HOUSE OF ASSEMBLY

Wednesday 16 October 1991

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

PETITIONS: GAMING MACHINES

Petitions signed by 144 residents of South Australia requesting that the House urge the Government to provide for the administration of coin operated gaming machines in licensed clubs and hotels by the Liquor Licensing Commission and the Independent Gaming Corporation were presented by Messrs Becker and Crafter.

Petitions 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 10, 42, 47, 53, 56, 81, 98, 105 and 117; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

STAFFING CUTS

In reply to **Mr BRINDAL (Hayward)** 29 August.

The Hon. G.J. CRAFTER: The total number of staff for six teacher and student support centres is 198. It is proposed that the total Education Department non-school staffing established for 1992 will be 900 representing a real work force reduction of 288. This reduction will be achieved by redeployment, by the offer of voluntary separation packages and by attrition.

TRAFFIC INFRINGEMENT NOTICES

In reply to **Mrs KOTZ (Newland)** 12 September.

The Hon. J.H.C. KLUNDER: Advice received from the Crown Solicitor suggested that the expiation notice being used for offenders detected by speed cameras and red light cameras did not comply sufficiently with the form approved. However, the form which has been used is not illegal and does have the effect of validly expiating the offence when the recipient chooses to do so. Following receipt of the Crown Solicitor's opinion, changes were made to the form of speed camera and red light camera expiation notices currently in use to ensure the form of notice complies with legislative direction. In view of the Crown Solicitor's opinion, it has not been necessary to withdraw any notices.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Health (Hon. D.J. Hopgood)—
- Nurses Board of South Australia—Report, 1990-91.
- Physiotherapists Board of South Australia—Report, 1990-91.
- Drugs Act 1908—Regulation—Capton Seed Coating.
- South Australian Health Commission Act 1976—Regulation—Pensioner Contribution for Drugs.

By the Minister for the Aged (Hon. D.J. Hopgood)—
- Office of the Commissioner for the Ageing—Report, 1990-91.

By the Minister of Industry, Trade and Technology (Hon. Lynn Arnold)—
- Department of Industry, Trade and Technology—Report, 1990-91.
- Technology Development Corporation—Report, 1990-91.

By the Minister of Agriculture (Hon. Lynn Arnold)—
- Department of Agriculture—Report, 1990-91.
- Veterinary Surgeons Act 1985—Regulation—Registration and Practice Fees.

By the Minister of Ethnic Affairs (Hon. Lynn Arnold)—
- South Australian Multicultural and Ethnic Affairs and the Office of Multicultural and Ethnic Affairs—Report, 1990-91.

By the Minister of Education (Hon. G.J. Crafter)—
- Attorney-General's Department—Report, 1990-91.
- Credit Union Deposit Insurance Board—Report, 1990-91.
- Electoral Department—Report, 1990-91.
- Crimes (Confiscation of Profits) Act 1986—Regulation—Forms.

By the Minister of Transport (Hon. Frank Blevins)—
- Office of Transport Policy and Planning—Report, 1990-91.
- Motor Vehicles Act 1959—Regulation—Transaction Fee.

By the Minister of Correctional Services (Hon. Frank Blevins)—
- Department of Correctional Services—Report, 1990-91.

By the Minister of Housing and Construction (Hon. M.K. Mayes)—
- South Australian Housing Trust—Report, 1990-91.

By the Minister of Recreation and Sport (Hon. M.K. Mayes)—
- Racing Act 1976—Harness Racing Board Rules—Driver Age.

By the Minister for Environment and Planning (Hon. S.M. Lenehan)—
- Department for the Arts and Cultural Heritage—Report, 1990-91.
- Carrick Hill Trust—Report, 1990-91.

By the Minister of Mines and Energy (Hon. J.H.C. Klunder)—
- Electricity Trust of South Australia—Report, 1990-91.
- Mining Act 1971—Regulation—Delegations.

By the Minister of Labour (Hon. R.J. Gregory)—
- Construction Industry Long Service Leave Board—Report, 1990-91.
- Promotion and Grievance Appeals Tribunal—Report, 1990-91.

By the Minister of Occupational Health and Safety (Hon. R. J. Gregory)—
- Occupational Health, Safety and Welfare Act 1986—Code of Practice for Logging Stanchions and Bulkheads.

By the Minister of Employment and Further Education (Hon. M.D. Rann)—
- South Australian College of Advanced Education—Report, 1990.

MINISTERIAL STATEMENT: RURAL CASEWORKER

The Hon. D.J. HOPGOOD (Deputy Premier): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: On 8 October 1991 the member for Flinders asked me a question regarding the position of a rural caseworker on Eyre Peninsula. As there

has been media comment, I provide the following information in this form. In 1988, the Department for Family and Community Services devoted a half-time position to assess the 'emotional needs' of those farming families on Eyre Peninsula who were experiencing financial and emotional stress as a result of the effects of the drought. Four hundred families were visited. A part-time position of rural family caseworker was created and Ms Geraldine Boylan was given the task of providing personal and family counselling, disseminating information and linking people through a referral process to appropriate resources.

In 1990, due to a continuing demand and a change in the nature of the 'crisis', Ms Boylan recommended that there be a change to the rural family caseworker role to one of creating community networks through the implementation of support groups that could advocate for people's needs and rights, and to develop and train a community aide network to enhance the community's own power to take control of the situation. The Family and Community Services Department's role was to respond to self and agency referrals, provide information and address public meetings and workshops.

