June quarter of 1983. In other words, there has been a 21 per cent increase in the average level of employment during the period of this Government, so the decline that had been set in by the Liberals during the time they were in power was reversed, and we have seen that reversed to the tune of a 21 per cent growth in the number of real jobs.

*An honourable member interjecting:*

**The Hon. LYNN ARNOLD:** I hear the member for Mitcham. In relation to one of my other portfolios, that of fisheries, I recently attended a conference to debate a problem Queensland is having with a fish called the 'mouth almighty'. If ever there was a 'mouth almighty', it is the member for Mitcham.

Let us look at some other things which have been achieved over the past seven years and which were identified by economic statements issued by the Premier in 1985, and by the Premier, when Leader of the Opposition, in 1982. At present, South Australia has the second lowest public sector

debt *per capita* of any of the States of Australia. In terms of business investment, let us compare what happened under the Liberals with what is happening under this Government. Taking the first three quarters of 1988-89, we find that private new capital expenditure was 116 per cent higher in current dollar terms, or 32 per cent higher in real terms, than for the corresponding period in 1980-81—a one-third increase in real terms in the level of private capital investment in this State. That is not for want of the Opposition's trying to talk it down all the time, might I say, with its constant efforts to undermine investment in this State.

Nevertheless, this Government has been able to achieve a one-third increase in real terms, along with the one-fifth increase in the total number of jobs. In relation to overseas trade, this State is now a net overseas exporter of goods: that is, we export more than we import. That is not the story for the nation, but it is the story for the State. In the five years 1983-84 to 1988-89, total South Australian overseas exports grew by 49 per cent, an average rate of 8.3 per cent a year in current dollars. That is a credible effort, especially when we look at the diversity of exports involved in that—from agricultural, mineral and manufacturing products, and service exports as well. That has taken place during the terms of office of this Government. Manufacturing employment in the period to 1988-89, compared with a year earlier, rose by 4.2 per cent in South Australia. Our manufacturing employment is growing by three times the national average.

These are the facts of economic growth in South Australia, and they are attested to in an excellent special report 'South Australia', which appears in today's *Australian*. It identifies a number of figures which are also worth mentioning.

*Members interjecting:*

**The Hon. LYNN ARNOLD:** I know that the Opposition's mouth almighty does not want to know these figures and so he attempts to shout down the House. The article states:

The State Bank of South Australia forecasts that the widespread, buoyant and durable economy of the past 12 months [in South Australia] will continue for the rest of 1989-90.

The Opposition weeps and cries at that, because members opposite do not like to hear that element of good news. The report continues:

Over the 12-month period ended August, an additional 30 800 people found employment in the State—a rise of 5 per cent.

That compares with desultory employment growth rates under the Liberals between 1979 and 1982. Let me look at some of the other areas. As to employment, the figure for August 1988 to August 1989 was 6.1 per cent higher, compared with 5.1 per cent for the nation, yet the member for Victoria says that this is a joke. I do not think it is a joke at all: I think it is good news that we ought to be happy about. Unemployment is now down to 6.6 per cent of the total work force in South Australia. The CPI has increased by .3 per cent less than the national average. Further, the number of industrial disputes continues to be the lowest of any State in the nation, as only 2.3 per cent of industrial days lost in South Australia—

**The SPEAKER:** Order! The honourable member for Alexandra.

**The Hon. TED CHAPMAN:** I rise on a point of order, Mr Speaker. I reckon enough is enough. This afternoon we have had a display—

*Members interjecting:*

**The SPEAKER:** Order! The honourable member is not supposed to be making a speech. He indicated that he wanted to make a point of order.

**The Hon. TED CHAPMAN:** I am taking a point of order on the Minister's making a speech, as indeed another Min-



ister has attempted to do today. This has become a speech period rather than a question time.

**The SPEAKER:** Order! The clock was reading 27 minutes on the countdown when the Minister started his reply. It is now 20 minutes. I ask the Minister to quickly wind up his remarks.

**The Hon. LYNN ARNOLD:** I have one more point to make. I was talking about industrial disputes. South Australia has experienced only 2.3 per cent of the total national average, compared with 8.6 per cent of the national labour force. The last point I wanted to make—but I was being significantly interrupted by members of the Opposition, who try to shout down these achievements all the time—relates to building approvals. This excellent *Australian* article states:

In the three months to August 1989 . . . dwellings approved in South Australia, 25 per cent more than in the same period of 1988.

For the nation at large there was a decline—

*Members interjecting:*

**The Hon. LYNN ARNOLD:** Again, the Opposition is trying to stop me from finishing my reply.

**The SPEAKER:** Order!

**The Hon. LYNN ARNOLD:** For the nation at large there was a decline of 17 per cent. We saw an increase in South Australia against a national decline.

### MARINELAND

**Mr S.J. BAKER (Mitcham):** In view of further documents the Opposition now possesses showing it was the Government's decision to scrap the Marineland redevelopment, will the Premier now initiate an independent investigation so that principals of Zhen Yun, Elspan International and the Tribond company can present all evidence they have on who made this decision? In the last week of sittings, the Opposition revealed that agents acting on behalf of Zhen Yun had informed the Tribond company that the Government had scrapped this project because of pressure from unions and Greenpeace.

As further corroboration, I refer to a letter dated 2 February. This letter was faxed on that day to the Minister of State Development and Technology. It was written by Mr Peter Ellen, a director of the Hong Kong based Elspan International. Late in 1988, Mr Ellen had introduced Zhen Yun to the Tribond company, the Department of State Development and Technology and the West Beach Trust on the basis that Zhen Yun would take over and finance the Marineland redevelopment. Mr Ellen wrote his letter of 2 February to the Minister in his capacity as adviser to Zhen Yun on the project. In his letter, Mr Ellen records the continuing wish of Zhen Yun to proceed with the Marineland redevelopment through buying the Tribond company. He refers to the need for an agreement with the West Beach Trust to allow the project to proceed and informs the Minister:

Your urgent direction is required to enable this transaction to be finalised.

However, the project was scrapped on 2 February. Consequently, on the following day Mr Ellen had a meeting with representatives of Zhen Yun. I have a letter which Mr Ellen wrote to Zhen Yun at the time to record the outcome of that meeting. I refer to the following paragraph—and this is the advice given to Zhen Yun:

The progress on the West Beach development was discussed and we were informed that the South Australian Government had decided against the marineland dolphin ocean development but that the hotel and conference centre project would proceed.

The Opposition has now presented information recording the clear view held by key parties to these negotiations, at the time they were occurring, that the crucial decision to scrap the project was made because the Government would not support it and not because Zhen Yun believed it was not viable. An independent investigation would allow all these parties to present evidence to resolve the conflicts.

**The SPEAKER:** Order! Before calling the Minister I point out that we have not only unacceptably long answers but unacceptably long questions. That question commenced with the countdown clock on 20 minutes and it is now reading 16 minutes. The honourable Minister.

**The Hon. LYNN ARNOLD:** Again, we have the member for Mitcham attempting to talk down development in South Australia. We have a development proceeding at that site and every effort of the Government has been to maintain and prosper that development, while every effort of the Opposition has been to scuttle it. It would be well worth while if the member for Mitcham—the mouth almighty—did more thorough research into these matters. He waves a letter around, but I suggest that he read the reports in this morning's *Advertiser*. I will read into *Hansard* a letter that I received from Zhen Yun on this matter, because I believe it is very important that the situation be understood. Before I read that letter, I remind the House that on a number of occasions I have given members information—I guess I have been guilty of repetition—but I have done so because each time I have been asked a question and each time there has been a refusal by the Opposition to listen.

I had a telephone conversation with Mr Lawrence Lee on Thursday 2 February, and a fax was sent to him a day later to confirm the nature of that conversation. That fax has been read into *Hansard* on a number of occasions, but for the sake of the member for Mitcham, I will read it again:

This is to confirm the main issues discussed between the Minister of State Development and Technology and Lawrence Lee by telephone on Thursday 2 February 1989. Please review and confirm your understanding of the issues detailed below:

1. That given perceived construction and operational difficulties with the Marineland redevelopment it may not prove viable and therefore it may be in Zhen Yun's interest not to proceed with the redevelopment and in consequence not proceed to acquire the shares of Tribond Developments Pty Ltd.

2. If the Marineland redevelopment were not to proceed the Government would encourage Zhen Yun to develop a hotel and convention centre at West Beach and the South Australian Government would address the question of the future of Tribond Developments.

3. Zhen Yun will submit a proposal to Department of State Development and Technology *re* a hotel and convention centre proposal.

The author of the fax was Mr John Frogley and it was sent to Lawrence Lee and Gary Chapman of Zhen Yun. That fax crossed in the post, so to speak, with a new business plan that came to the Department of State Development and Technology within hours of the telephone conversation between Mr Lawrence Lee and me. That detailed six page proposal, which arrived within hours of our conversation, giving extensive financial figures on the hotel convention centre proposal without a marineland, indicates that work had already been done by Zhen Yun on that matter. Indeed, that is confirmed in today's *Advertiser*, with Mr Lawrence Lee being quoted as saying that they undertook a feasibility study into this in January and found that it was not viable. The letter I received from Mr Lawrence Lee on this matter states:

Dear Mr Arnold,

I am concerned with recent articles in the *Advertiser* and *News* most of which were not true and need to be clarified. I recall our telephone conversation on 2 February 1989, in which you only suggested that I consider the opposition of Greenpeace and other groups to the keeping of dolphins in captivity and the effect on financial viability of the various components of the project. I did

not have the impression by you raising these matters that the Government was placing any pressure on Zhen Yun to drop the development of the oceanarium component but just your kind concern that our first project in South Australia should be successful. Enclosed please find a copy of our letter to the Editor of the *Advertiser* clarifying certain matters concerning this project.

I am annoyed with many untruths that have been reported by newspapers on the project which directly or indirectly will affect the development of the project. I am seeking legal action against these newspapers. It is Zhen Yun's desire to clear up all the publicity so we can concentrate on the project at West Beach.

I say, 'Good luck' to them, and I hope that from now on they will get the chance to do that.

The reason the company finally decided against a marine-land component involved the question of viability: it would not make commercial sense. Indeed, the business figures provided by Zhen Yun, when it was still considering a marine-land proposal earlier in January, were premised upon the fact that there would have to be admission rates for adults of \$11.50, children \$7.50 and concessions of \$8.50. That is a pretty hefty set of admission rates, but those were the sorts of figures required to make the marine-land component viable. It is interesting to note that it did not take too much more for them to realise that if there were to be falling patronage figures, as a result of growing community concern about the keeping of dolphins in captivity, there would be falling attendances.

That is also matched by the Western Australian experience. In its first few years, the Western Australian oceanarium was very successful. (That was the information supplied to the IDC when the original guarantee was made.) However, since that time, the oceanarium has experienced a significant decline in its financial success. Indeed, yesterday's *Financial Review* indicates that the owners of Underwater World in Western Australia have agreed to a management buy-out. In other words, it has sold out at a loss of \$2.6 million on its initial investment; it has sold out for \$2.6 million less than it paid. The article states that, in its first year of operation, Underwater World attracted 542 000 visitors, but attendances have since fallen off. That is that type of premise on which Zhen Yun has made its commercial assessment.

The member for Mitcham has also referred to a letter sent by Mr Peter Ellen to me. Indeed, the relationship of Mr Peter Ellen to Zhen Yun has been detailed in Mr Lawrence Lee's letter published in the *Advertiser* this morning. The member for Mitcham is now identifying to the request for ministerial direction. The letter contains a paragraph that does not say what the member for Mitcham stated when he said, 'I quote', and then went on to misquote the paragraph. It actually states:

The situation has now been reached where your ministerial direction is necessary to resolve any misunderstandings that exist between your department, West Beach Trust and Zhen Yun (Australia) Pty Ltd.

That refers to the negotiations for the lease agreement, detailing most particularly the lease payments that were to be required and any other associated costs of facilitating that lease. It involved rental payments and, indeed, as members know, I as Minister have no authority, anyway, over the West Beach Trust: my intercession was being sought as just that—intercession to facilitate discussions which were normal commercial discussion in which the West Beach Trust was actively pursuing its interests as it should rightly have done, and seeking our assistance in making those discussions work as effectively as possible—not, in any sense, heavying anyone in those discussions.

## DEPARTMENT OF MARINE AND HARBORS

**Mr PETERSON (Semaphore):** Will the Premier undertake to respond to a letter that I have been asked to give him by employees of the Department of Marine and Harbors requesting information regarding their employment? I have in my possession a letter addressed to the Premier and signed by 210 workers employed by the Department of Marine and Harbors at Port Adelaide who are deeply concerned about their future. The first paragraph of the letter explains the extraordinary and desperate actions of this large group of workers. I quote the letter, which is from the Joint Unions Committee, Department of Marine and Harbors, Dockyard, Glanville, as follows:

Dear Mr Premier,

It is with the gravest concern that we the undersigned write this petition to you regarding our future as Government employees within the Department of Marine and Harbors. This approach to you is being made as meetings with the department management and the Minister, Mr Gregory, have failed to obtain the required information.

**The Hon. R.J. GREGORY:** I thank the honourable member for his question. I have had the liberty of seeing part of the letter. Two and a half weeks ago on 22 September I was at a meeting at Trades Hall when the very question was raised and union officials were advised that no person employed by the Department of Marine and Harbors would have their job placed in jeopardy. They were told that an overhead study of the department was being prepared by a team, including a member of the Public Service Association and it would be available soon. They were also told that the department was being restructured into business units. Last financial year the department had a surplus of \$1.85 million. We can compare that with the result of the department of 1980-81, which showed a loss, by converting it to today's dollars, equating to \$5.92 million. That indicates a considerable turnaround in the financial operation of the Department of Marine and Harbors.

However, the return by the department on the 1988-89 financial year is not adequate to comply with a commercial operation and the responsibilities and demands for improvement in efficiency placed on the department by the waterfront inquiry. It is 60 years since the department has been restructured or had any change to its structure. It is unable to function in a modern business environment.

The intention is that the new business centres will have direct responsibility for reporting to the senior management on the business-like operations of their organisations. We intend by administration and debt management to be able to have an improvement in the targeted return, which will equate to between 66 per cent and 75 per cent. There will be a reduction in the number of people working in the department, but this will be created by natural attrition. I advise the House that in the past four years there has been a reduction in employment by the department of about 5 per cent. It is intended that any person who needs to be retrained to do additional or other work in the department not within their training will be retrained and there will be redeployment within the department. Other people will be retrained and given opportunity to transfer to other Government departments if they so wish.

Meetings have been held between employees of the department and the Director in the latter part of last week. This morning the Director met with all union officials with members employed by the department. He had a subsequent meeting today scheduled with supervisors and shop stewards at the Glanville dockyard. The shop stewards chose not to attend the meeting but advised the Director they would attend subsequent meetings provided union officials

were there and they were given 48 hours notice. That is being done. The Director will talk to every employee of the department who is at work on the day that he visits their work site. By the end of the month he should have finished talking to all available employees and individual unions concerned outlining to them the effect of the restructuring.

When that process is completed they will be supplied with a copy of the new management structure which we anticipate will be available by the end of the week and the overhead study which will be available within the next week or two. Those studies will be made available to all unions and members employed in the department, as well as to employees who want to view the documents. After the restructuring of the department, and the head part of it, there will be extensive consultation with the people who work in the department, the units, and the unions affected.

### MARINELAND

**Mr BECKER (Heysen):** Will the Minister of State Development and Technology ask the Director of his department and the Deputy Director whether they had a telephone discussion on 9 February this year with Mr Peter Ellen of Elspan International in which Mr Ellen was told the Government would pay him out for his part in the Marineland redevelopment if he behaved? I have a note of this discussion prepared by Mr Ellen, at the time it occurred. It refers to pressure on the Government from Greenpeace, amongst others, not to allow the project to proceed, and indicates the Government's position had shifted to support the open-sea sanctuary proposal being put forward at the time for Granite Island.