While a number of improvements in services were made since 1988, it was very clear that one person could not do all of this alone. Forward planning within the Department for Family and Community Services office identified a number of strategies to enhance its service response capabilities. This prudent management became urgent due to the personal costs exacted from Ms Boylan as she attempted to increase the community's capacity to meet its own needs through the development of support action groups, while at the same time being called upon to meet the individual needs of so many members of her community, not only inside office hours but in supermarkets whilst shopping and in garages whilst refuelling her car.

Ms Boylan's success in identifying needs has been due to her skills and to her familiarity and identification with generations of Eyre Peninsula farmers. Ms Boylan reported in May 1991 that 94 per cent of families were experiencing fear about their future on Eyre Peninsula and that the majority of farming families were experiencing financial difficulties leading to family breakdown, conflict, domestic violence, poverty and an increased vulnerability towards suicide. Her report and the continuing pressure that the work had placed upon Ms Boylan were considered by management to demand a sharing of the load between office team members and a more planned approach by both this agency and others in meeting the accelerating personal service needs of families on Eyre Peninsula.

The immediate changes made were to extend the number of workers who could be available to respond to referrals, and to allow Ms Boylan the time required to provide the agency with a well planned strategy that would incorporate the expansion of resources to service provision. This included the development of new roles and positions in the Port Lincoln office that would take into account the continuing and emerging needs across Eyre Peninsula. It was considered that Ms Boylan would benefit from stepping back from the intense role she had played since 1988 while offering a significant contribution to the development of services to meet the challenges of what could only be a demanding future for human service agencies.

Ms Boylan is presently working with the northern country regional office and policy and planning officers to have an agency strategy available by the end of November. The local Department for Family and Community Services office has picked up the work that Ms Boylan was doing. Social workers have made 72 visits to rural families in the past four months. Thirty-three of these visits were to Cleve and Cowell. The use of the 008 crisis number that was installed in April this year has doubled each quarter since then and continues to rise, as do calls from this area to the department's after hours crisis counselling service and the debt line service. The financial counsellor has been made full time and has helped 110 families this year with emergency financial assistance for food, electricity and travel. He has travelled more than 30 000 km over the past few months and has 40 active cases that consist of assistance with debt restructure, negotiation with banks and reviewing, through the Social Security appeals mechanism, decisions on eligibility for benefits.

A joint community and Department for Family and Community Services sponsored seminar which was held on 28 September 1991 at Tumby Bay included representation from key Commonwealth and State Government agencies, community service groups and leading community representatives. The aim of the seminar was to develop a coordinated approach to meeting the predicted needs of Eyre Peninsula rural communities over the next two years. The findings and recommendations will be incorporated into Ms Boylan's project and be considered by Government agencies in terms of rural service policy development and service coordination. Rather than a withdrawal of service, as has been suggested, Government agencies individually and together have shown a genuine commitment to an effective and planned approach to the service needs of families on Eyre Peninsula.

YOUNGHUSBAND ALLOTMENTS

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I seek leave to make a statement.

Leave granted.

The Hon. S.M. LENEHAN: Last week I indicated to the House that I would ensure that the owners of blocks at Younghusband, which may be affected as a result of the area being identified as an Aboriginal site, receive further advice and assistance from the Aboriginal Heritage Branch to resolve any conflicts that may result from this advice. The Aboriginal Heritage Branch has spoken with 13 of the 23 allotment holders at Younghusband who were advised about the existence of a registered Aboriginal site, and the branch is offering advice to the remaining owners.

The allotment holders are being advised that the branch will be working with them to resolve any conflict, and branch officers will be at Younghusband this Friday (18 October) to identify the extent of the site and which, if any, blocks are affected. All Aboriginal heritage sites (about 4 000), be they anthropological or archaeological, are now displayed on the certificate of title and, if a section 90 inquiry is registered, this will indicate any Aboriginal heritage interest.

These interests have been incorporated on the lands title system over the past 18 months and, to date, there have been 10 formal requests for information, two of which have resulted in the branch notifying land agents of an Aboriginal heritage interest in the area. This issue should be dealt with in context. The existence of a site does not usually mean that a title cannot be used for residential purposes but that, if items of interests are located (and, for example, these could be such things as quartzite tools), then clearly there is a community interest in ensuring that these items are dealt with in the correct manner.

QUESTION TIME

UNEMPLOYMENT

Mr D.S. BAKER (Leader of the Opposition): Does the Premier agree with the Leader of the New South Wales Labor Party, Mr Carr, that the current unemployment rate of over 10 per cent is indefensible, unjustifiable and an indictment of the Federal Labor Government?

The Hon. J.C. BANNON: I agree with Mr Carr that it is indefensible, that it is unacceptable and that we should be addressing the matter on a national basis. That means cooperative action between Federal and State Governments. I believe that those opportunities will arise. But one must put these problems in their context, in both a national and an international context, of recession. It is not an easy issue to address but, as I have been saying now for some months, we need to address it at a national level. The remedies so far proposed by the Federal Government have not been successful: in fact, the indicators have gone in the opposite direction—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —from what was predicted earlier this year. For instance, a vital step forward was the industry policy statement of March, which proposed fundamental changes to Australian manufacturing industry and improvement in competitive stance. I think that is absolutely essential if it is to survive. Nonetheless, some of those changes are having unforeseen and negative effects that will mean that in the long run we will not have an industry to be competitive with. I have already expressed those views publicly and privately to the Federal Government. Further, I am also on record in relation to interest rates, believing that the recent drop in interest rates was delayed too long and, secondly, that still the real level of interest rates is unacceptably high.

The Hon. J.P. TRAINER (Walsh): In relation to Australia's rising levels of unemployment, will the Premier advise whether the forthcoming Special Premiers Conference scheduled to be held in Perth on 21 and 22 November will be able to address that problem?

The Hon. J.C. BANNON: Certainly, this item is not at present on the agenda of the Special Premiers Conference to be held Perth, but it is certainly my intention that it should be. In doing that, I am being consistent with the approach I have taken all this year in relation to this matter. The Special Premiers Conference will address issues of great significance, including the tax powers as between States and the Federal Government, the issue of tied grants and the question I raised some years ago on the duplication of services and administration between the two levels of government.

It would be absurd for us to meet in Perth simply to discuss those issues without having some regard to the contemporary context in which we are discussing them. It is all very well to talk about how we should divide up the cake and level of public sector activity; there is no point in dividing up a cake which overall is diminishing, as we see at the moment. People would question Premiers and Prime Ministers meeting on such an occasion without raising those issues, without discussing those issues directly.

This is a frustrating process. Prior to the May conference of Premiers, that is, the annual conference mainly concerned with financial matters, I raised the question of the state of the economy and employment. In a detailed submission, I proposed a national program of infrastructure development and the concept of a national summit on employment, which the Premiers Conference could commission State and Federal employment Ministers to undertake. I was advised in response to that request at the time—

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: The Leader of the Opposition interjects. I remember his reaction: he said it was a panic reaction for me to propose that. As usual, there was no support whatsoever for the initiatives from South Australia. Be that as it may, the Leader of the Opposition is irrelevant to this process. At the time, the Prime Minister wrote back to me saying that he did not agree that the issues should be discussed separately at the Premiers Conference and that they could perhaps be raised in the context of discussion on general economic conditions.

Unfortunately, that meant only cursory attention. I got only lukewarm support from other Premiers and, apart from my colleague in Victoria, the question of a strategy of national employment got no support at all. There was agreement for a report on private investment in infrastructure to be commissioned and I am advised that, whilst work has been going on and it is due to be submitted to the Perth conference, so far little progress has been made.

The tragedy is that we have had five wasted months when we could have been addressing these issues and doing something about them. In fact, that opportunity was there in May and it was there again in June when I raised it again, but again there was no support at the Federal level. Reinforcing that, Federal Ministers actually condemned the proposal saying that it should not be on the agenda and that it was an unreasonable proposition. I am delighted to note that, in the past few weeks, not only a number of my colleagues in the other States and the ACTU but also a number of Federal Ministers have begun to recognise the importance and urgency of this issue.

Coming back to the question asked by the member for Walsh, I reiterate that we have wasted five months but it is not too late to seriously address this matter. I intend again to stress that it be placed on the agenda for the Perth conference. I think that we would be letting down the people of Australia if we met together and discussed matters of tax policy, financial sharing, tied grants and duplication of services while ignoring those central issues: employment and the state of the economy.

NURSES

Mr S.J. BAKER (Deputy Leader of the Opposition): I ask the Minister of Health: how many fewer nurses will be employed in State Government hospitals this year as a result of the State Government's budgetary problems? What percentage of this year's graduates from registered diploma courses in South Australia will not be employed as nurses as a consequence?

The Hon. D.J. HOPGOOD: We in South Australia are in the fortunate position of having very good work force statistics and information. Indeed, yesterday I was discussing this very matter with representatives of the Australian Nursing Federation. We are certainly not in a position that the Eastern States are where there is some prospect of a considerable number of graduate nurses not being able to get employment in that system.

We have quite a sophisticated program, which is run from time to time and is fine tuned. The best information that we currently have is that it is possible in the worst scenario that there could have been 300 nurses for whom there were no positions. However, that ignores the fact that on average

in the past few years about 200 of these people do not apply for positions in our system. With that in mind, we have arranged for the re-entry program to be reduced by 100. We therefore assume that we will be very close to being in balance and will avoid the problems that are occurring in the Eastern States.

I have to make the point, of course, that the hospitals are learning to do more with less, and that approach will continue. However, the program is sophisticated enough to be able to take account of that matter. To put things completely beyond doubt, at the beginning of next month the Directors of Nursing in the hospitals will be reporting further, both to the federation and to me, about the position as they see it so that if necessary we can further fine tune the position. When anyone does any crystal ball gazing, there is always some element of risk, but it is generally recognised that our position here is very much better than elsewhere because of our better labour force statistics and our better programs for being able to analyse them. The best that I can tell the House at this stage is that we see no cause for real concern. Indeed, we have already taken steps to ensure that there will be no gross oversupply of skilled people in this area.

MURRAY RIVER IRRIGATORS

Mr HAMILTON (Albert Park): Will the Minister of Water Resources confirm that irrigators along the Murray River can continue to use surplus water without incurring penalty charges until the end of November?