There is then the following reference, and I quote directly from the note: 'If you [referring to Mr Ellen] behave, you will get paid. If we can get this agreement from you by next Saturday a.m.—Treasury will pay.' The note concludes with an understanding of three points, one of which was that Mr Ellen should agree, and I quote, 'not to commit any publicity in any way'. This was the basis of the hush agreements signed on 11 February. I have also been advised that in a telephone call on 5 February this year, Mr Hartley threatened Mr Ellen with non-payment of certified claims for his company's work on the project to that stage, if Mr Ellen's company pursued the Marineland proposals. The independent investigation sought by the Opposition would allow Mr Hartley, Ms Eccles, Mr Ellen and other people with relevant information to provide evidence on the matters I have now raised.

**The Hon. LYNN ARNOLD:** The constant allegations and slurring by the member for Hanson against the Director of State Development and Technology and officers of that department are outrageous in the extreme against dedicated hard-working people whose main concern is the development of this State. They have to cope with the rubbish from the member for Hanson all the time. The Director of State Development and Technology is a respected person in the business community in his own right over many years in this State and internationally.

*Members interjecting:*

**The SPEAKER:** Order! The Minister should be able to be clearly heard and not drowned out.

**The Hon. LYNN ARNOLD:** He has to put up with the small-town attitude of the member for Hanson who is too lame to other than attempt to discredit Rob Hartley and other officers of the department. I have already given much information to the House over many months on the operations of the department in this matter and on the Govern-

ment's operations. I have answered questions in the Estimates Committee, as indeed did Mr Hartley. He has written letters and articles accurately detailing the exact nature of his involvement and that of officers of his department.

I also have a copy of a letter he wrote to the *Advertiser* responding to the assertions being made by Mr Peter Ellen. I am prepared to table that letter in this House so that all members can see the information he has made available—not that it will make any difference to the member for Hanson, as he will go on with his diatribe against people who do not have the opportunity to abuse privilege as he does. Let us look at some of the points made by Mr Hartley in his letter to the Editor, as follows:

Mr Ellen is of course a representative of a vested interest group, that being Elspan International Pty Ltd. and he is clearly upset because Zhen Yun dispensed with his services.

I also refer to a letter written by Mr Lawrence Lee to the Editor which also states:

Your article of 9 October stated that Mr Ellen's services were dropped without explanation. However, we did not have a contact with Mr Ellen in his companies. Preliminary negotiations took place but his required fee was unacceptable.

Mr Ellen was clearly upset by Zhen Yun dispensing with his services; accordingly, many of his comments, while not new, are slanted to his perspective. Mr Lee goes on in a five-page letter responding to all assertions and allegations made by Mr Peter Ellen. I might say that a number of points made by Mr Peter Ellen are quite wrong in terms of factual information, and that some of the things that appeared in the *Advertiser* article were modifications of what he actually is reported as saying.

I have a copy of the original article that was written as a reporting of the interview that took place between Mr Colin James and Mr Ellen. Mr Ellen is reported in this initial draft, which was modified later in what actually appeared in the *Advertiser*, as saying:

Mr Ellen had also escorted a delegation of Zhen Yun principals from Hong Kong to Adelaide where he introduced them to officials from the Department of State Development, Mr Arnold and the West Beach Trust Chairman, Mr Geoff Virgo.

That is not correct. He did not introduce them to me in Adelaide. I met the Zhen Yun principals on my visit to Hong Kong last year and I have previously indicated that in this place. In another part of the article he indicates that he was instructed to sign. He states:

... but details of the project have never been disclosed because Mr Ellen was among several parties instructed in February by Mr Arnold to sign confidentiality agreements saying he would be liable for damages if he publicly commented about its scrapping.

Fortunately, the *Advertiser* knew that that could not be true and did not allow that statement to be printed; it changed the words, of that. But that is what Mr Ellen has been reporting, and that is the person about whose comments Mr Rod Hartley has responded in this letter. He goes on to say:

Mr Ellen said he did not know why the oceanarium component had been scrapped and when asked to give a possible reason he said 'politics'.

Yet, a few words later in the article he is reported as having said:

The oceanarium was scrapped because Zhen Yun wished to save \$16 million. This is, of course, completely contradictory.

The article goes on to mention the financial viability aspects, and of course, goes on to detail that there was never any matter of being instructed by me to sign any confidentiality agreements because, as he says, there was no such thing as a confidentiality agreement. It states:

Mr Ellen was [underlined] party to an agreement between him and the Government under which he was paid out as a creditor by the Government.

He was a willing party to any agreements to which he attached his signature. The member for Hanson is attempting to indicate that there was pressure against him to do that. I wish to table this letter so that members can have a look at the responses made by the Director of State Development, who does not have the opportunity to respond directly in the forum of this place.

#### PERSONAL EXPLANATION: DRUG TESTING IN PRISONS

**The Hon. FRANK BLEVINS (Minister of Correctional Services):** I seek leave to make a personal explanation.  
Leave granted.

**The Hon. FRANK BLEVINS:** During the Estimates Committee on 19 September, the member for Morphett questioned me on drug testing in prisons. In the course of an explanation to these questions the member for Morphett went on to say, and I quote from page 39, Part 2 of *Hansard*:

I was interested to read in the *Advertiser* on 3 February of this year the following statement attributed to the Minister [that is, me]:

The Government could no longer 'turn a blind eye' to illegal drug use and must immediately act to introduce widespread urine testing of prisoners to deter and detect drug abuse.

Mr Blevins said his department had been considering the introduction of urine tests for some time, and a decision on this was expected later this month. Even without the tests, the Government was using every method that had ever been used in Australia to detect drug use.

I responded as follows:

I would like the reference to that quote. I am quite sure that the Minister of Correctional Services did not say that he was no longer going to turn a blind eye to drug use in the gaols.

Having checked the article on page 1 of the *Advertiser* of Friday 3 February 1989, I wish to inform the House that those statements are very clearly attributed to the Opposition legal services spokesman, Mr Griffin, and not to me.

#### SITTINGS AND BUSINESS

**The Hon. D.J. HOPGOOD (Deputy Premier):** I move:

That the time allotted for—

- (a) noting the report of the Standing Orders Committee and  
(b) all stages of the following Bills:

River Torrens (Linear Park) Act Amendment

Road Traffic Act Amendment (No. 4)

Highways Act Amendment

South Australian Health Commission Act Amendment,

South Australian Ethnic Affairs Commission Act Amendment—

be until 6 p.m. on Thursday.

Motion carried.

#### STANDING ORDERS COMMITTEE REPORT

**The Hon. D.J. HOPGOOD (Deputy Premier):** I move:

That the report be adopted.

This report is the work of successive Standing Orders Committees since 1981 brought together by its present members. The particular emphasis of the report is on expressing the Standing Orders in plain language and gender neutral terms as requested by the House in 1987.

Special mention should be made of the member for Henley Beach, whose interest in plain language, and discussions with Flinders University, led to the plain language work

being carried out by Dr Robert Kelly of that university. The results of the committees deliberations have not been so much a rewrite of the Standing Orders but a consensus of committee members' views on ensuring that the Standing Orders remain meaningful despite the passage of time and ensuring they reflect the wishes of members generally as to how the House should operate.

I think the committee acknowledges that there are still some problems that need to be addressed but that future progress can only be achieved by agreement. As an aside, I indicate that I understand that the committee intends to have the Standing Orders book reprinted in a loose leaf form which will facilitate future amendments without the messy cut and paste job we have had in the past.

With those few remarks, I commend the report to the House. Members of the committee will no doubt supplement the remarks I have made. One final point I would make is that, if the House agrees to my motion, I know it is the wish of the committee that the new Standing Orders not operate until after the Parliament is prorogued. As his Excellency the Governor is required to approve any changes we agree to, a suitable request will be made to him to give effect to that suggestion.

**The Hon. B.C. EASTICK (Light):** I second the motion. The comments made by the Deputy Premier correctly identify the work that has been undertaken over a long period. That work has continued during the office of three Speakers—you, Mr Speaker, the Hon. Mr McRae, and me—and I thank those members of the House who have been members of the Standing Orders Committee during that period. Other than the members of the current committee—the members for Henley Beach, Hayward, and Morphett, as well as you, Mr Speaker, and me—membership has included the member for Playford (Hon. Terry McRae) and prior to that the member for Eyre (Mr Graham Gunn). The former member for Elizabeth (Hon. Peter Duncan) also played a part in some of the early discussions that took place in the early 1980s. Since that time the present member for Elizabeth has made representations on a number of occasions.

A number of issues have been canvassed by the committee. Several of the areas of the Standing Orders are notorious, if I can use that term, in relation to difficulty of interpretation and, more particularly, difficulty of interpretation depending on which side of the Speaker one sits. Having regard to how one shall answer questions, how one shall frame questions, and so forth, are issues which are not addressed by the motion presently before us today. As the Deputy Premier clearly indicated, it is important that major matters of that nature be by agreement and not by a 'knock them down, drag them out debate upon the floor of the House'. Such a process is not of assistance.

A series of Standing Orders has been presented as a result of work done quite some time ago. The work that was undertaken in 1972-73 by the then Attorney-General, or the Chief Justice as he is now (Len King), made a number of differences. Since that time we have fine tuned a number of the Standing Orders in relation to hours of sitting and the manner of conduct of the business, particularly late at night and in the early hours of the morning. I believe that those Standing Orders have had advantages, but it would be wrong not to accept that they have also involved disadvantages. On occasions, members, certainly on this side of the House and possibly on both sides of the House, have believed that their rights have been transgressed by a series of changes that has taken place, which have made it more difficult for members of the Opposition, in particular, to be heard or to make contributions on behalf of their electorate.

The gender neutral aspect of the Standing Orders on this occasion is necessary under the various pieces of legislation both State and Federal that now exist. I have no problem with that. The reduction in the total number of Standing Orders has been possible by bringing together into a proper sequence some of the detail of our Standing Orders which previously embraced as many as six different Standing Orders. There were occasions on which it was believed that it may be possible to give a general directive in one section of the Standing Orders and move over to an operative phase at a later stage. That was tested and found to be wanting in a number of ways, and it is not part of the report which is made to members on this occasion.

With the exception of the one typographical error, which relates to the Lord's Prayer and which has been identified by members, it is possible for every member of the committee to indicate that, to the best of their ability, with the assistance of Dr Kelly of Flinders University and most definitely the assistance of the Clerk of the House—it may not be normal to make such mention, but I think that it is proper on this occasion that the secretarial and research role that has been undertaken by that officer, assisted by some of his colleagues from time to time, merits comment—any questions that might arise during the further passage of these Standing Orders can be answered without great difficulty. I have been able to provide answers to a couple of my colleagues who have posed questions, but the thrust of what we are doing is no more than was identified by the Deputy Premier to bring us into the closing period of the twentieth century ready for the twenty-first century.

**Mr FERGUSON (Henley Beach):** I want to pay a tribute to the work of the committee. The committee took on what at first glance seemed to be an easy task of turning our Standing Orders into modern, plain language. That task proved to be more difficult than was first perceived, because, in order to assist Dr Kelly, the committee needed to know the interpretation of Standing Orders as they were. Therefore, we had to utilise the collective abilities of all the members of the committee for an interpretation of Standing Orders.

I pay a tribute to the member for Light for his contribution to the committee during its deliberations. He was able to give the committee the benefit of his experience as a former Speaker of this House, and his research and interpretation of the Standing Orders, as they were, together with you, Mr Speaker, enabled the committee to bring forward the document that is now before us.

I also pay a tribute to all the other members of the committee without naming them again, because the member for Light has already done that. I congratulate them on producing the document that is now before us.

**The Hon. D.C. WOTTON (Heysen):** I concur with the changes that have been made and commend those who have been involved in any way in those necessary changes.

I want to clarify one matter with the Minister. I have not been able to work out how it came about, but when I was at a function in Strathalbyn I was confronted by a clergyman who was most concerned because, as a result of the changes to the Standing Orders, the Lord's Prayer was to be changed. I could not believe that, so I came racing back and had a look, and certainly one section of the Lord's Prayer had been left out. I thought that was a grave step to be taken and that those responsible had accepted more responsibility than they should. I checked with you, Mr Speaker, and was told that that had been the result of a typographical error and that the matter had been rectified. As I have not seen

the revised version of the Lord's Prayer, I would like an assurance that it is at it should be in the new Standing Orders. I take it that the nod from the Deputy Premier indicates that that is correct.

**Mr M.J. EVANS (Elizabeth):** I support the motion moved by the Deputy Premier to adopt the report of the Standing Orders Committee. When one considers the brief that the committee was given by the House and that it considered it had to take upon itself to revise the Standing Orders, the product that we see at the end fulfils those objectives well. The members of the committee are to be congratulated on the way in which they have reformatted Standing Orders to bring them more into line with modern English usage, to ensure that they are in gender neutral terms and that they are relevant to Parliament in the society in which we now find ourselves.

I emphasise the fact that after 10 years work we could have done more than reformatted Standing Orders. I believe that the committee could have taken a greater initiative in reforming the Standing Orders, not just reformatting them. I agree that the product is eminently suited to the purposes of the House, but I believe that a more radical approach would have yielded a more progressive House in the 1990s.

I acknowledge what others have said about the need to obtain consensus on these matters, and I support that viewpoint. I do not in any way advocate that we should be reforming Standing Orders in any other way. If we cannot obtain broad cross-sectional agreement on matters, I agree that we must continue to work towards that objective; but I am disappointed that, after a decade of work on the matter, we have only reached this point. However, once we have Standing Orders in their revised format, I know that it will be possible in the next Parliament and in Parliaments beyond to look to the reform of Standing Orders rather than to their modern day reconstruction. That is not to be interpreted in any way as a criticism of the committee, because I believe that it has achieved the unique result in parliamentary terms of producing a report in a final form that we can adopt. Many committees of this Parliament have tried over many years to produce results on other topics and have failed. This committee is to be congratulated on having achieved this eminently acceptable result.

Reading through the Standing Orders, both as they were and as they will be if the motion is adopted by the House and approved by His Excellency, one can readily see that they are Standing Orders for a House which is dominated by the executive Government. That is a simple statement of fact about the way in which parliamentary democracy has evolved. No doubt, our colleagues from Westminster will have more to say privately on these matters as we talk to them. One can see in most Westminster Parliaments that the Executive has come increasingly to dominate both Houses of the Parliament, particularly the Lower House. Any element of check and balance which might have existed in decades gone by is really no longer as clear cut as it was. In fact, we recently saw the edifying spectacle of the members of the executive Government in Queensland debating in the media the question of the separation of powers, with singular lack of success. That in itself is very instructive.

I do not know that any of us, except those with legal training, are well equipped to answer these questions without any notice, but I should have expected members of the Parliament to have a much better grasp of the question than applies to the senior executive officers of the Queensland Government. However, I do not believe that that would be the case in South Australia with the Premier or

Deputy Premier we have here. I know that they would be able to respond very competently on those questions.

*An honourable member interjecting:*

Mr M.J. EVANS: Indeed, or even in the original Latin, in some respects. One must say, looking at it from the point of view of a member not of the executive Government, that the Standing Orders are very well placed for the use of the executive Government and not for the use of the Parliament as a whole. I believe that this criticism of the present system applies equally to either political Party and it is not intended to single out the present Government: the present Government simply occupies the Executive benches at the moment. I am sure that it would be the same were other members ever to be given that opportunity. That is not something that is likely to occur in the immediate future, but one must be prepared for eventualities.