The Hon. S.M. LENEHAN: I can confirm that irrigators will have extended until November the period during which they can use surplus water without incurring any penalty charges. There was an initial period of August-September which has now been extended to the end of November, and I am sure this will be welcomed by irrigators during these difficult economic times. I know that my colleague the Minister of Agriculture also welcomes this decision, as the availability of surplus flows until the end of November will allow growers the opportunity to irrigate additional vegetable and fodder crops as well as growing green manure crops for soil improvement.

SPECIAL EDUCATION

Mr MATTHEW (Bright): Is the Minister of Education satisfied with his department's special education staffing formula, which has led to at least one school relying on profits from the school canteen to fund a teaching position? I refer to the Hallett Cove school, which caters for 1 100 students and which has been told by the Department of Education that it does not qualify for another special education teacher. The school responded by funding a well qualified special education teacher to assist, for example, a nine-year-old student who suffers short-term memory loss to the extent that he cannot find his way from school to his home around the corner. The student also attracts a disability allowance from the Department for Social Security, yet the Education Department does not consider that he and others like him need special assistance. The special education teacher is now having to be employed out of the school's canteen profits.

The Hon. G.J. CRAFTER: If the honourable member gives me the information, I will have this matter followed up. The budget just brought down provides for substantial additional funding for special education programs, and there is certainly no reduction in this area. I would very much like to examine the facts of this situation and then give the honourable member a reply.

MANGROVES

Mrs HUTCHISON (Stuart): Is the Minister of Fisheries aware of allegations of excessive dieback of mangroves and fish poisoning in Spencer Gulf, near Port Augusta? The allegations were made in the *Transcontinental* of 11 September 1991. If the Minister is aware, can he advise whether investigations are being undertaken to establish the veracity of the allegations and, if they are correct, what is being or will be done about this matter?

The Hon. LYNN ARNOLD: We are aware of the allegations made in the *Transcontinental* and, as a result, an officer of the department met with an officer of the Port Augusta City Council on 18 September. At that meeting photographs were provided and a verbal report was given on the extent of the mangrove dieback in the vicinity. At the outset, it needs to be pointed out that it has been generally accepted that there are instances of mangrove dieback that occur naturally, and that one needs to have an understanding of the patterns of the natural die-back. However, the patterns noted at Port Augusta in this instance are peculiar and have deserved further investigation.

As a result, officers of the Environmental Services Division of the Electricity Trust have been aware of the dieback, and have been conducting a number of studies and having discussions with officers of the division and with officers of the Department of Fisheries. These discussions indicate that there is a need for the studies to continue and for hypotheses to be tested. A number of hypotheses have been put forward.

Hospital Creek, which is the area in question, serves as a major drain by which waste water from the fly-ash lagoons discharges into the gulf. However, there are numerous healthy mangrove trees along the banks of this creek and the dieback is some distance to the south and west of the mouth of the creek. It is unlikely, therefore, that waste water from the lagoons is responsible for the dieback.

The Department of Fisheries is maintaining close contact with ETSA staff and has undertakings from the trust that information will be provided as studies progress. As studies progress and conclusions are found after testing of hypotheses, such action as may be necessary can be considered and undertaken. The Department of Fisheries has had no reports on whiting being tinged with a purple colour, as had been indicated in the news report, and has indicated to the council—and I take this opportunity to say to anyone in the area—that if they come across any fish that have been tainted in any way and if there is any indication of tainting coming from a source that is not relevant to the eco-system of the area, they should collect those fish and provide them to the Department of Fisheries for testing and analysis.

ABORIGINAL SACRED SITES

Mr LEWIS (Murray-Mallee): What policy criteria has the Minister for Environment and Planning directed her department to follow in determining whether or not it is appropriate to shift Aboriginal bones and relics in cases where there is a conflict with development? The *Advertiser* last Saturday and again today quotes the Operations Direc-

tor of the Department of Environment and Planning as saying:

> The potential for conflict between development and Aboriginal sites occurs on a daily basis . . . heritage officers were working with 'upset' land-holders to determine whether there was any archaeological material. If there was, talks would be held with the Murray Bridge Aboriginal community and the material would be removed for re-burial . . . any areas found to contain Aboriginal heritage material could be excavated if they threatened development.

My constituents, of both Aboriginal and other racial extraction, express amazement at the Minister's ignorance in that she does not understand that the people at Murray Bridge and downstream from there are Ngarrindjeri, and those upstream at Mannum, Younghusband and further are the Ngarathe. That is as simple and as stupid, they think, as asking an Afghanistan to nominate sacred sites in Pakistan.

The Hon. S.M. LENEHAN: I take this matter very seriously. I do not intend to turn the answer into some sort of personal denigration of the member for Murray-Mallee because of the respect I have for Aboriginal people and for those people in the white community across South Australia who also have that level of respect for the Aboriginal culture and for the sensitivities of this issue. The short answer is that I do not presume to direct my department, particularly those in the Aboriginal section of my department who are responsible for carrying out the requirements under the Aboriginal Heritage Act. I do not presume to tell the Aboriginal people of South Australia how they will go about preserving their culture.

However, I do accept—and I freely acknowledged this in the Parliament last week—that, when dealing with some of these complex cross-cultural issues, we must be sensitive to the just rights of both the Aboriginal communities and those white settlers who are building their houses on some of these sites. In my ministerial statement today, I made very clear exactly what was happening, indicating the number of families who have been personally contacted and what was in fact ensuing with these particular sites.