For democracy to function in the 1990s we need a much stronger and more questioning Parliament. There can be no doubt that, given the vast size of the bureaucracy—and I do not say that unkindly—in the 1990s we will need a significant Government apparatus in this country and in this State to administer the affairs of the nation. Given the size of that bureaucracy now, I believe that the only effective instrument of public accountability for that bureaucracy is not Cabinet, because Cabinet runs the bureaucracy, but rather the Parliament and, in particular, the people's chamber, the House of Assembly, the House which has traditionally been used to hold Governments accountable. If we weaken the ability of the House of Assembly to hold the executive Government, or vast areas of it, accountable—involved millions upon millions of dollars and thousands upon thousands of employees—we weaken the democracy in which we live.

The Standing Orders are a very serious part of that, as I should like to show in the remainder of my contribution. I do not mean to suggest that the Executive must not be allowed to govern. Some members might take my remarks as an indication that I want a parliamentary Government and not an executive Government. That is not the case. I strongly support the contention that the Executive must be allowed to operate the executive Government of the State. That is not a problem with me. I simply believe that Parliament and the House of Assembly must be adequately equipped to hold that executive Government accountable in a public way for what it does with taxpayers' funds and for the way in which it administers the laws which only this Parliament can bring into existence. Standing Orders have a very substantial role to play in this, and I should like to highlight a few areas, not exhaustively because I know that the House would not wish to be so detained but simply as examples of the ways in which I think the Standing Orders could be improved in future Parliaments.

I know that many of these items are on the record with the committee. I presented them to the committee in written form. When this matter arose several years ago I was given the opportunity of a five minute discussion with the committee to present some of these ideas, then the matter lay in abeyance, almost, for some time. Suddenly, a final report of the committee appeared and was circulated to members some weeks ago. We were invited again to comment on that and, of course, I placed a written submission before the committee, to which submission I believe the member for Light alluded. Unfortunately, I have not since heard from the committee and had not received any response either in writing or verbally to my submission before the matter was debated in the House. That is of some concern.

The committee, of course, is perfectly at liberty to proceed in any way it wishes, and I do not call that into question.

When individual members are invited to make submissions it would be at least reasonable to expect some kind of response to their submissions before the matter is formally disposed of. I leave that issue for the committee to consider and act on as it sees fit.

A few of the points I should like to raise are not serious matters, although some are serious. In relation to new Standing Order No. 4 referring to the election of the Speaker, I believe that we should take into account in this Parliament the proposition that is presently being discussed in the Commonwealth Parliament—I believe that the member for Corio, the former Speaker Gordon Scholes, put this forward—that, when the House is first convened or when there is no Speaker, a member of the House should take the position as temporary Speaker to ensure that the person holding that position has the full powers of the Speaker.

The Clerk could be put in a difficult position if he had to control an unruly Parliament and, whereas in my experience and in recent history the Clerk has had no difficulty in administering that task because the House has been cooperative, I think that the suggestion is reasonable. It is presently being debated in the Commonwealth Parliament and is worth further consideration here.

I should like to turn to a more serious matter, proposed new Standing Order No. 57, which deals with the recall of the House. This is one area where it is quite clear that we are dealing with Standing Orders drawn for the benefit of the Executive, if you like, because this Standing Order requires that the Speaker can reconvene the House only at the request of a Minister of the Crown if he is satisfied that the public interest requires it. There is no provision for the Speaker to convene it of his own volition if he believes that the public interest merits it, nor is there the provision for a quorum or set number of members of Parliament not being members of the executive Government to request the Speaker to convene the House where urgent public business needs to be transacted.

It could be that the business is critical of the executive Government of the day. It might be that circumstances arise soon after a parliamentary recess or in the middle of the recess when the House would not normally resume for some weeks in relation to which the Government of the day is to be held accountable. But only the Government of the day can reconvene, and that is the only body which has the power to hold the Government accountable. That is a serious deficiency in Standing Order No. 57 which illustrates the point I was making earlier. After all, even if the House is reconvened, if the majority of members do not agree with the issue raised, they have the right to vote down any proposition brought forward.

Proposed Standing Order No. 78 deals with the routine of business. A number of issues should be looked at here. There is no doubt that the present arrangements work very much to the advantage of Governments and Oppositions as political Parties. Considerable discussion took place regarding the review of the business early in the week by the Leader of the House and the Deputy Leader of the Opposition and it was agreed that other members of Parliament would be consulted and their needs taken into account, but to the best of my knowledge no such consultation has ever taken place. I am not aware of the actual discussion. I believe that it would be appropriate for the Standing Orders to spell out the criteria to be taken into account in determining the order of business, and I believe that the committee could take into account both Government and other business so that the week's affairs are arranged in a block without reference to whether or not the matter was raised by a Minister. Where it is convenient to schedule



other business during the week on Tuesday or Wednesday, that could be done by agreement in advance of all members concerned, and not be left to a brief period at some other time.

Serious questions are to be raised about Question Time, because that is the most important period of the day, when members are able to hold members of the executive Government accountable. The way in which Ministers answer questions, the way in which members are limited in placing argument before the Chair, and the length of replies which can be given are all matters that need to be discussed in more detail. I also believe that the unlimited time limits need to be reviewed, given that the House frequently imposes a weekly guillotine on debate. Clearly, that is logically inconsistent with an unlimited time for debate for selected members of the House. This is also the case with private members' time.

Given the changes to the practices of the House, we need to examine again the time limits for the response of the Minister and the Opposition, and also in private members' time. I will ignore a number of minor matters that I have presented in writing, because it is not worth detaining the House with them: I will direct my comments to matters of greater substance.

One matter about which I am particularly concerned is that Standing Orders should provide definite minimum delays at various stages of consideration of the legislation. It seems that this is the only forum in which the public have a real opportunity to present comments on Bills before the House, yet legislation can often move through both Chambers of this Parliament, in particular through this Chamber, very rapidly and before the public and indeed members are able to peruse the legislation fully and consider all its implications.

Given the period of time through which legislation in draft form exists outside this place—when it is being discussed within the Public Service, by Cabinet, Parliamentary Counsel, consultative committees, unions, employers and groups in the community—there is no reason why it could not be brought into this place and lie on the table for a period specified in Standing Orders, be it a minimum of seven or 14 days, before debate proceeded. Minimum periods should be set down between the second reading, Committee and third reading stages. The process of proceeding through all stages without delay is not democratic, because it does not afford adequate time for consideration of these issues. The practice of Ministers introducing Bills late in the session is also one that Standing Orders should address.

Recently the House adopted Standing Orders in respect of Appropriation Bills, and at that time I raised the question of the clauses of such Bills. I agree that I made it clear in the written submission to the Government on this matter that I was not suggesting that we should conduct another examination of the Estimates Committees: that was not my intention in suggesting that the clauses of an Appropriation Bill should be debated. However, it is simply untenable for this House to have Standing Orders which provide that a Bill—whatever Bill it is—should proceed through this House, the House being debarred from debating the clauses of the Bill. It would be relatively easy for the Standing Orders to prohibit discussion outside the clauses, in other words, prohibiting a reforming of the Estimates Committees' discussions, but to allow debate on the actual clauses of the Bill, which number about nine to 11, many of which are of substance. Standing Orders preclude debate on the substance of those clauses, and it is not appropriate for the House to conduct itself in this way, even if we voted for this provision.

Also, Standing Orders should provide that the Estimates Committees may examine any area of Government operation where a Minister appoints or has control over a statutory authority or body outside the scope of the terms of funding of the Minister's operations. There are now a number of areas where Ministers have established agencies, committees, statutory authorities and boards, and where Ministers are shareholders in companies outside the direct vote of this House, but it is an essential part of the business of this House to hold Ministers accountable for those operations and funds, because inevitably they are public operations and public funds, no matter how they are disguised. I believe that the Estimates Committees should be able to ask questions in those areas and that Standing Orders should so provide.

Whether the Minister answers questions, claims commercial confidentiality, or claims that he needs to take advice on the matter, and so on, is not relevant to the Standing Orders. The Minister is fully empowered to do that under the terms of the present arrangements anyway, and so there would not be an open go on confidential arrangements, which Ministers sometimes have to enter into. I acknowledge that. But it would at least enable questions to be raised across the whole ambit of the affairs of the State.

Finally, I turn to the suspension of Standing Orders. Given that Standing Orders are the appropriate depository of a number of democratic safeguards, they should not be so easily suspended. The process should require an advance notice of motion to suspend Standing Orders, thus ensuring that Governments can achieve that result when they need to, but also ensuring 24 hours notice of that. In other words, a notice of motion placed on the Notice Paper of the House, proposing the suspension for a given reason, would be required. There is absolutely no requirement to suspend Standing Orders as frequently as we do except for the convenience of the executive Government of the State. The proposed practice would facilitate the business of the House because it would negate the need to count and hold divisions and so on.

I commend the committee on its work to date. I certainly intend to support the proposal before us: it is admirable. However, I commend not only these suggestions that I have discussed today but also some of the general principles that I have put forward for future Parliaments to mull over in the hope that in the next decade we can achieve reform of the Standing Orders as well as simply re-formatting.

**Mr S.G. EVANS (Davenport):** I give credit to the committee that worked on the redraft and the deletion of some Standing Orders. There have been slight changes which I will not go into, although other members might. The intention is to make Standing Orders simpler for people to understand, to make Standing Orders non-sexist and to use the neuter gender as much as possible. The difficulty is our Standing Orders were written in such a way that we should be able to understand them; however, they have been interpreted in a different way.

In replying to a question, Ministers are not supposed to debate or use material outside the realms of the question. However, over the years the practice has gradually progressed to the stage where we have a straight-out method of ministerial statements in reply to questions. The whole system has changed. I might be more radical in my statement than the member for Elizabeth, who made the point that the present system leans more towards the Executive. That is true.

It is no good taking note of what a Minister may promise on one day, what a committee might intend or what even



you, Mr Speaker, might suggest, because no-one in this Parliament remains constant. There is no pressure on succeeding individuals who replace members to honour the word given earlier, even in respect of members belonging to the same Party. For example, in the early 1970s, there was debate about members giving up certain rights which were mainly of benefit to the Opposition and which involved members explaining their question first and then asking the question.

There was a deal. Until that time members could explain their question and then ask it: often part of the explanation did not relate to the question asked. That system was of advantage to members of the Opposition, who were able to bring in irrelevant matters to make a point in terms of their electorate, someone who had made an approach to them from the community or simply political gain. At that time members were promised, 'If you give up that right and ask the question first and then explain it so that the Speaker can ensure that the explanation stays within the realms of the question, we as Ministers of the Government, and Ministers of every future Government, will answer questions briefly.' The exact opposite has happened.

It is nothing but an abuse of the parliamentary system. The member for Elizabeth is not saying the same as I am saying, but he is making the point that Question Time should be the most important part of the parliamentary process, where an Opposition can test the Government through the Parliament.

I believe that it is too easy just to change the Standing Orders. Once we have a set of Standing Orders that are more appropriate in a democracy and for parliamentarians to represent their electorates effectively and properly, there should be a vote constituting about 75 per cent support before the Standing Orders are changed. If the Government of the day so wishes, it can (as happened in the 1970s, even if there were objections) say, 'You live with them, but we promise that the answers will be short.' A Government with the same philosophy is now in power and, as an election approaches, the explanations always get longer.

I admit that, during the Liberal Government of 1979-82, there were long answers to questions. As Whip, I objected to that and deliberately ensured that some people would get the last question of the day and would be trapped in the situation whereby they could not give very long answers. Members can check that from the *Hansard* record. I did that because, as Whip, I objected to the practice. We were also promised that if we put questions on notice, other than those that needed a lot of detail, answers would be provided the following Tuesday. That is recorded in *Hansard*. We would be given on the following Tuesday the answer to questions put on notice, except those that needed a lot of research. What a joke!

It now takes up to eight months to get answers to questions and the Government of the day can deliberately leave questions on notice, so that members cannot ask follow-up questions, because it is on the same subject. That subject is therefore locked up for months. Most members in this Parliament were not present in the era when the Opposition had more power. The ALP lived through it. The Hon. Hugh Hudson was an expert and used Question Time very well; he had a good brain and an excellent command of the English language which he used effectively for the benefit of his Party and the people he represented. However, he could not behave today as he did then; if he were in this Parliament he would be denied that opportunity.

I accept that it is all right for an Opposition to lose that opportunity, so long as the Government does not abuse the situation; otherwise the only way we can ever correct it is

to either introduce a time limit for answering a question—say, two minutes—and a time limit for asking questions—say, about one minute—or (and this is no reflection on you, Mr Speaker) we could, as the member for Elizabeth has suggested, have an independent Speaker who is not a member of Parliament. As an elected member of Parliament, the Speaker at present does not have an opportunity to stand up in Parliament and represent his or her electorate. However, an independent Speaker, who has some expertise in chairmanship and is fair, can take an unbiased approach. It is not possible for a person, who goes into the Party room and enters into discussions on Party philosophy, policy and tactics, to then take an independent position in the Chair.

The member for Elizabeth also referred to the matter of a time delay in considering Bills, except in matters of emergency where all sides of politics agree that it is an emergency and that the matter must be dealt with quickly, being of major concern in the community (such as the emergency services legislation that we played around with some time ago).

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

*A quorum having been formed:*

**Mr S.G. EVANS:** I believe it is very important that Parliament be given a longer period to consider Bills before they are debated, and the member for Elizabeth has made this point. I refer particularly to the end of the parliamentary session. Unless there is a matter of emergency, I believe that no Bills should be introduced in the last fortnight. This would benefit not only parliamentarians but also the staff. We have a situation now where Governments of all political persuasions say that they cannot present Bills any earlier but, suddenly in the last fortnight, and even in the last week, we get little 'rats and mice' Bills. Why is such legislation not introduced earlier in the parliamentary session?

We all know that a lot of laws are passed here when many of us have not had time to fully research them. We rely on some subcommittee of the Party to consider them and bring their report to the Party room. Whether or not we follow them through is then up to the Party. The Parliament is now structured around Parties, and the member for Elizabeth has made the point that those who are Independent, or members of minority Parties, are ignored by the administrative structures agreed to by the two major Parties. That it is a fact of life that we should try to remedy in the future.

If Oppositions are to be effective, the Standing Orders need to be changed. The present Government may or may not be in power in the immediate future: if it is not, it will then know what we are talking about. The Labor Party has been in Opposition for only five years out of the past 25 years. For at least 17 years of those 25 years it has had the opportunity under the Standing Orders to abuse the normal democratic process. It might think that it is sweet and it may enjoy it, but it does not do much for this place as a Parliament nor does it give us the opportunity to represent people or to challenge the Government.

Issues that have been raised recently involving businesses and companies are examples of where an Opposition needs a greater opportunity to challenge the Government. I support the proposition before us. I congratulate the committee for attempting to make the position easier for people to understand. But, I reiterate, it does not matter how simple it is to understand: the practical interpretation is not always according to what is stated in the Standing Orders. All that the Speaker is doing is interpreting the Standing Orders as they have been interpreted in the past. It is about time we stated that we will accept the interpretation of the Standing

Orders as they are written and that we will set a limit on the time for asking and answering questions.

We should also state that members cannot debate subjects that are not related to the question asked, and that Ministers cannot indulge in a political tirade of abuse in answer to a question. Unless we do that, Parliament will not be as effective as it should be. Of course, by the time those changes have come about I will not be here, but if someone makes the change after the next election and I am back here, regardless of what side of the Parliament I am on, I will support any proposition which brings about a fairer set of Standing Orders for the Opposition and minority groups and which provides for a 70 or 75 per cent vote to change Standing Orders, thus guaranteeing that no political Parties in the future can manipulate the Standing Orders to their own benefit as happened in the 1970s.