Unfortunately for the member for Murray-Mallee, this matter will not be able to be blown up into some great racial conflict or any other kind of huge issue because Mr Bruce Leaver, the overall Director of that section of the department, has clearly indicated to the community through the media on a number of occasions that, because there is an archaeological site, that does not mean that building cannot take place. Indeed, in most cases it means that such things as skeletal remains or some form of tools (which I indicated in my ministerial statement) can be removed and preserved and protected, thus ensuring that future generations, whatever their cultural background, will have more understanding and knowledge of the people who inhabited this country for many thousands of years before European settlers.

I will not turn this issue into some kind of slanging match; it is too important. I believe that we are handling it sensitively. We are working with the communities and the landowners who are living there now. My department, and the head of the Aboriginal Heritage Branch, himself an Aboriginal, are dealing with this matter. I will not direct that section of the branch as to those with whom they will have discussions in terms of the Aboriginal communities. Indeed, I believe it would be appropriate for negotiations to take place with the department of my colleague the Minister of Aboriginal Affairs to ensure that those people who need to be consulted will be consulted. I do not believe it is my role and function to interfere in those discussions which will take place in a sensitive way.

Again, I acknowledge that we could have done it better. I can assure this Parliament that in future dealings on this matter—as I hope, with every other matter in my department—we will treat people more sensitively and in a more communicative fashion. I am sorry that the member for Murray-Mallee has had to resort to some kind of personal denigration to make whatever point he was seeking to make.

GRAFFITI

Mr HAMILTON (Albert Park): Will the Minister of Youth Affairs tell the House whether any developments have occurred in reducing the access by graffiti vandals to graffiti implements? In a previous statement the Minister spoke of a planned meeting with retailers to discuss this issue. I know that members of the Opposition have called for a ban on the sale of spray cans to under 18 year olds. Constituents, who are themselves retailers, have stated to me that they do not support such a ban because of what they see as the huge problem in policing such a proposal.

The Hon. M.D. RANN: I thank the honourable member for his continued interest in tackling this crime issue. Over the past few months I have met with the Retail Traders Association and with individual retailers to discuss this issue. Yesterday I met with a group of key executives of major South Australian retail and hardware chains, as well as the Executive Officer of the Retail Traders Association, to look at the best way to tackle this problem. I was certainly heartened by the positive response received from businesses at this meeting. Many retailers are already doing what they can to restrict access, and others are willing to begin to put the effort in. But to ban products which in themselves are not harmful, and which in themselves have legitimate uses, would force ratailers into a policing role, and into a position whereby they themselves may end up on the wrong side of the law by mistaking a 17 year old for an 18 year old, and so on; and that point was made by business representatives at this meeting.

Instead, the retailers I met yesterday were very supportive of developing voluntary guidelines for the display and sale of graffiti implements. Their practical suggestions included identifying the products that can be used (spray cans and wide-tipped felt pens being the most common, but certainly not the only ones); locating these products in supervised areas; putting up signs informing users of the State Government's proposed tougher penalties for unlawful possession of graffiti implements; and training staff to be aware of potential problems. I was impressed and pleased by the constuctive approach shown by retailers.

Members interjecting:

The Hon. M.D. RANN: I am quite surprised at the negative attitude of members opposite to small business. I was impressed by the willingness of retailers to take up their share of the responsibility to take action on graffiti. I was particularly delighted at the actions of one major hardware chain with more than 80 outlets in South Australia, which has on its own initiative taken the step of having on display only 'dummy' or empty spray paint cans. Purchasers can select what they want from the display but have to ask for a full can. It is a similar approach to that used in purchasing LP records.

Another major hardware chain also informed me that it is already putting into place many of the principles that I have outlined, that is, identifying the products, locating them in supervised areas, training staff, and so on. And, of course, members will already be aware of action taken by Sands and McDougall and the National Office Products Association. These types of initiative should be applauded by members on both sides of the House. I am certainly disappointed at the negative reaction of members opposite.

The Graffiti Action Conference being held next Monday at the Adelaide College of TAFE will present South Australians with the best information in interstate preventive strategies that have worked. The Mayor of Gosnells, will explain how her council managed to reduce its graffiti vandalism bill by 50 per cent. The Victorian Public Transport Corporation will explain the range of measures it has taken in its attempt to control this mindless vandalism. The conference will also see the launch of the graffiti action kit, which should prove a useful resource for local government and community groups wanting to address graffiti vandalism at the local level. The member for Adelaide keeps calling out, '30 per cent.' I can only presume he is referring to the Leader of the Opposition's approval rating today.

Members interjecting:

The SPEAKER: Order!

ABORIGINAL SACRED SITES

The Hon. D.C. WOTTON (Heysen): Will the Minister for Environment and Planning amend the Aboriginal Heritage Act or discuss with her colleague the Minister of Aboriginal Affairs the need to establish a register of traditional Aboriginal jurisdiction in South Australia and a register of the traditional authorities associated with them? Further to her ministerial statement, will the Minister give an assurance that there are now no Aboriginal heritage sites in South Australia that are not displayed on the certificates of title?

The Hon. S.M. LENEHAN: As I said in my statement, it is my understanding that all the sites that have been identified as Aboriginal heritage sites—

Mr Lewis: Are they or aren't they?

The SPEAKER: Order!

The Hon. S.M. LENEHAN: I could make a comment, but I will be disciplined and will not. The answer to the second part of the honourable member's question is that I understand that some 4 000 sites that have been identified under the Aboriginal Heritage Act are now registered on the section 90 statements. So, when people apply for a section 90 statement, the information they require is clearly set out. I must confess that I missed the first part of the honourable member's question. I think that he was asking whether I would have some discussions with the Minister of Aboriginal Affairs about identifying traditional Aboriginal authorities who may well be consulted in terms of the significance or otherwise of particular heritage sites. If that is the question, I am happy to look at that aspect with the Minister of Aboriginal Affairs. I suppose it harks back to the legislation that was passed by this Parliament. As I was not the Minister responsible at that time, it is probably one of those things I need to look at closely. I will be very pleased to look at the question in detail when the honourable member provides it to me, and will give him an answer at that time.

TAFE FUNDING

Mr FERGUSON (Henley Beach): Will the Minister of Employment and Further Education advise whether he has been informed by the Federal Minister for Employment, Education and Training that the Commonwealth will inject more funds into the TAFE system only if major financial control is given to the Commonwealth? The report 'Young People's Participation on Post-Compulsory Education and Training' chaired by IBM chief Brian Finn recommended a large increase to TAFE funding. I understand that Education and Training Ministers from around Australia will be meeting this week and that the Finn report will be an item for discussion.

The Hon. M.D. RANN: I should make it clear from the start that, despite headlines around Australia this morning indicating that the Federal Government will take over TAFE, all Ministers around the country would support the thrust of the Finn report, which seeks to improve the choices and the chances for young Australians. However, the question of who runs TAFE becomes vitally important in meeting the challenges of Finn. The move by the Commonwealth Government somehow to take over TAFE could, I believe, be a disaster for South Australian students and for local industry. The Commonwealth Government has a poor track record with regard to TAFE funding. Many years of sustained growth in the South Australian TAFE sector have been achieved despite severe reductions to TAFE and in general payments by the Commonwealth Government to the States.

It seems to me that the Federal Government is making a crude attempt to hijack the agenda for Friday's meeting of Ministers of vocational employment, education and training. I am disappointed that the Federal Minister appears to have rejected the consensus cooperative approach to tackling the future challenges of post-compulsory education and training in Australia. Obviously, all members would hope that the Federal Government will concentrate on tackling the unemployment situation instead of looking at bureaucratic control of TAFE and at takeover bids.

Whilst most States endorse the sentiments of the Finn report on post-compulsory education and its training targets, the issue of responsibility for TAFE is best dealt with at the Special Premiers Conference in November. Mr Dawkins' plan for States to deliver TAFE training with Federal Government grants tied to Commonwealth objectives is certainly at odds with the Prime Minister's philosophy of providing the States with financial assistance grants with no strings attached. I see that Mr Dawkins claims that the States are starving TAFE of funds. Obviously, he cannot count in this regard because in South Australia we have increased recurrent funding for TAFE in the face of Federal cutbacks in recent years. Indeed, very strong increases in TAFE funding have occurred in recent years. Over the past two years, the State has provided real growth overall to TAFE college budgets in excess of 6 per cent—that is real growth.

We in South Australia have by far the best TAFE system in Australia, with very strong links to local industry. South Australia's training system is a vital component of our required economic base, and TAFE must remain flexible and relevant to local needs. We certainly do not want any examples of East German centralism imposed on the system. The effect of the Commonwealth's current proposal would be to bring TAFE in South Australia back to the pack from a position of clear leadership to the lowest common denominator. Rather than being a test for new federalism arrangements, I believe the Dawkins plan will increase bureaucracy and duplication. I hope we can have a constructive meeting about these issues and look at consensus in a cooperative framework. I join with my Western Australian counterpart in saying that we do not support this blatant power grab by the Commonwealth.

MULTIFUNCTION POLIS

Mr INGERSON (Bragg): My question is directed to the Premier. What serious commitments to invest in MFP proj-

ects have come from overseas companies other than Japanese companies? What commitments have there been from Australian companies? What is the value of these commitments to date?

The Hon. J.C. BANNON: We are going through the process following the decision of the Commonwealth Government announced on 31 July that the MFP project would be adopted as a national project and that it would be located in Adelaide, of establishing the MFP interim board, consolidating the International Advisory Board and, in fact, setting up the marketing arrangements in order to ensure there is investment attraction.

In relation to the Japanese, the MITI investment mission will come out in December and will obviously look at this issue. In relation to other countries, the Agent-General has been actively involved with the European members of the International Advisory Board in looking at various prospects and ways of publicising and marketing the MFP and, of course, a lot of work is being done locally. Very good progress is being made at the moment. I believe that, provided we can show sufficient determination and aggression on this matter, provided we can get general community support and provided the honourable member who asked the question, whose appalling reaction to the feasibility study in the Federal report is one about which I hope he is a bit embarrassed, can provide that sort of support, we will find a very significant project indeed. The progress that is being made, obviously in such a time scale, is very satisfactory indeed.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: The International Advisory Board will meet in Adelaide at the end of this month, and certainly further discussion will occur about the marketing program for the MFP at that time.

HOUSING TRUST

Mr De LAINE (Price): Will the Minister of Housing and Construction provide details of the South Australian Housing Trust's involvement in joint venture arrangements with the private sector, local government and community groups?