**Mr LEWIS (Murray-Mallee):** I commend the committee for the work it has done and the result we now have before us. I also commend to anybody researching the record the remarks made by others who have contributed to the debate before me. I draw attention to those debates because much of what has been said by the speakers who have preceded me have been very much sentiments of my own. I do not share some of the views. For instance, I do not share the views of the member for Davenport that an independent Speaker, not a member of this House, should be appointed to the post. I hold the view that the Speaker should resign from any political Party to which he or she belongs at the time they are elected to the post and do so as occurs in the Westminster system thereafter, namely, seek re-election to the Parliament as in 'Mr Speaker' seeking re-election. I do not know whether it would be a Ms, Miss, Madam or Mrs Speaker seeking re-election, but gender neutral technology would put it that way. That has been part of the exercise in dealing with the amendments before us.

However, all amendments are not as simple, as has been pointed out by some speakers who have gone before me. That point was acknowledged by the member for Elizabeth at least. Some Standing Orders have been changed during the course of the review, not only to make them gender neutral and also to make them more easily understood, but also changed in their effect. Before I draw attention to an example of that, these Standing Orders presently have deficiencies in them. They serve this institution fairly well, however. We could be less well served, as are other Parliaments, by Standing Orders. I have sat in other Parliaments and noticed the way in which because of their Standing Orders the participation of elected representatives of the people have been stultified by the interests of executive Government and stultified through that mechanism by the interests of the bureaucracy which has manipulated executive Government to do its bidding.

The Queensland Parliament is probably, in this instance, the example we have closest to home as a case in point. I have never witnessed anything quite so stupid, in my judgment, as the disconnectedness between the proceedings of the House at the time and the way in which it addresses a matter drawn to its attention (in a formal sense) at some earlier point in time and to which no reference is made prior to an announcement being suddenly made by a Minister of the Crown. One wonders why the Minister was so elected by an officer of the Parliament pointing dumbly or mutely at the Minister to indicate who was to get to their feet and say the next thing. I mean no disrespect by making that remark to either the Ministers or any particular officer of the Chamber in Queensland. It simply struck me as being extremely difficult for any citizen to follow what was happening, and why should they take the trouble to sit in on

the proceedings and try to understand what was going on or, alternatively, read the record.

We know that our debates in this Parliament have been recorded for a long time in full in *Hansard* form. Elsewhere, for example, in Tasmania, that is very recent.

We are well served by our Standing Orders and procedures and the committee has done a very good job for us. I therefore thank all members of the committee including you, Sir, the Chairman of Committees (the member for Henley Beach), my colleagues the members for Light and Eyre and the former member for Elizabeth, who have also contributed to the process as have the members for Morphett and Hayward. No doubt exists that without Standing Orders it would be impossible for democracy to function since the Houses of Parliament could not function, in particular this House, in a way acceptable to the people elected to it. We need the Standing Orders.

I underline some of the points made by others about specific Standing Orders. But, first, as they stand the Standing Orders do not serve the interests of this Parliament as I judge it beyond the next few short years. I do not see them being relevant for more than the next 10 years. I see a far greater measure of divergence of political opinion arising in the Parliament through the people who are elected to it. I expect there will be a greater number of independent members, in spite of the best endeavours by the major political Parties to prevent that happening. I therefore believe that whether because of it or in spite of it, nonetheless the House will change its Standing Orders to suit what it sees as its purposes.

I would hope that after such changes are made as weigh favour to the individual member once more and take it away from executive Government to the extent that executive Government has received favour in the past couple of decades, the motion then proposed informally by the member for Davenport in his remarks will take hold, namely, that the numbers of the members required to support any proposed change to Standing Orders be increased above a simple majority so that provision is made for the circumstances where executive Government cannot simply use this place for its own purposes, and, by doing so, abuse both the independent members and members of the Opposition.

I believe, further, that in this instance, namely, the changing of Standing Orders, and also in the instance of the election of members of Parliament to office in the Parliament in the Chamber, a secret ballot should be used. Members should be called out, one at a time, at the direction of the Speaker to the Clerk to receive a ballot paper and mark it, without identifying themselves before putting it in a ballot box, without any other member knowing what has been written on that paper. It should be an offence against the Standing Orders of the Chamber for a member to show what they have written on the ballot paper to any other member in a fashion that would identify how they voted. It does not serve the best interests of this Chamber to have people compelled to vote for the election of its officers or for changes to its Standing Orders to do so either on the voices or by a division in the way in which we have it now.

Divisions where they relate to matters of public importance—that is, policy to be pursued by Government, legislative changes to be made—can and should be done by public record of who votes which way, but changes to the way in which we conduct our business here ought to be done by secret ballot. That would be the way in which it would be possible to obtain objective assessment by each individual member of the proposal before the Chamber at that time, whether it was a proposal to change Standing Orders or to elect a member of the Chamber to an office

held by members of the Chamber, such as your office, Mr Speaker.

The next point I make is to note that the committee has made a substantive change in more than one instance in the way in which Standing Orders will in future impact on the proceedings of the House. To illustrate that point I refer to proposed Standing Order 96, which at present is Standing Order 123. At present the Speaker is not required to pass an opinion on a matter which any member, whether or not a Minister, is asked a question by another member. Standing Order 123 provides:

At the time of giving notices of motion, questions may be put to Ministers of the Crown relating to public affairs; and to other members, relating to any Bill, motion, or other public matter connected with the business of the House, in which such members may be concerned.

That has now been changed in so far as the proposed Standing Order provides:

... other public business for which those members in the opinion of the Speaker are responsible to the House.

So it will not be up to the member to decide whether or not they are responsible to the House; it will be up to the Speaker to give a subjective opinion as to whether a member is responsible to the House. That is a major change. And I do not understand the reasoning behind it. Perhaps the Deputy Premier can explain that change. Under the proposed Standing Orders it will not be possible for one member to ask a question of another member (who is not a Minister) without the Speaker passing an opinion as to whether or not that other member to whom the question has been asked ought to have the question asked of him or her and for that member so asked to answer it.

Next I would propose changes to the two standing orders that give me greatest gall at present in their abuse and not their observance, that is, a member putting questions to a Minister. I refer to proposed Standing Order 97 (presently Standing Order 124) and proposed Standing Order 98 (presently Standing Order 125). Since I have been a member of this place Ministers have constantly ignored those standing orders. In my experience, Mr Speaker, you and previous Speakers have drawn the attention of Ministers to those standing orders. In essence, the standing orders provide that in answering a question a Minister (or other member) shall reply to the subject of the question and may not debate the matter to which the question refers. That is not often the case in that it is observed more in breach than in compliance.

That is a great pity because it means that members of Parliament who are not Ministers of the Government cannot obtain information from the Government. It gives the Government far too much time to consider its position and concoct a fabricated reply which, while it may not be untruthful, is certainly at variance with the way in which things happen. It is a convenient way for the Government to avoid legitimate scrutiny and it is an abuse of the basic form of our democracy. If we sincerely believe that people can govern themselves, we should observe procedures that enable the general public outside this place to continue to have faith in this place and those of us elected to it.

Finally, I draw attention to proposed Standing Order 99. We have all waxed eloquent about the way we are now moving into the 1990s. As of 1 January 1991 we will be in the last decade of this century of this millennium. While the Standing Orders of this place recognise the desirability of keeping a record of what is said here and the desirability of restricting the kinds of things which can be said and admitted to the debate in certain situations, they nonetheless restrict the fashion in which we as a civilised and educated community can illustrate the points we make as

representatives of the community. Tables of statistics are not the only means by which points in argument can be illustrated, as members would know from attending public meetings or seminars where there is use of an overhead projector or slides to illustrate certain points. Many things which are much more graphic and relevant and more easily understood are used in place of tables of statistics.

It is my judgment that members of this place should be able to use similar devices, so long as the material is absolutely factual, to help illustrate the point they are making for the benefit of those people interested in understanding those points, although perhaps not necessarily agreeing with them. We should develop a more simplistic approach. Tables of statistics of themselves are more complex than the other devices to which I have referred, graphs in particular. I commend the committee for its work and the direction it has had over the time that it sat and thank you, Mr Speaker, for the part you played.

**Mr OSWALD (Morphett):** I rise to add my thoughts to the work of the committee. First, I believe that it was one of the more cooperative committees on which I have worked. Indeed, there was an enormous amount of constructive deliberation between the members. It was a very interesting committee and I think all members expanded their knowledge of Standing Orders and the history, traditions and practices of not only this Parliament but also other Parliaments of the Commonwealth. There are one or two areas where I believe the Standing Orders Committee must address itself in the future. During the many months the committee spent rewriting the Standing Orders we eliminated paragraphs and made the Standing Orders far easier to understand by using plain English. However, we did not really tackle many of the contentious Standing Orders that I have complained about as the Opposition Whip over the past few years.

I think that most members of the committee accept that there are contentious points which now will be passed on to the next Standing Orders Committee for its consideration. We present to the House a rewritten set of Standing Orders which are much easier to read to take us into the future, but it still contains many contentious points that will have to be confronted in the future. One of the most important is the whole question of the relevance of Question Time and the way it is conducted each day.

Every member—whether Government or Opposition—knows the frustration of lengthy replies during Question Time. I think the reason behind this goes well back to the middle of the 1800s when Standing Orders were written for the House of Commons to the effect that the presiding officer—whether of the Commons, the Lords, the House of Representatives, the Senate or even our own Parliament—traditionally and in the historical past has had no power to require a Minister to conclude an answer to a question without notice. The presiding officer may only exercise persuasion. On some occasions in more recent Parliaments Ministers have been asked to resume their seat but, basically, the presiding officer has never really had the power to make a Minister sit down.

It is interesting to look at the proceedings in the House of Commons, the House of Representatives, the Senate and our own Parliament to see that this is slowly changing. I believe that at some time or other this Parliament should cut new ground and incorporate a form of words in its Standing Orders to act as a guide to presiding officers to firm up the position in which they find themselves.

I did some research prior to this afternoon. I went back to some of the practices in the House of Commons. It is

clear when one goes back to 1861 in the House of Commons that Speakers gave members on their feet, and particularly Ministers, a deal of latitude. Referring to the House of Commons debates in 1861, Mr Speaker says:

It has always been usual to accord greater latitude to a Minister than to a private individual in answering questions which may be put to him. The noble Lord was explaining the reasons why he had not acted in the manner which the honourable member who put the question assumed he ought to have done. Under these circumstances, the House will probably not consider that the noble Lord was transgressing the limits allowed on such occasions.

At that stage in the history of the Commons Ministers were given an open chequebook to answer questions as they saw fit. In another debate in the Commons at about the same period, Mr Speaker said:

A question having been addressed to the Chancellor of the Exchequer, there is nothing at all out of order in his replying to it.

We then move on to 1872. Mr Speaker says:

The question asked by the honourable member covered a great deal of ground, and very naturally the right honourable gentleman found it necessary, in his answer, to travel over a great deal of ground. But much of the information asked for might, perhaps, have been given by a return as the honourable gentleman has suggested.

That is the first quotation we are able to find, in 1872, where the House started to become edgy about the length of replies by Ministers and the attitudes and frustrations of members in having to sit through lengthy replies. The next quotation is in the Commons at about the same time:

Mr SPEAKER replied that it might be questioned whether the question was in order; but it having been put to the Minister, he could not answer it without entering into details.

Mr OSBORNE: Was the question in order, Sir?

Mr SPEAKER: In answer to the honourable member, I am bound to state that the House of Commons, in these inquiries, condescends to very minute particulars.

In other words, the Speaker had to give in. In 1878 we had statements like this:

Mr Speaker intimated to the honourable member that he must keep within the limits of an answer to the question which had been put to him. He was not entitled to enter on a discussion as to the merits of the motion.

We now see a slight movement historically to a change in attitude towards this asking of questions of Ministers. Then we move on in the Commons to more recent times. Mr Speaker said:

I think the honourable member for Roscommon is travelling beyond the limits of a reply and is entering into matters of debate which are irrelevant to the question asked. I trust the honourable member will confine his remarks to a simple reply.

We can see that over the years in the Commons there has been a trend from a complete and utterly narrow vision by the Speaker to allow Ministers to have an open slather to a change in tradition and attitudes where we have the Speaker putting constraints on the members.

We are all bound by the customs in other Parliaments, and the senior Parliament in Australia, the House of Representatives, has gone through that transition. I should like to make a few quotations from the Speaker in the House of Representatives where there has been a tendency to curtail the latitude given to Ministers even in that House. This is 1976. On this occasion, the Speaker said:

Order! The honourable gentleman will resume his seat. He will remain silent or I will have to deal with him. I call the Minister for Transport to continue the answer to the question, and I ask him to remain strictly relevant to the question asked.

That kind of quotation is what we hear in 1989 in the South Australian Parliament. Those statements were being made in 1976 in the House of Representatives. I highlight that point, because the House of Representatives has moved

forward from that time. Later on the same page the Speaker says:

Then the Minister will resume his seat. I respond to the point of order raised by the Leader of the House. Certainly I would want to allow Ministers to reply to questions using their own discretion as to the way in which they should deal with the questions but I remind the honourable gentleman that normally 45 minutes are allowed for questions. By the indulgence of the Prime Minister question time has now gone for over an hour. In that time a bare 14 questions have been asked, the reason being that Ministers' answers have been long. There is provision in the Standing Orders and it has been the practice of the House that, instead of giving long answers, no matter how important the information may be, Ministers have the opportunity to inform the House very fully by making a statement after question time. Today the length of the answers has been so great that I felt it necessary to draw attention to that fact.

The relevant point is that it has been the custom or practice of the House. On 28 April 1977, Mr Speaker said:

Order! I interrupt the Minister to draw his attention to the fact that a detailed answer of this kind is a waste of the time of the House.

On 25 October 1978, we have Mr Speaker saying:

I must interpret the Standing Orders as they are. I ask the Minister to draw his answer to a conclusion.

Historically, from not being able to influence members or Ministers too much, by 1978 we have Speakers being prepared to use the customs of the House to draw a statement or a reply to a conclusion. In 1979, Mr Speaker said:

I uphold the point of order and ask the Treasurer to remain relevant to the question.

*An honourable member interjecting:*

Mr OSWALD: The honourable member says 'This afternoon.' All these quotations, which are from the 1970s, certainly show that 10 years ago the House of Representatives came to grips with the problem of getting Ministers to reply to questions in a succinct, precise and intelligible way. On 13 September 1979, at page 1078 of the House of Representatives *Hansard*, the Acting Speaker said:

Order! The Minister will resume his seat. I call the honourable member for La Trobe.

The member for La Trobe then rose to speak. Further down the page the Acting Speaker comes back and says:

Order! The Leader of the Opposition will remain silent. The Minister was required to resume his seat. After I had ruled that he was entitled to answer the question as long as his answer remained relevant, I gave him the call to continue his answer. The Minister immediately introduced comments which were totally irrelevant to the question, which were condemnatory of the Leader of the Opposition, and which rather tested the authority of the Chair in requiring the Minister to address himself to the question. On that basis and an assessment that the Minister was not establishing relevance, the Minister was required to resume his seat.

Mr Ferguson: Did he ever become Speaker?

Mr OSWALD: He may not have. The principle that I am trying to explain to the House has been this tendency historically from the early days of the Commons when Ministers had a free rein. The Commons and the House of Representatives have come to grips with the problem and, through the customs of the Chamber, Mr Speaker requires the member or the Minister to resume their seat if he believes that the question or the reply is becoming irrelevant.