The Hon. M.K. MAYES: I thank the member for Price for his question; I know this matter is of interest to him because it relates to his electorate. It is also an issue that will be of increasing interest to members of the community, particularly since the trust is looking at and seeking further involvement in commercial joint venture arrangements with the private sector. This matter offers both the private sector and the trust an opportunity to extend those dollars to generate valuable and much-needed housing for our community throughout South Australia. Of course, timed with the cutbacks we are facing from the Federal Government with regard to the CSHA, it is certainly another alternative for us to provide that housing.

Basically the trust's objectives in considering commercial joint ventures with the private sector include a number of points which it seeks to achieve in reaching agreement with the private sector, namely, to generate funding from the private sector that would not normally be available to the trust and to introduce balanced urban consolidation as part of our urban infill, which is part of the process of bringing together mixed trust and private residential accommodation. For both the trust and the private sector, that spreads the risk.

Other objectives are to provide opportunities for trust staff to gain additional skills and commercial sector experience and increase the utilisation of our staff and, of course, staff in the private sector. In this respect, we are looking at a number of areas, particularly existing trust areas. For example, at Mitchell Park a joint venture has been entered into with a large South Australian financial institution. That project is progressing successfully and is one of consolidation with some demolition and rebuilding. That will give that suburb a much refreshed outlook and slightly increase the density while providing better open space for that community. That is just one example of bringing together the private sector and the trust.

These middle distance suburbs, as I term them, are a great opportunity for us to be able to regenerate existing two bedroom homes, creating an opportunity for younger families to move into these areas, either by way of renting from the trust or purchasing from the private sector. We will see more of this in the context of joint ventures and the trust has provided a significant number of aged housing units, which is a significant factor. We look to the private sector but we must look also to local government, churches, service clubs, charitable organisations, industry, commercial private sector developers, hospitals and community groups. They can all form a partnership with the trust, resulting in an increased and renewed stock of housing for the South Australian community. I am delighted that we are going down this path and I hope that more of these joint Housing Trust/private sector ventures are achieved.

OPERATION HYGIENE

Mrs KOTZ (Newland): Following the charging today of two more police officers as a result of Operation Hygiene, which brings the total to 18, will the Minister advise the House of any further pending charges?

The Hon. J.H.C. KLUNDER: The answer is 'No'. Even if I knew, I would not tell her.

Members interjecting:

The SPEAKER: Order!

INTERNATIONAL BACCALAUREATE

Mr HAMILTON (Albert Park): Will the Minister of Education advise the House of the outcome of the International Baccalaureate conference that he attended in Sydney? My question is prompted by the considerable interest displayed by the Seaton High School council and, in particular, the desire of the school to broaden the services provided by schools in South Australia.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and for his advocacy on behalf of the school to which he refers. I visited that school and was impressed by the initiative and energy being displayed within that school community to further expand the range of educational services it provides, not only to the direct community that it serves but to the broader western suburbs of Adelaide, which is a diverse community in its make-up.

The International Baccalaureate organisation is an educational organisation that provides curricula and examination accreditation services to over 400 schools in over 50 different countries throughout the world. It has its headquarters in Geneva and its examination centre in Wales in the United Kingdom. It is a two year pre-university course. The diploma can best be described as a kind of passport, being accepted at most tertiary institutions throughout the world.

Uniform curricula means that the International Baccalaureate is well suited to children of internationally mobile families. It has served children whose parents are involved in the diplomatic corps, people who are involved in international organisations and so on. It means that students undertaking the IB program can transfer from school to school and from country to country with minimum disruption to their studies. It is important for those families who come to South Australia to work on such projects as the submarine project and related industries, particularly with the development of the MFP project.

Three schools in South Australia currently provide the IB program—Glenunga High School, Mercedes College and Pembroke. South Australia is unique in that the IB program is supported by the Education Department. In the rest of Australia and in most other countries throughout the world IB is based largely in private schools. Only one other Government school in Australia offers the IB program, and that is Narrabundah College in the ACT, which has traditionally served young people associated with the diplomatic corps.

I must say that only a small number of students will access this program in our schools but, nevertheless, it is an important section of the community in this State and their needs are important and it is important that we are responsive to them. I was invited to speak recently in Sydney at a conference organised by the Association of International Bacalaureate Schools. This body was set up in June last year to cater for the growing number of schools offering IB courses in Australia, New Zealand, Papua New Guinea and neighbouring countries.

The conference began on a Sunday and I was invited to open it and speak on the theme 'Internationalism and Education' from an Australian perspective. Professor Stephen Fitzgerald, Director of the Asia-Australia Institute, also spoke to us at that conference, as did Dr Roger Peel, the Director-General of the IB organisation. That conference is an indication of the strong interest that exists now right across Australia in the IB program and, whether it is further extended in this State, and in particular to Seaton High School, will depend on our monitoring the situation closely in the coming months and years.

EGG BOARD

Mr MEIER (Goyder): Has the Minister of Agriculture ordered, or will he order, an independent, expert inquiry into the price paid by the Egg Board for the purchase of Pritchard's egg grading and packaging business for almost $500 000, plus an annual consultancy fee to ensure that the industry has not been unfairly burdened by debt from this transaction? It has been put to me that while the purchase price for Red Comb was reasonable, the Pritchard purchase price was not and it has helped saddle the industry with debt it can ill afford.