I conclude by quoting from page 500 of the House of Representatives Practice, as follows:

The only provision in the Standing Orders which deals specifically with the form and content of answers to questions is the requirement that an answer shall be relevant to the question. Speakers have ruled consistently that provided an answer is relevant and is not couched in unparliamentary language a Minister may virtually answer a question without notice in any way he chooses. Although the test of relevance can be difficult to apply to answers to questions without notice, Ministers have been asked to resume their seats as their answers were not relevant. The

Chair has also upheld points of order concerning the relevancy of a Minister's answer.

**The Hon. B.C. Eastick:** He should never goad the questioner, either, should he?

**Mr OSWALD:** Absolutely. That paragraph concludes:

The Speaker has no power to require a Minister to conclude his answer to a question without notice. He may only exercise persuasion. In exerting its influence the Chair has emphasised the need for questions and answers to be brief if maximum benefit is to be derived from the limited time allocated to questions. Ministers have consistently been advised that, should a question require a lengthy response, the proper procedure is for the Minister to state that fact and to seek leave to make a statement after Question Time. A Minister may, alternatively, seek leave to have part of a lengthy reply incorporated in *Hansard*.

Where do we go in the South Australian Parliament? I could spend another 10 minutes citing the same sort of comment from the Senate. They are there, and if members are interested I will be happy to provide them with those details at a later date. The House of Representatives, the senior House in this Commonwealth of Australia, has come to grips with the matter. Through its practice that House has empowered the Speaker to rule on relevance and, in fact, to sit Ministers down if their comments are irrelevant. In the interests of the backbenchers of this Parliament and in the interests of seeking information and obtaining honest, straightforward replies and keeping Ministers' comments to the point, we as a Chamber should give our Speaker that power to rule on relevance so that, as with the House of Representatives, he has firmer guidelines under which to work.

I must acknowledge that this discretion we would be giving the Speaker could be tested by the Chamber if members disagreed with his idea of relevance, and that is something that would have to be tested by the House. We are trailing behind other Parliaments in Britain and in Australia by not facing the question of relevance when questions are answered. The responsibility to keep the question short and succinct is on the shoulders of the asker, as the reply is on the shoulders of the Minister, and we should never allow to occur in this chamber a situation whereby, if a Minister does not like the question or does not like the reply he will have to give and wants to stand up and filibuster or give a long reply simply because he does not know the answer, and if he wanders off into irrelevancies or into attacks and degrades a person's reputation or does something which gets away from what the questioner wanted—that is, basic information—we as a Parliament should give the Speaker the power by custom and practice of this House to rule in terms of relevance.

Everyone knows, when a Minister is on his or her feet and is replying at length to a question, whether the reply is relevant. The Speaker knows whether it is relevant. The problem is that we have never given the Speaker power to use the gavel and say that the honourable Minister is straying from the point. The Speaker has been making some effort of late to curb Ministers, but he can still do it only by suggestion.

I suggest to the House that, when the Standing Orders Committee meets next, it look at this question of relevance and decide whether it is prepared to make a recommendation to this Chamber that we go one step further, as the House of Representatives has done, and use a form of words so that the Speaker has more power in this area.

**The Hon. D.J. HOPGOOD (Deputy Premier):** I should like to thank members for the consideration they have given to this motion and for the way in which the members of the committee have addressed themselves to the matters at hand. A number of matters of detail have been referred to but, for the most part, members have been more interested

in talking about the broad philosophy. That theme, about the rights of the Executive and the legislature in these matters, was established for this debate by the member for Elizabeth. I will resist the temptation to expound on Montesquieu, either in the original French or Latin, as he might have written it in those days.

What I prefer to do is take as my point of departure a point made by the member for Davenport when talking about where we should now go in terms of Standing Orders. Neither he nor any other speakers had any objection to what we had before us, but he said that we should get them right, that we should establish a democratic set of Standing Orders and then, as it were, entrench those Standing Orders. His point was that we would not be able to change those perfect sets of Standing Orders unless there was a 75 per cent vote of members.

As I see it, the problem is in establishing what we mean by 'democratic set of Standing Orders'. What is a perfect set of Standing Orders? For example, people have referred to what the present Chief Justice (Hon. Len King) as Attorney-General did in relation to Standing Orders in the very early 1970s. Let us consider a couple of those matters. As I recall, one thing that happened as a result of that change in Standing Orders was that Question Time, which was set down for two hours, became a Question Time of one hour. Clearly, that reduced the opportunity for Government backbenchers or Opposition members to ask questions in the House.

I am not sure that there was a diminution of democratic procedure as a result of that reduction. Certainly, what we have seen is a considerable reduction in the parish pump type of question which was being asked here and could always be raised with a Minister in one way or another. Another thing that happened as a result of that change in Standing Orders was some reduction in the time set aside for speeches. I recall that during the Address in Reply debate we were originally allotted one hour. Again, I am not altogether certain that that has led to any great diminution in the democratic content of this place.

If one were to argue that way, one could say that perhaps Question Time should have been for three hours instead of for two, or perhaps that the time set aside for speeches on the Address in Reply should be two hours instead of one. We could work backwards in that way. To what extent did the requirement that only a Minister could move the adjournment of the House mean a diminution of the real rights of the Opposition, hence of democracy in this place?

I am suggesting that where one pitches one's tent in trying to determine some sort of agreed democratic set of Standing Orders is, to a degree, arbitrary. It is not altogether immune from the test of reasonableness. I am sure that every honourable member present could use his or her imagination to think of some Standing Orders which would be highly undemocratic and which we should want to throw out of the window immediately. One would have a great deal of difficulty in ever getting a consensus whereby all members of this House could say that we have achieved democratic nirvana so far as the Standing Orders of this place are concerned.

One thing that has always impressed me about this place is that the Standing Orders as they are interpreted by your good self, Mr Speaker, and the way in which the House operates provide that an elected member of the people does have opportunities to put a point of view here but, at the same time, if the House is determined by agreement, as it were, that it should roll on the business and there is no point in continuing with pointless debate, that can happen.

I see the member for Chaffey sitting opposite. He might remember that once when he was Minister of Water Resources I in effect conspired with him to see whether we could break the record for getting a piece of legislation through this Chamber. One or two members who have spoken in this debate might deplore that. They would say that, if the Government and the Opposition are to conspire to try to get a Bill through this place in 45 seconds (and it was something like that), that is leaving little time for people outside, if they have not previously been consulted, to know what has happened. In fact, in this case there was no controversy. It was a purely mechanical procedure that we were going through and I had no qualms about simply saying that the Opposition supported the measure. There were four clauses, which were put as one, and we proceeded to a third reading on which there was no debate: there was simply a motion. Perhaps that was not the first time that that had happened in this Chamber.

If any honourable member had wanted to take exception to that procedure, Standing Orders allowed that to happen. All an honourable member had to do was get up and speak in the second or third reading stages or ask questions in the Committee stage. A member could have requested that progress be reported, if there were concerns about the matter. Whether they would have had the numbers to achieve that is another thing, but I simply make the point that that was an occasion when, by agreement, we did not waste our time. We simply rolled on with the business of the House, because there was no reason to do other than that. There has always to be the flexibility in the Standing Orders which allow, on the one hand, for members to be pretty well unfettered in the way in which they are able to express the concerns of their electors and their own particular political philosophies while, on the other hand, the House is able by agreement to roll things on.

We know that there have been problems with Standing Orders; even by agreement, we have had trouble rolling on the business. That has not usually been because of something that has happened in here: it has been because certain rules of procedure have to be observed in the passage of legislation between one Chamber and another. There has been an attempt to address that. My plea to the House is this: do not let us tie ourselves up with unnecessary delays to procedure in the interests of democracy while, at the same time, of course, not denying democracy in any way in our urge to be able to proceed with the business of the House.

There were one or two points of detail to which I thought I should briefly respond. The member for Heysen mentioned the Lord's Prayer, and it has certainly been drawn to my attention that there had been a typographical error in the setting out of the Lord's Prayer. How the clergyman at Strathalbyn was apprised of this oversight, I do not know. All I do know is that Strathalbyn is a remarkable town; it is a great little place and one where people take a great interest in matters theological, as shown by the fact that one of the predecessors of the member for Heysen—we remember him because he had one of those religiously ambiguous celtic names—was able to convince constituents that at the one time he was both Roman Catholic and Presbyterian. Interesting theological things happen down there at Strathalbyn. I am not at all surprised that this approach came from that place. I also point out that the present form of the Lord's Prayer in this place is one that I partly determined as a result of an amendment that I moved to an amendment before this place by Mr Millhouse at the time that the Standing Orders were being considered in the early 1970s.

The member for Murray-Mallee asked why an honourable member could not ask a question of another member, and not simply of a Minister. The point I make in giving you a role, Mr Speaker, is that any decision you make is subject to review by the House. In fact, the House is not giving up its rights in this case. As I understand it, part of the problem is always in determining, if, say, an Opposition backbencher asks a question of his or her Leader, whether it is relevant, as it were, to the business of the House or the specific responsibilities of the person of whom the question has been asked. I can recall asking a question of Mr Steele Hall when he was Leader of the Opposition, and I was ruled out of order by the Speaker at the time on the very point that it was very difficult to adjudge whether my question was relevant either to the business of the House or to the specific responsibilities of the Leader of the Opposition at that time.

*The Hon. B.C. Eastick interjecting:*

**The Hon. D.J. HOPGOOD:** I do indeed. All I want to say about what Mr Reg Hurst did on that occasion is that he was right. My question was not relevant to the business of the House at the time and it was certainly not relevant to the responsibilities of the Leader of the Opposition. As I understand it, that is why it happened in that way.

There are many other things that I could have said, but time is getting on. I would just mention a point raised by the member for Elizabeth about the routine of business of the House. If the member for Elizabeth or any other Independent in this place believes that they have not been consulted sufficiently about the business of the House, I am sorry about that: that matter can be corrected. Perhaps there is some misunderstanding about how it takes place. It is not desirable that the meeting that occurs from time to time between the Deputy Premier or whoever happens to be Leader of the House at the time and the Deputy Leader of the Opposition, if that is the person handling the matter for the Opposition, should be written into Standing Orders. I do not think that is appropriate. It is just a simple mechanism that helps the business of the House. We do not always meet. In the week when the business was to be the budget for three days, there was a phone call to the Deputy Leader of the Opposition to let him know that that was what it was. There was little point in meeting.

This week we met and I had a piece of paper which included the business which is the subject of the procedural motion that I moved earlier this afternoon. The Deputy Leader of the Opposition cannot altogether speak for the Opposition at the time of our meeting: he has to go away and consult with his colleagues. There is always this understanding, if problems arise, that he will ring me at the Cabinet room later on the Monday afternoon where these matters can be discussed. All I can say is that this week the Independents in this place received their envelope with the suggested order of business for this week about five minutes after the Deputy Leader of the Opposition received his. So, there is absolutely no reason why they should not take advantage of the same courtesies as does the official Opposition, simply by ringing me later in the afternoon and putting a particular point of view.

I remind members that the motion which has been arrived at relates to a report which is bipartisan. It has been agreed by a committee of this House comprised of members of the major political Parties. It is a consensus point of view. We all agree that more work has to be done on Standing Orders, but at this stage I commend the motion to the House.

Motion carried.

**The Hon. D.J. HOPGOOD (Deputy Premier):** I move:



That the alterations to the Standing Orders as adopted by this House be laid before the Governor by the Speaker for approval, pursuant to section 55 of the Constitution Act 1934, with the request that His Excellency approve the alterations to take effect from the commencement of the next Parliament.

This is a matter that I canvassed in my speech on the earlier motion.

Motion carried.

### RIVER TORRENS (LINEAR PARK) ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 28 September. Page 1015.)

**The Hon. P.B. ARNOLD (Chaffey):** The Opposition supports the Bill in the hope that the project will ultimately be completed. It is a significant project in the metropolitan area because of the importance of the flood mitigation aspect of the project. It was recognised some time ago that people living in the low lying areas along the Torrens River in the metropolitan area suffered the real risk of major flooding in the event of heavy rains in the catchment area. That became the vital issue in respect of the River Torrens (Linear Park) Act Amendment Bill. The important aspect was the flood mitigation proposals, which is what I want to refer to.

We forged ahead with it as a sesquicentenary project. However, the key part of the project was the high risk that people living in the Torrens area would be confronted with in the event of a flood situation. It might be worth while to reiterate what I said during my second reading explanation in 1981, because there are a number of members in this Chamber who were not members at the time that this legislation was introduced. In that second reading explanation, which clearly indicated to the House exactly what was the purpose of the Bill, I said:

The Government has recently published a scheme for implementing a plan for the establishment of a linear park along the course of the River Torrens from the Gorge Weir to the sea and for carrying out flood mitigation works along the length of the river. On 5 June 1981 representatives of all riparian councils met with the Premier and relevant State Ministers. At this meeting the Government announced its proposals for the River Torrens. The constructive and co-operative attitude of all councils was evident. On 12 June 1981 the Premier wrote to all councils asking that they confirm their general agreement to the proposal.

Subject to satisfactory formal agreement being reached with all riparian councils concerning the scope of the work to be undertaken by the Government, cost-sharing arrangements and responsibility for ongoing maintenance, the Government has announced its intention to establish a project team within the Engineering and Water Supply Department to implement the proposal. The Government has also decided that, due to the possible serious consequences of a major flood along the River Torrens, the flood mitigation scheme in particular should be allocated top priority for its full implementation. Furthermore, since this scheme is fully complementary to the River Torrens-Linear Park Scheme, as defined in the earlier River Torrens Study Report, 1979, the Government has decided that both schemes should proceed simultaneously, with the target completion date of 1986 to coincide with the State's sesquicentennial celebrations.

The present Bill will enable the compulsory acquisition of land necessary to implement the scheme. It is necessary because an examination of existing legislation reveals that none of the present Acts applicable to the river is quite apt to cover implementation of the scheme.

The Bill confers upon the Minister of Water Resources power to acquire land for the purpose of establishing the linear park along sections of the River Torrens extending from the sea to the Gorge Weir, but excluding the section of the river within the City of Adelaide. It includes power to acquire land for the linear park within the area between O.G. Road and Park Terrace; this particular section of the river is associated with the north-east busway. Although compulsory acquisition of land will be used only as a last resort, it is vital that adequate legislative power is

available to avoid major delays. This measure will be necessary only for the duration of the scheme, which is proposed to be completed by 31 December 1986, at which time the Act will expire.

The Tonkin Government set a target date of 1986 for the completion of this project. The Government has already extended the life of this legislation by three years because the program has not been kept to schedule. We now see a further extension of another three years, which makes the total project, if it is completed by 1992, one of 11 years. It was originally envisaged that the work on the linear park and flood mitigation works would be completed by the end of the Jubilee 150 year. The Opposition hopes that this will be the last extension required and that we will see all aspects of the work completed before this current extension to the legislation expires. The Opposition supports the Bill.

**The Hon. S.M. LENEHAN (Minister of Water Resources):** I thank the member for Chaffey for his contribution and for giving us some history and, obviously, demonstrating his involvement with what I believe has been a project that has been welcomed throughout South Australia as a very worthwhile program for two reasons: first, of course, the flood mitigation aspects; and, secondly, the fact that this scheme, when it is completed, will be the longest linear park in any capital city in Australia. This project is fast emerging as something that is welcomed not only by residents who live nearby but also by other residents who travel to participate in the joys of cycling, walking or running along the Torrens River and through the linear park. In fact, this has had a number of benefits for residents of South Australia, and it is my understanding that the project has been welcomed throughout the suburbs.

In respect of the point raised by the member for Chaffey, I totally concur in his view: it is my intention to have this linear park—which extends, I think, for more than 30 kilometres—completed by the end of 1992. I remind the House that the estimated final cost of the scheme is about \$31.3 million, which is a very significant amount. In fact, to date, we have spent more than 54 per cent—we have spent \$17.83 million. We are moving forward, and in this year's budget a figure of \$2.25 million was allocated. Of course, that will mean that we will complete the whole of the western section—west from Adelaide to the sea, and that certainly will be something that I know will be welcomed by all councils and residents in the western suburbs. As Minister of Water Resources, it is my intention to move forward with this scheme and to ensure that it is completed by the end of 1992. I commend the Bill to the House.

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

### ROAD TRAFFIC ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.  
(Continued from 24 August. Page 537.)

**Mr INGERSON (Bragg):** The Opposition supports this Bill, the purpose of which is to enable the introduction of a scheme for random on-road inspection of heavy commercial vehicles. We have had considerable discussions with country carriers, the Road Transport Association, the RAA, the Earthmoving Contractors Association, livestock transporters and several individuals very much involved in the industry. They all support the introduction of this legislation as they recognise, along with the industry and in line with the recommendations of CTAC, that it is in the best interests of the industry for road safety to be maintained at its



highest level. Several points are of concern and, in the case of inspectorial matters, there always seems to be more concern in the heavy commercial road transport industry than in any other area.

We should put a request to the Minister that the inspectorial provisions in the Bill be treated as reasonably as possible. One of the questions asked by an individual was why the Bill is necessary in any case, as considerable inspection already takes place. The Minister may be able to answer that question when he replies to the debate.

We support any direction that will improve road safety as tremendous concern exists in the community that heavy vehicles transporting our goods throughout this country should be as safe as possible. No doubt people who drive interstate are concerned about apparent problems. I say 'apparent' as some problems are more related to the size of the vehicle than to speed itself. As the Minister would be aware, we are all very concerned about cowboys on the road who speed excessively. Whilst the Bill does not cover that area, I am sure that both Parties are very concerned about that aspect and hope that the policing in this area is improved.

We have a few questions on the Bill which are probably best dealt with in Committee. I am concerned that the class of vehicles will be published by regulation. I make this comment on all Bills in which we are less specific about detail, as there is always concern when things are done by regulation rather than being spelt out in the original Bill. Whilst I understand the need to do things by way of regulation, sometimes it would be better for the industry if it knew the sort of classes likely to be covered by regulation. However, I will ask questions on that matter in Committee.

**The Hon. FRANK BLEVINS (Minister of Transport):** I thank the member for Bragg for his support on behalf of the Opposition. This issue has been around for a while. I am surprised that some sections of industry are querying it at this stage as it has been extensively canvassed. The Commercial Transport Advisory Committee which made the recommendation to me in fact extensively canvassed the issue. I was pleased to take up its recommendation. Such random inspection schemes take place in New South Wales, Victoria, Queensland, Tasmania and the Northern Territory and are very effective. It is our intention to inspect about 20 per cent of heavy vehicles in this State annually. Not sufficient inspection takes place at the moment. The stories I hear of small minority operators operating unsafe vehicles and, by and large, getting away with it until there is an accident are fairly prevalent. I do not believe that the responsible sections—the bulk of the industry—have any fears, and I have had little if any query about the proposal from any of the reputable operators in the road transport industry.

The question of regulation is always contentious. How much we put in a Bill and how much it is an enabling Bill is largely a matter of opinion. Everybody knows that regulations come back to the Parliament, so any member who has a query on what classes of vehicle are included has the opportunity to debate that at the appropriate time. It is not as though not having the classes of vehicle spelt out in the Bill in any way diminishes the right of the Parliament to decide which classes of vehicle should be included.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Defect notices.'

**Mr INGERSON:** I refer to inspectors and some of the rules that will be required of them at on-site checking of

vehicles. There are degrees of concern of roadworthiness and no doubt some vehicles will be taken off the road at this time whilst others will be attended to. Much concern exists in this area. Is there any way in which certain defects will be spelt out so that the industry will clearly know what is intended? Obviously there will be times when an inspector is present that the book of rules will not cover every situation.

*The Hon. Frank Blevins interjecting:*

**Mr INGERSON:** I was not aware of that. Will that book of rules be sent out to everyone in the industry via the association, or how will it be distributed?

**The Hon. FRANK BLEVINS:** A pamphlet will be produced and it will provide a great deal of information for drivers and owners as to how the scheme will work. As I have said, a similar scheme works interstate without any great problems. We intend to contact as many drivers as possible through the companies that employ them, through the association and through advertising whereby they can apply for a pamphlet. Pamphlets will be available at motor registration offices and any other place that we feel it would be useful to have them and where drivers will see them. If a defect is found and it is deemed serious enough, a defect notice will be applied to the vehicle. If a defect is deemed to be very dangerous, drivers will have to have their vehicle towed away. We cannot allow even a short journey by a vehicle deemed to be in a very dangerous condition. However, it is not anticipated that that will happen very often. Usually, when a defect notice is applied to a vehicle the owner will have a certain number of days to repair the defect, whereupon the notice will be removed.

**Mr INGERSON:** There are a couple of contentious areas in the very serious cases where a vehicle needs to be towed away. What is the Government's responsibility where a vehicle is deemed to be in a very dangerous condition and it must be left unattended for a period—say, five or six hours—while the driver arranges to have it towed away? What is the situation in respect of any goods taken from the vehicle illegally while it is left unattended? I assume that the responsibility is always with the carrier. However, does the Government become involved in any way because its officers stopped the vehicle?

**The Hon. FRANK BLEVINS:** My advice is that it is entirely the responsibility of the driver of the vehicle. He should not be driving a vehicle which is in an extremely dangerous condition. Of course, inspectors will do whatever they reasonably can to assist the driver. It is not the Government's responsibility. The load on the truck is the responsibility of the insurance company, the owner or the driver—I am not quite sure how these things work—but it is certainly not the Government's responsibility. Section 160 (4a) provides:

No liability shall attach to any person in respect of any damage to a vehicle resulting from anything done *bona fide* in the course of, or in connection with, an examination of the vehicle conducted pursuant to subsection (4) of this section.

That makes it clear that no liability rests with the Government.

**Mr INGERSON:** I refer to the implementation date in respect of this legislation. What is the time frame for drawing up the regulations, and when will they be available to the industry?

**The Hon. FRANK BLEVINS:** We have ordered the special trailers that will be used in the conduct of the inspections. They must come from New South Wales, and we expect them to arrive in November. We hope to have the scheme operating before Christmas.

**Mr S.G. EVANS:** I refer to the situation when a vehicle is deemed to be very dangerous and must be towed away.

It will be the interpretation of an inspector as to whether or not a vehicle is very dangerous, and we accept that. That is one of the problem areas. There are really very few, if any, occasions when a modern heavy vehicle will have to be defected and towed away. It will probably occur only in respect of the linkage between the prime mover of an articulated vehicle and the trailer. Most of these vehicles have braking systems similar to railway wagons in that if they lose pressure the brakes lock on. Therefore, brake failure is not likely to be a problem. I hope that this information is passed on down the line.

If an inspector has serious concern about the condition of a vehicle, I hope that commonsense prevails and he allows the driver to take his vehicle at a slow speed—say, 10 kilometres an hour or something similar—to a place where it can be repaired. This is particularly desirable where the driver is towing a load of perishable goods. There may be an odd occasion when a very serious fault is detected, but I cannot imagine that a vehicle in such condition would be on the road. Of course, there are times when inspectors use their power to be a nuisance and do not try to achieve a goal.

**The Hon. FRANK BLEVINS:** The honourable member has a very good point. My advice is that the occasions when a truck would be allowed to go no further would be so rare as to not really constitute a great problem. The inspectors are helpful and they are not out to make life difficult for people. They are attempting to save lives. They will assist, as much as possible, any driver to get his vehicle to a place where it can be repaired or to a place where it can be kept in safety. My advice is that the number of times when this will be a problem will be so rare as to be easily accommodated by the inspectors.

Clause passed.

Title passed.

Bill read a third time and passed.

### HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 24 August. Page 637.)

**Mr INGERSON (Bragg):** This is an enabling Bill to allow 1 per cent of the moneys paid in the form of registration fees to go into the Highways Fund for its implementation. I hope that this will always occur and that we will not have a situation similar to that in respect of the fuel franchise tax in that at some stage it will be cut out and there will be an increase in the fee and it will be used as a revenue-raiser.

**The Hon. FRANK BLEVINS:** I share the honourable member's concern, but I point out again that any change would have to come before Parliament and Parliament will have the opportunity to debate it.

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

### ADJOURNMENT

**The Hon. FRANK BLEVINS (Minister of Transport):** I move:

That the House do now adjourn.

**Mr S.G. EVANS (Davenport):** I want to take the opportunity in these 10 minutes to discuss some worries that I expressed at an earlier stage about the proposed Northfield

relocation to the Waite Institute. I am pleased that there has been an interval since I last spoke on the subject, because three Ministers have expressed views on this matter. The Hon. Kym Mayes, when he was Minister of Agriculture, the present Minister (Hon. Lynn Arnold) and the Minister for Environment and Planning (Hon. Susan Lenehan) have said that the people of Waite and Netherby should not be worried about the relocation of a \$30 million project for their community. The attitude of those three Ministers, and, I take it, of the ALP Government, is that there should be no concern by that community because the Government proposes to build two and three-storey buildings in the area and to cause 200 to 300 more people to travel in and out of Urrbrae, Netherby and neighbouring suburbs.

We are told that will not have any effect upon their quality of life. We are also told that there will be no trespass problem from chemical spray drift. Yet, the Minister for Environment and Planning says that she has departmental officers investigating the matter and the report is not complete. The Minister is not sure whether there will have to be regulations or whether there will be discussions with rural people about what needs to be considered with regard to informing people of the likely occurrence of crop spraying. There is no evidence, good or bad, that there is a real danger with any drift that may occur, and that is admitted. But there must be some concern when a Minister instructs departmental officers to investigate the problem of trespass caused by chemical spray drift.

The Government and the three Ministers are saying that there is no problem about Northfield being relocated to Waite. I am talking about a \$30 million project (that is what was suggested in the first instance) which will enable the Government to capitalise on the land at Northfield to the extent of about \$90 million. In that way it will have \$60 million to build an entertainment centre or to expend on some other project.

There is no complaint from any of the parties about the piggery and dairy being transferred to the rural areas. However, the Liberal Party says that it will leave the Northfield research project there, or what is left after this Government has finished with it—and we hope that the Government will be finished in December at the latest. We say that part should be left for parkland and part for housing; but not 200 hectares of land to be used for housing in the middle of Northfield up against a residential area and then slam the \$30 million major part of the research centre in a smaller area at Waite at the top end, not in the middle of Waite or Urrbrae land left by Peter Waite. Waite and the University of Adelaide have control over the Waite land and Urrbrae Agricultural High School the balance. They do not want it in the middle of the land because they need it for crop research and other processes. We read in the paper that Mr Bilney, a Federal Member of Parliament, is dancing around a bit of land called Glenthorne owned by the CSIRO in the southern suburbs, saying, 'I have saved this bit of land from subdivision. I have protected this community from a great housing development. I have done the right thing by the community. My Federal colleagues have said that this will not be subdivided and sold.'

**Mr Tyler:** And he is very proud of it.

**Mr S.G. EVANS:** The Member for Fisher says that he is very proud of it. So am I. But I am ashamed of the double standards applied to people at Netherby, Urrbrae, Kingswood and other areas who are told, 'Your quality of life does not matter. We don't give a damn about your quality of life, because you are not near a marginal seat'. I ask for the same consideration to be given to all people. I agree with people at O'Halloran Hill, because I first put forward

the proposition that we should be looking at some of the research facilities going in there and retaining the open space around. There are 200 hectares, so it is big enough. It is a similar size to Northfield. With the piggery and dairy being sent further out, no great encroachment was proposed on the quality of life of people in that area.

Since I last spoke on this matter, the Australian Labor Party (and the Liberal Party, or at least I as a Liberal) has said that that piece of land will not be subdivided. The people at Northfield, who are in an overcrowded area with very little parkland and open space, have been told, 'You can suffer. We will put the 200 hectares of housing into your community, and you can get nicked, because this seat is reasonably safe'.

The Minister of Labour feels that he can carry the bit of slack that he might get from that and that I can carry it in the Urrbrae and Waite areas. Apparently the quality of life of people there does not count. A church hall in the honourable Kym Mayes' area is of major importance because people will go there a few times each week, and that must be stopped. Where is the honesty in such a Government? The Member for Fisher laughs. He thinks it is a joke. He laughs because the quality of life of people does not count except when it affects the winning of a seat. Apparently that is the only time that it matters.

There is a proposal to have a storage area for chemicals. How would John Scott, the Federal member, be yacking if a chemical storage facility were proposed to be put in his area beside a residential area? What would be the response? Would that be accepted? What would be the response if a Liberal Government tried to do that in a Labor-controlled electorate?

This is a \$30 million project. If it ends up as only \$20 million, it is still a major project. This Government does not know how to handle money. It sold the arterial road site for the south because it wanted a few dollars. It was bought by previous Governments for a future road transport link that was essential.

*Mr Tyler interjecting:*

**Mr S.G. EVANS:** The Member for Fisher says that people in the south are thrilled about it. He says that it is a great thing.

**Mr TYLER:** On a point of order, the honourable member knows that I did not say that. I said that the member for Hanson was pleased about it.

**The DEPUTY SPEAKER:** Order! There is no point of order. The honourable member for Davenport.

**Mr S.G. EVANS:** This case at Northfield is the same thing. They sell the land and capitalise on it and ruin someone else's quality of life with no benefit to the community. I say that it is a double standard to which the community is waking up, and this Government will pay the penalty at the next State election.

**Mr TYLER (Fisher):** During the Estimates Committee, in response to a question I asked concerning transport in the southern suburbs, the Minister of Transport revealed that the Government was investigating a number of transport options for the southern suburbs, including the proposition of a southern O-Bahn. In his response the Minister pointed out that, even though it was being considered, a number of hurdles needed to be jumped before the proposition could go ahead. He highlighted the fact that there would be some 20 flyovers and quite a bit of environmental dislocation in the proposed area. While I congratulate the Minister for investigating a southern O-Bahn, in all honesty I should concede that significant environmental considerations need to be taken into account.

I attended a meeting on this topic on Thursday 28 September organised by the member for Hanson, one of the Liberal members for the area which would be affected by the proposed O-Bahn. I decided to attend the meeting and thought that all credit was due to the member for Hanson for organising this meeting to obtain some public feedback. I thought that there would be some rational discussion and debate and we could look in a rational manner at this whole area of supplying transport to the southern suburbs.

I went along with a very open mind and decided that I, being one of the members with a vested interest and a parliamentary responsibility in this matter, should listen to what was said. I was very surprised at the tone of the meeting. I suppose that some 400 people were in attendance. The member for Hanson says that there were about 600—

**Mr Becker:** That is not true. Stop telling lies! You are not telling the truth.

**The DEPUTY SPEAKER:** Order!

*Mr Becker interjecting:*

**Mr TYLER:** The member for Hanson says that there were not 600. I thought that there were about 400 there: it was a well attended meeting. I do not know what the member for Hanson is going on about, but I heard a radio report that indicated there were 600 people there. I am not going to quibble: 400 is still an excellent turnout at a public meeting. I was surprised to hear the member for Hanson tell the public meeting that he had argued against the southern O-Bahn proposal in meetings of the Liberal Party. That is what he said on stage. I was there and took extensive notes, and there are quite a few witnesses who heard him say that. That was greeted very enthusiastically by the audience.

Another Liberal Party member of Parliament at the meeting was the member for Morphet (Mr Oswald), and he also spoke. He said:

I certainly don't approve of the O-Bahn proposal, nor does Heini. I urge you to strenuously object.

There is no doubt that the meeting was designed for one simple purpose: to whip up community emotions. A lot of nonsense was spoken by the various guest speakers, all of whom spoke against the O-Bahn proposal—and not only the O-Bahn proposal. The member for Bragg might have done himself a favour and attended. People were speaking against any transport option that would go through the West Torrens council area.

*Mr Ingerson interjecting:*

**Mr TYLER:** That is another problem the member for Bragg has with his parliamentary colleague the member for Hanson, because he instigated the meeting. In a minute I will get to the point where there is considerable inconsistency among members of the Liberal Party on this issue.

**Ms Gayler:** Conflict.

**Mr TYLER:** As the member for Newland says, it is indeed conflict. As I said, there was no attempt by the organiser to debate the topic in a rational manner. No representative of the Government was invited. No transport expert was invited who could talk about some of the options in a rational manner.

*Mr Becker interjecting:*

**Mr TYLER:** I am correct. The member for Hanson cannot deny that he did not invite any Government representative to the meeting. Instead, we had to endure emotional and insulting comments, particularly from one councillor (Dr Reece Jennings) who said that he did not want residents from the southern sprawl going through his area to spend their social security cheques in the Casino. Councillor Jennings said that he had written to the Premier and told him what to do with the O-Bahn and where to put it, but he

said that he would not repeat his suggestion in mixed company.

Comments like that from elected members, whether of local Government or of State Parliament, do nothing for rational debate. The meeting was designed purely to whip up the crowd emotionally. I am astonished that, on the one hand, two senior members of Mr Olsen's parliamentary team (one being the Opposition Whip) can the Government for even daring to say that a southern O-Bahn was being considered while, on the other, the Opposition transport spokesman (Mr Ingerson) says that the southern O-Bahn proposal should be investigated. Whom are we to believe?

The Liberals must get their act together on this issue. A letter signed by the President of the local Liberal Party branch is circulating in the electorate of Fisher. It states that an O-Bahn for the area should be investigated. It would seem that the member for Hanson, the President of the Liberal Party in the electorate of Fisher and the member for Bragg ought to get their heads together and sort out where they stand on this issue.

At the meeting of 28 September a question was put to the member for Hanson and the member for Morphett in an attempt to clarify this Liberal Party inconsistency. Neither of the two State members present would clarify where the Liberal Party stood on this issue. The question at the meeting was ignored, and this clearly is not good enough. My position is quite clear, as I have said and will say again: I welcome the State Government's O-Bahn investigation, but it should be seen in the context that it is one of a number of options under investigation which would service the Happy Valley and Morphett Vale area. Other options being considered, to mention a few, include the Tonsley rail passenger interchange and the opening up of the Hallett Cove to Willunga rail line.

*Mr Ingerson interjecting:*

**Mr TYLER:** The member for Bragg says that light rail might be an option. The Liberal Party canned light rail when it was considered for the north-east suburbs. Members of the Liberal Party put up the suggestion of the O-Bahn. Apparently, the Liberal Party believes that the O-Bahn is good enough for the north-east but not good enough for the southern suburbs. Is that what the member for Bragg is saying? What is the member for Bragg saying? We would be interested to know.

Quite frankly, there are a number of options and we need to look at them in a rational manner, otherwise we could end up with the wrong transport system for the southern suburbs. The Government needs to consider the issue in a rational manner, and meetings that are organised by the member for Hanson and the member for Morphett, designed to whip up community emotions, do nothing at all for rational debate. My electorate and those further south have had a massive population explosion in recent years. Suburbs to the east of South Road (Happy Valley, Aberfoyle Park, Flagstaff Hill, Reynella and the Woodcroft area) have experienced massive population explosions and are not serviced by the Noarlunga rail line.

Currently they rely purely on a bus service. Those are the areas that we need to consider and I am disgusted that two of the most senior Liberals in this Parliament would openly can and dismiss residents of the southern suburbs in this cavalier and callous way. That is what it is—cavalier and callous, purely for selfish local political purposes. They are not taking any of the global considerations and saying there is a problem in the southern suburbs, and we need to look at it and address it. The O-Bahn is one of those options—

**The DEPUTY SPEAKER:** Order! Unfortunately, the honourable member's time has expired. The honourable member for Hanson.

**Mr BECKER (Hanson):** We are witnessing a Government that believes that it can do no wrong. It has been in office too long. It is tired. It is now starting to get grumpy when anyone criticises a proposal that it puts forward. Every time we point out to the people of South Australia that they are being affected or that their environment will be destroyed, we are accused of being knockers. I have news for the member for Fisher: when I call a public meeting and he wants to come along, he can let me know and I will put him on the stage with me.

If he wants to sneak in, sit down at the back and trundle smears, innuendo and slander around the electorate, then he is starting a war, and it is a war that he will not finish. I can assure him of that. I called the public meeting to inform my constituents about what was proposed and said in the Estimates Committees. I do not know what time the member for Fisher arrived at the public meeting, because I read out what the Minister of Transport said. I read this:

I wish it was as easy to build an O-Bahn to the south as it proved to be building one to Tea Tree Gully.

That is where I started reading the Minister's speech. I read it right through then, but I will not do it now. I can never be accused of not being fair or of not telling the facts. Certainly, I will not tolerate anyone—no matter who they are—peddling untruths in my electorate. It is my job to represent the people; it is my job to warn them of what the Government proposes to do to these people.

I can assure the House that the people were grateful that someone advised them of what was happening. They were grateful to receive a copy of the map showing the route and the impact the plan would have on their streets and on the Holdfast Bay railway reserve. The point is that the Minister told Parliament, as follows:

I will give the committee some information about the problem that immediately jumps out. It is not necessarily a financial or engineering problem but one of how you deal with the degree of grade separation that is required because for an O-Bahn to be of any value it has to have the minimum amount of interference on the route . . .

The Minister further said:

There are about 20 crossings that require some form of grade separation . . .

I make the comparison. I ask those members who have seen the Emerson Crossing flyover to imagine 20 of them along the green belt of the south-western suburbs. Members can imagine such a flyover on Marion Road, and another one at the Marion Road intersection with Mooringe Avenue and the beautiful Uniting Church that has been there for over 100 years. Further down there is a popular shopping centre, and another flyover located there would destroy two suburban streets; and further along other properties would be affected.

It would interrupt Immanuel College and the Camden Park oval where the soccer ground has just been done up at a cost of \$50 000 and a new bowling club facility has been provided at a cost of \$145 000. Fancy the Government proposing that and thinking that it would get away with it. Of course there will be objections—and rightly so. The people of the electorate have every right to express their concerns. The Minister stated:

I have some reservations as to whether or not people in the south-western suburbs would tolerate the degree of disturbance to their environment. I am sure that it would cause some problems in many suburbs. The map that I have distributed will probably cause some alarm to one or two members present, not least of whom is the member for Morphett. About four flyovers

are proposed in the member for Morphet's electorate, in the member for Hanson's electorate, and in some other electorates.

We have just heard the unreal comment from the member for Fisher that it was a public meeting and that members of the Government were not invited. I have never invited a member of the Labor Party to a meeting that I organised. What the hell for? Why do I want to invite the Labor Party to anything. I do not want to hear garbage and nonsense. I want to hear the facts. I wanted to obtain from the people their views on this issue. If the member for Fisher had done his homework, he would have known that on the previous Wednesday the local paper contained an article in which the Highways Department suggested a major arterial road for this railway reserve—

**Mr Hamilton:** Who's running this country?

**Mr BECKER:** I am running my electorate. I do not know about you, but you reckon you run yours. The point is that two issues have been brought before the people. Over the years I have told my colleagues in my parliamentary Party, 'Do not touch the railway reserve.'

*Mr Tyler interjecting:*

**Mr BECKER:** I have no fear about that. We do not have to sign a pledge like you do. Members of the Labor Party have to sign a pledge, and they are bound by that. The constitution of the Liberal Party makes us responsible to the people of the electorate. We represent the people, and that is why we are forging ahead in this State; that is why we will end up in Government.

It is unreal that the member for Fisher feels aggrieved because a member dares to have a public meeting in his electorate to inform the people. Hitler tried that stuff years ago, and look at what that led to. Do not stop me informing the people of my electorate what their rights are, because on that occasion the people confirmed what I had been saying all along. Indeed, the West Torrens council—the council involved in the whole issue—passed a resolution a few nights before opposing the proposal—and quite rightly so. As the elected representative, I got the feeling that the people in the electorate do not want any form of interference with respect to the Holdfast Bay railway reserve.

**Mr Tyler:** Do you support Reece Jennings's comments?

**Mr BECKER:** I do not have to walk away from Dr Jennings' comments. He is capable of looking after himself and writing letters to the Minister. He is capable of acting as one of the local councillors for that area. He is capable of fighting his own battles. The honourable member knows

Dr Jennings, who was a member of the Labor Party and who opposed me. He dug up a median strip. He told the Government how stupid the Highways Department is at times. It acquired seven feet on one side of the road and seven feet on the other side, and then it built a median strip 14 feet wide. That is the logic of the Highways Department. Reece has no time for it.

Let us get down to tin tacks. This is all about people and what they want. It is the people's feelings and their residential environment. Here we have a junior member of the Government trying to say, 'Tut, tut, you should not have that meeting, and you should not mislead those people.' I did not mislead them. I read out the Minister's speech. How can I mislead the people if I simply tell them what is going on in State Parliament? I did what every responsible member should do. What galls me is that the member for Fisher raced to the media and rubbished the meeting, the comments and did all sorts of things. The member for Bright will not be here next time, either. The honourable member did not get the facts right. He misled the people and made all sorts of ridiculous statements. It is unfortunate that someone did not record the facts of the whole issue, because the honourable member certainly did not do it.

**Mr Tyler:** I did; I quoted you.

**Mr BECKER:** You did not quote me at all.

**Mr Tyler:** I quoted you word for word.

**Mr BECKER:** You did not. There is no way. I did not even see the honourable member at the meeting. The honourable member must have sneaked down the back in a dark spot. Why did the honourable member not come down and see me? I would have given him an opportunity. He was not game—he was a sneak.

*Members interjecting:*

**Mr BECKER:** The Government's instant expert on transport was not game to show his head. He had plenty of time to ask questions and make a speech in the hall. He could have questioned people there. He had plenty of opportunity to move a motion, but he did not do a thing because he is a coward. The member for Fisher was not game. He was stunned to find that the member for Hanson could get 400 people to attend in such a short time. It was a pretty good performance; it was a member of Parliament at work looking after the interests of his people.

Motion carried.

At 6 p.m. the House adjourned until Thursday 12 October at 11 a.m.

## HOUSE OF ASSEMBLY

## WILPENA CHALET

Wednesday 11 October 1989

## QUESTIONS ON NOTICE

## SACON TENDERS

3. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction: Further to the reply to Question on Notice No. 100 in the past session, how is a 'substantial proportion' of administrative overheads arrived at when Sacon tenders for maintenance and supervision of building contracts and what is meant by the phrase in relation to the Department of Housing and Construction's policy?

**The Hon. T.H. HEMMINGS:** The substantial proportion of administrative overheads referred to in the initial response is quite specific and can be readily identified.

Costs associated with the management of particular areas are reflected in the charge-out rate on projects. These include the salaries and associated costs of all the staff positions (e.g. managers, building inspectors, timekeepers, and clerical staff) in the particular operating area of the department. In addition each operating area has attributed to it a proportion of the divisional overhead structure; usually the percentage share is related to the turnover of dollars within the particular operating areas. There are service areas such as document preparation and contract advisory services whose costs are redistributed through the operating areas.

The overheads are established as part of the budgetary process and are therefore incorporated into the costing practices of the department. They are not modified from project to project.

The Department of Housing and Construction's policy with respect to costing policy for project work is that operating areas should carry all the costs that can be attributed to their operations. In this way it is possible to obtain some realistic performance indicators of the effectiveness of departmental operations.

## ASER

13. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction:

1. When does the South Australian Housing Trust become liable for rent of office space in the Riverside Building of the ASER complex?

2. What are the terms and conditions of the lease?

3. When is it anticipated the trust will take up full occupancy?

4. How much will it cost the trust in establishing and refurbishing the building for occupancy?

5. What is the estimated cost of transferring office staff, equipment, files etc. to the building?

**The Hon. T.H. HEMMINGS:** The replies are as follows:

1. 1 October 1989.

2. The terms and conditions of the lease were negotiated on a commercial basis between the joint letting agents (Jones Lang Wootton and Baillieu Knight Frank) and the SA Housing Trust. It is not proposed to make public details of this commercial agreement.

3. December 1989.

4. \$2.75 million.

5. \$996 000, inclusive of relocation costs, furniture and equipment, computing needs and provision of a new PABX.

15. **Mr BECKER (Hanson)**, on notice, asked the Minister of State Development and Technology, representing the Minister of Tourism:

1. What factors have been considered and what investigations have been conducted in relation to transporting 3 000 tourists a day to the new Wilpena Chalet as proposed by the developers?

2. Does the developer's prospectus indicate an average of 2 000 visitors to Wilpena Chalet per day?

3. How many buses will be required to transport these tourists to the chalet each day and what kind of roads will be built or what upgrading is envisaged for existing roads to carry such traffic?

4. What recommendations have been made concerning the upgrading of local airport facilities to handle the expected number of tourists per day?

5. In view of increased interest rates, is the project still going ahead?

**The Hon. LYNN ARNOLD:** The replies are as follows:

1. There is no proposal to transport 3 000 visitors a day to the proposed Wilpena Resort. There will be fewer than 1 000 new arrivals per day on planned estimates.

2. There is no developer's prospectus for the project. The planning information is contained in an environmental impact statement exhibited by the Department of Environment and Planning. That document shows the projected numbers on an annual basis ranging from 33 977 in 1990 to 65 445 in 1994.

3. It is projected that about 5 per cent of visitors will travel by bus to the Flinders Ranges. The bus access component to the resort is thus modest in terms of traffic levels and no road upgrading is contemplated except for road construction in the resort precinct itself.

4. No recommendations as yet have been made about airport facilities upgrading.

5. The Government is not aware of any reason why construction will not proceed as planned.

## CEMENT DUST

19. **Mr BECKER (Hanson)**, on notice, asked the Minister for Environment and Planning:

1. What action has been taken to monitor the emission of cement dust by Adelaide Brighton Cement of Charles Street, Birkenhead, during the evenings and particularly after midnight?

2. Has the dust fall-out been measured during the past 12 months and, if not, why not and, if so, what were the results?

3. What impact does this dust fall-out have on local residents' health and property?

4. Has the Department of Environment and Planning been consulted over future land development for housing north of the cement works and what recommendations have been made to the Government and, if none, why not?

**The Hon. S.M. LENEHAN:** The replies are as follows:

1. Adelaide Brighton Cement Ltd's kiln is continuously monitored for cement dust emission as a requirement of the Department of Environment and Planning.

Following a recent complaint of dust emissions occurring after midnight, inspections were carried out between 1.00 a.m. and 1.30 a.m. on 10 July, 20 July and at 10.00 p.m. on 26 July. All results complied with the requirements of the Act.

2. The following total suspended particulate (TSP) tests have been carried out:

Month	Maximum 24 hour Sample
December 1988	71
January 1989	66
February 1989	73
March 1989	78
April 1989	64

The above figures are in micrograms per cubic metre of air, and can be compared with the goal recommended by the National Health and Medical Research Council of 260 micrograms per cubic metre. These figures also include windborne naturally occurring dust and that caused through vehicular traffic.

3. Staff of the South Australian Health Commission have examined the impact on local residents' health based on the results of the ambient dust monitoring and perceive no adverse health effects. Residents would experience soiling on property as a result of dust fall-out of a mildly alkaline nature.

4. The Department of Environment and Planning has been consulted and a supplementary development plan for the City of Port Adelaide has been authorised which includes retention of the residential zone north of the Adelaide Brighton Cement plant.

An inter-departmental project team is undertaking a series of investigations to establish social, economic and environmental guidelines for development of the Gillman area. The results of these investigations will enable a decision to be made whether to pursue a residential development option on the land.

**FULHAM PRIMARY SCHOOL SITE**

48. Mr BECKER (Hanson), on notice, asked the Minister of Lands:

1. What options are under consideration for future use of the Fulham Primary School site?

2. When is it anticipated that the site will be disposed of?

**The Hon. T.H. HEMMINGS:** The replies are as follows:

1. The South Australian Housing Trust has agreed to sell up to 50 per cent of the site to St Hilarian, an organisation involved in the provision of housing for the ageing.

The trust has also agreed to dispose of approximately 0.73 hectares in the south-western corner of the site to West Torrens council. This area includes an existing open space teaching unit (to be retained) and associated recreation (basketball/tennis courts) facilities. Portion of this site will be provided at no cost to council as part of the 12.5 per cent open space requirements for that part of the site which the trust retains. The remainder of the site will be subdivided by the trust for the provision of public housing.

2. The South Australian Housing Trust purchased the Fulham Primary School site (Farncomb Road, Fulham) on 27 June 1989.

**WEST BEACH TRUST**

72. Mr BECKER (Hanson), on notice, asked the Minister of Employment and Further Education, representing the Minister of Local Government: Is West Beach Trust exempt from sales tax and Government taxes and charges and, if so, why?

**The Hon. M.K. MAYES:** The West Beach Trust operates under the West Beach Recreation Reserve Act 1987. The Act provides the following exemptions:

(1) No stamp duty is payable on any instrument by virtue of which real or personal property is vested in the trust,

(2) The trust and all property of the trust is exempt from—  
(a) any tax payable under the Land Tax Act,  
(b) any rates or taxes payable under the Local Government Act,

(c) pay-roll tax payable under the Pay-roll Tax Act;  
(d) any rates payable under the Water Works Act, the Sewerage Act, and,

(e) any other prescribed rate, tax, charge, levy or impost (no additional exemptions have been made by way of regulations).

The trust is not exempt from sales tax.

**MARINELAND**

85. Mr BECKER (Hanson), on notice, asked the Minister for Environment and Planning: Did the Minister inform Mrs J. Grieg of Friends of the Dolphins that Cabinet had decided the redevelopment of Marineland was not viable and, if so, why?

**The Hon. S.M. LENEHAN:** No.

**GOVERNMENT MOTOR VEHICLES**

106. Mr BECKER (Hanson), on notice, asked the Minister for Environment and Planning: What departmental guidelines are issued to staff concerning the use of Government motor vehicles and why did a staff member have access to Government motor vehicles number UQJ 987 and UQN 451 on 24 July 1989 and 31 July 1989 and other vehicles, and does this person—

(a) drive his son to school;  
(b) drive his wife to work;  
(c) drive to and from his surf life saving club on Saturdays and Sundays;

(d) bring his wife home from the supermarket;  
(e) arrive home with both his children in the car; and  
(f) leave Government cars in the local street overnight, and, if so, why?

**The Hon. S.M. LENEHAN:** Vehicle No. UQJ 987 was released for salvage on 29 June 1989 and subsequently sold to a dealer. The registration plates were destroyed at least a week before the sale. Vehicle No. UQN 451 was released to Croydon Park TAFE for use in the College Racing Car Project.

**SALT CREEK RANGER'S RESIDENCE**

109. Mr LEWIS (Murray-Mallee), on notice, asked the Minister for Environment and Planning:

1. What was the total cost of renovations and restoration of the dwelling previously occupied by the Ranger at Salt Creek after his family vacated it when he left to take another post recently?

2. Has the restoration been completed and if not, when is it anticipated to be completed?

3. Who will meet the cost of the renovations?

4. How many bedrooms, bathrooms and other facilities form part of the dwelling and what is the approximate area of the floor space?

5. How old is the dwelling?

6. What did the dwelling originally cost the Department of Environment and Planning?

7. When and at what expense was it previously prepared for that Ranger to occupy?

**The Hon. S.M. LENEHAN:** The replies are as follows:



1. The present Ranger and his family who have occupied the dwelling since March 1987 will be vacating the house in the next few months.

The total cost for the renovations is \$36 612.80.

2. The work has virtually been completed with the exception of the filling of a former window opening.

3. The Office of Government Employee Housing of the South Australian Department of Housing and Construction.

4. The dwelling comprises one lounge, kitchen, bathroom and three bedrooms. The floor space is 140.7 square metres.

5. Only the original mantel and portions of a foundation and corner wall are reported to survive from the first period of construction, circa 1847.

6. The dwelling was included as part of the property dedicated as Coorong National Park.

7. There was no major preparation of the dwelling; however, known maintenance costs for residence No. 1 prior to the District Ranger moving in were:

		\$
Aug 84	4 hot plates .....	148.93
Sept 84	2 blinds .....	256.00
Oct 84	Repairs, paintings .....	3 450.00
Feb 85	2 blinds .....	40.93
June 85	repair burst water pipe .....	247.45
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**The Hon. D.J. HOPGOOD:** No. The South Australian Health Commission is currently considering, in consultation with the City of Mount Gambier, several sites which would be suitable for the site of the new hospital.

#### MOUNT GAMBIER COMMUNITY HEALTH CENTRE

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1. Has a decision been made with regard to relocation of the Mount Gambier Community Health Centre and will commencement of the project be in the 1990-91 financial year for completion in 1992?

2. Will the Minister accede to the request of the Mount Gambier Community Health Centre Board for relocation to the Heriot Street site?

**The Hon. D.J. HOPGOOD:** The replies are as follows:

1. The redevelopment of the Mount Gambier Community Health Centre is scheduled on the South Australian Health Commission Capital Works Program for 1991-92 financial year. This scheduled date has not been disturbed by the decision to build a new hospital at Mount Gambier.

2. At this stage it is envisaged that the new Mount Gambier Community Health Centre will be constructed on the Heriot Street site. The final decision on this site cannot be made until a new hospital site has been purchased. The board of the Mount Gambier Community Health Centre has been advised that in the event that the new hospital site provides an opportunity for a new health centre to be

built on the same site, such a proposal will be raised with it.

#### FINGER POINT

127. **The Hon. H. ALLISON (Mount Gambier)**, on notice, asked the Minister of Water Resources:

1. Is the Finger Point Sewerage Scheme to be officially opened on 21 September 1989 and, if not, when will it be opened?

2. Will heavy metals and other toxic substances settle out in the Finger Point pondage, what are these substances, what weight of each will either be retained in the pondage or escape to the sea and how will they be disposed of once the ponds are drained and the sludge dried off?

3. Will the dried sludge present any threat to the local watertable and health by leaching of toxic substances, aeolian dispersion or from watertable pollution?

**The Hon. S.M. LENEHAN:** The replies are as follows:

1. Yes.

2. Based on data, the heavy metal concentrations anticipated to be in the reclaimed water discharge to sea are provided on pages 28 and 29 of the Final Report of the Parliamentary Standing Committee on Public Works on Finger Point Sewage Treatment Works (Revised Proposal). The heavy metal concentrations expected are shown below:

Heavy Metal	Typical Heavy Sewage	Metal Concentration mg/L Reclaimed Water
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The settled sludge will be dried in separate sludge drying lagoons and then spread around the site.

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#### COPPER CROME ARSENATE MIXING PLANT

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1. When will the Minister reply to the Member for Mount Gambier's letters dated 23 May, 13 June and 4 July 1989 regarding the establishment of a copper chrome arsenate mixing plant in Mount Gambier and what is the reason for the delay in answering the correspondence?

2. Has the matter of compensation to G.T. Chemicals in the event of relocation of the plant been considered and/or rejected by the Minister or by Cabinet?

**The Hon. S.M. LENEHAN:** The replies are as follows:

1. A coordinated response to the honourable member's correspondence was provided on 18 September 1989.

2. No.

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(a) who is chairman of that committee;

(b) when will the committee report to the Minister;

(c) when will the Minister report to Parliament on this matter; and

(d) have interim reports been released to the press?

**The Hon. T.H. HEMMING:** Yes, a committee has been established to review the trust's heating policy.

(a) Trust architect and Manager, Northern Operations, Mr John Keipert;

(b) 29 September 1989;

(c) It is not intended that the matter be reported to Parliament; and

(d) There have been no interim reports prepared by the committee.

**SALT CREEK HOUSES**

137. **Mr LEWIS (Murray-Mallee)**, on notice, asked the Minister for Environment and Planning:

1. For how long has the other of the two houses belonging to the Department of Environment and Planning in the vicinity of Salt Creek (not the subject of question on notice No. 109) been vacant?

2. Was the house previously occupied by the same ranger as the one which is the subject of question on notice No. 109?

3. What repairs and/or renovations are required to it and/or what repairs and/or renovations have been undertaken?

4. What are the costs incurred to date and/or estimated in doing this work?

5. Are either of the houses referred to transportable and, if so, will either of them be relocated and/or otherwise tenanted?

6. Will any party in addition to the department be required to meet any or all of the costs of work done, or to be done, in restoration and renovation and, if so, how much or what proportion?

7. Does the department propose to buy or lease another house for a ranger at Tintinara?

**The Hon. S.M. LENEHAN:** The replies are as follows:

1. One house (residence No. 3) has been vacant since August 1987 with the exception of occasional periods of use by work experience students, park volunteer workers, seasonal walk guides and office painters.

2. No.

3. Since the previous tenant vacated the residence, the following repairs and renovations have been undertaken:

Window repair, fumigation, removal and replacement of carpet, mildew/bathroom repairs, removal of underlay, replace screen doors and repair of leaking roof.

4. \$5 250 plus cost of roof repair (as yet not available).

5. Neither house is transportable.

6. All works and costs are met by the Government Employee Housing Branch.

7. At this stage the District Ranger is seeking private rental accommodation.

**HOUSING TRUST**

138. **The Hon. B.C. EASTICK (Light)**, on notice, asked the Minister of Housing and Construction:

1. For what price and when did the South Australian Housing Trust purchase the Weaver property at Murray Road, Princess Street, Queen Street, Willaston?

2. What costs were incurred for clearing, surveying and holding the property from the date of purchase to the date of disposal in 1989?

3. What amount was received at auction in May-June 1989 and has the sale been finalised and, if so, when and to whom?

4. What other land in the Corporation of Gawler has been sold by the trust since 1 July 1985 and what are the details in each case?

5. Does the trust contemplate selling any further land in the Gawler Corporation area and, if so, what land, for what reason and approximately when?

**The Hon. T.M. HEMMING:** The replies are as follows:

1. The Weaver property at Queen Street, Willaston, was purchased on 20 September 1985 for \$220 000.

2. From 20 September 1985 to 24 August 1989 the trust incurred the following costs:

	\$
Agents fees . . . . .	4 391.75
Lands Titles Office fees . . . . .	439.00
Council rates . . . . .	9 633.77
Engineering and Water Supply Department . . . . .	2 520.04
Land holding expense . . . . .	5 857.15

This includes weed spraying, grass cutting, valuation fee, rubbish removal, etc. In addition, the trust applies an internal interest charge at the SAFA rate, even though the average debt servicing cost is around 8 per cent.

3. Property sold for \$220 000, amount received at settlement on 24 September 1989, \$197 175.34—Purchaser—Grigg Bros Homes.

4. Land in Corporation of Gawler sold since 1 July 1985:

		\$	
Lots 101 and 102 Clark Road, Evanston	Gawler Assemblies of God . . . . .	110 000	21.11.86
Lots 19, 20, 21, 24, 25, 28, 29, 32 and 33 Main North Road, Evanston	Highways . . . . .	37 000	8.7.87
Part section 3198 Main North Road, Gawler	South Australian Urban Land Trust . . . . .	283 000	26.2.88
Lot 2 Main North Road, Gawler	South Australian Urban Land Trust . . . . .	275 000	26.2.88
Lot 101 Alexander Avenue, Evanston	South Australian Urban Land Trust . . . . .	155 000	26.2.88
Lot 2 Main North Road, Evanston Gardens	South Australian Urban Land Trust . . . . .	310 000	30.11.88
Lot 35 Main North Road, Evanston Gardens	South Australian Urban Land Trust . . . . .	100 000	30.11.88
Lots 36 and 37 Main North Road, Evanston	Trinity College, Gawler . . . . .	247 211	30.6.89
Lots 3 and 101 Main North Road and Dawson Road, Evanston	Chamberlain Investment Pty Ltd . . . . .	215 000	21.7.89

5. Further land to be sold in Gawler Corporation area:

Lot 14 Britton Street, Gawler—surplus to requirements—instructions to sell forwarded to agent on 7 September 1989.

Lot 135 Brigalo Street, Gawler West—surplus to requirements—to be listed with agent on receipt on valuation.

Part lot 78 Dysart Road, Evanston—surplus to requirements—instructions to sell forwarded to agent on 7 September 1989.

Lot 36 Longford and Elgin Streets, Evanston—surplus to requirements—instructions to sell forwarded to agent on 7 September 1989.

**PAPER AND CARDBOARD RECYCLING**

141. **Mr BECKER (Hanson)**, on notice, asked the Minister for Environment and Planning:

1. How many paper and cardboard recycling plants are there in South Australia?
2. Is there an over supply of paper and cardboard for recycling currently and, if so, why?
3. What action will the Government take to ensure that all paper and cardboard collected will be recycled?
4. Will the Government continue to encourage the collection of paper and cardboard for recycling and, if so, how?

**The Hon. S.M. LENEHAN:** The replies are as follows:

1. None.
2. Collection depots, which have been able to handle the normal quantities of paper we have always recycled in South Australia, have been inundated with large volumes of material, particularly paper which is easy to collect, as a result of the increasing community interest in recycling.
3. The Government recently established a Recycling Advisory Committee which will investigate the feasibility of establishing a waste paper plant and explore the long-term exploitation of stable markets which are essential to the success of recycling and will help redress the current imbalance.
4. The present system of waste recycling is largely undertaken by charitable organisations and fund-raising groups. This system relies heavily on people's willingness to separate their waste into its recyclable elements. A number of local councils have implemented kerbside collection systems and several others are at the planning stage. These recycling systems, which include waste paper collection, will continue to be encouraged by the Waste Management Commission as part of its ongoing role to provide advice and assistance to councils in recycling.

**WEST BEACH TRUST**

143. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education, representing the Minister of Local Government:

1. How many 'goods' or 'service' order books does the West Beach Trust currently have and to whom are they issued?
2. Did the Auditor-General discover any staff illegally using these books for their personal use and, if so, what action has been taken?

**The Hon. M.K. MAYES:** The replies are as follows:

1. There is one standard order book used by the West Beach Trust for all goods and services and current stocks number 84. One order book is issued to each operating centre.
2. The use of purchase orders by staff on rare occasions for personal cash purchases did not impact on the trust's accounts. The Auditor-General did indicate however that it was an undesirable practice and he has since advised that the action taken by the Chief Executive Officer in withdrawing their use for personal cash purchases is satisfactory action.

**HOUSING TRUST**

168. **Mr BECKER (Hanson)**, on notice, asked the Minister of Housing and Construction:

1. When will tenant representation be elected to the board of the South Australian Housing Trust?
2. Will the Government amend the South Australian Housing Trust Act to allow the board to be increased by two persons to allow for male and female tenant representatives and, if so, when and, if not, why not?

**The Hon. T.H. HEMMINGS:** The replies are as follows:

1. The Government is committed to the policy of tenant representation on the South Australian Housing Trust Board, and consultation is currently being conducted with relevant tenant organisations.
2. No. The Government does not intend to increase the size of the Housing Trust Board.