The Hon. LYNN ARNOLD: I refer the honourable member to two documents. The first is the Auditor-General's Report, in which this matter is commented upon and, secondly, my own ministerial statement, in which I identified before the House my concerns not about the principle of what the Egg Board was doing in terms of trying to establish a centralised grading floor but, rather, the process by which that happened, because there was a want of commerciality in some of those discussions. Indeed, I gave approval in principle to the decision to proceed with offers to acquire, but I was unhappy at the final settlements made because they were in excess of the figures canvassed with me.

As I say, that matter has already been commented on by the Auditor-General and I have had my department further pursue the matter with the board itself. As to whether that means that there is a residual amount in excess of what the industry should bear in its offers, a number of other aspects also need to be taken into account in the valuation of the assets and who contributed to those assets over the years. It is not only growers who have contributed to the assets which the board has and which will be factored into any final equation: it is also the consumer who has paid more for eggs over the years than has been the case in most other States and, therefore, one can assess that some of the assets accumulated by the Egg Board over the years have been contributed to in part by consumers having paid higher prices, which resulted in a higher margin between what the grower received and the retail price.

So, it is not a matter of simply saying 'Yes' and, if there is any decision to be made as to what happens to the allocation, the growers should be relieved of all that burden and the consumer none of it (the consumer in the sense of taxpayers who ultimately have to pay any amount that might be required to be picked up by the Government). In any event, at this stage negotiations are under way as to what should happen with the Egg Board's commercial operations.

I have indicated that the first offer should be given to the growers to come up with a proposition to take over the commercial operations, and we are prepared to sit down and talk with them about how that can best be done. If at the end of the day we are unable to reach a satisfactory conclusion with those negotiations—and I would not want to pre-empt their conclusion in this House by making statements at this stage in answer to some of the points raised by the honourable member in his explanation—then it will have to go to an open tender situation. If that is not successful, we will have to consider disposing of the assets. However, that would be the worst scenario, and I would not want to see that happen.

I was critical of the amount paid in excess, in my view, of what perhaps normal commercial caution would have dictated. That being the case, it is not simply a matter of saying that that is a matter entirely of concern to the growers: it is also of concern to the consumers in their other guise as taxpayers who fund whatever the Government must pick up at the end of the day.

HOUSING TRUST SOCIAL JUSTICE INITIATIVES

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Housing and Construction provide details of any South Australian Housing Trust social justice initiatives targeted to the Elizabeth and Munno Para area? The House will be aware that the Elizabeth and Munno Para area has a high concentration of low income and socially disadvantaged householders. It has been put to me by many constituents that, as part of the State Government's social justice strategy in this area, the Housing Trust should also have a role to play.

The Hon. M.K. MAYES: I appreciate the honourable member's question, which involves an important issue, particularly in the area represented by both the honourable member and the member for Elizabeth, who I know is acutely interested as well because of the impact throughout that region. There is obviously a need for clear strategies to address the issues in the Elizabeth and Munno Para area because of the high concentration of low income families, high unemployment and the demands being placed on both public and private sector agencies.

Currently the trust owns approximately 50 per cent of the stock within that area and the two councils and all the

human services agencies, in both the private and the public sector, have long suggested that the trust should address this matter by looking at the commensurate level attained in other parts of the metropolitan area of Adelaide, where there is obviously a lesser concentration of Housing Trust accommodation. The trust is reviewing its strategies for the area in question and also looking to find some financing, under 'Better Cities' funding, to assist changing the profile in that region.

The stock quality in the area is of modest design and the construction of similar appearance, having been undertaken through the 1950s and in the early 1970s, with a major proportion of stock being double units on large allotments. In fact, anyone who cares to visit the area will realise how large those allotments are. Trust sales have occurred over time simply in response—

Mr S.G. EVANS: On a point of order, Mr Speaker, the Minister's answer relates to the motion moved by the member for Napier on 10 October about the Elizabeth and Munno Para project and his speech concerning the disadvantaged in that area. The matter is listed as No. 4 on the Notice Paper for Thursday 24 October under 'Orders of the Day: Other Business'.

The SPEAKER: I take the point of order and will listen very closely to what the Minister says in his response.

The Hon. M.K. MAYES: In April 1991 the trust introduced a new low deposit scheme for low income households in Elizabeth and Munno Para as part of our social justice strategy. Initially, 200 loans were made available for that scheme, known as the Special Home Ownership Plan.

The SPEAKER: I uphold the point of order. I think the Minister is going over the ground that was covered previously. In the debate listed on the Notice Paper obviously he has the opportunity to produce any material he wishes to support his remarks.

CONSULTATION FEE

Dr ARMITAGE (Adelaide): I direct my question to the Minister of Health. In view of the decision by the Federal Labor Caucus to introduce a $2.50 fee for bulk-billed GP consultations, will the Minister be introducing a similar fee for outpatient and accident and emergency services in South Australia's public hospitals?

The Hon. D.J. HOPGOOD: No decision has been made at this stage.

VIGILANTE GROUPS

Mr HAMILTON (Albert Park): Will the Minister of Emergency Services advise the House of his investigations into claims that 'some residents in West Lakes were rumoured to be forming a vigilante group to combat juvenile crime'? In an article on the front page of the *Advertiser* of Saturday 21 September it was stated:

> Juvenile crime has reached alarming levels in some Adelaide suburbs, with some residents threatening to form vigilante groups to combat the problem.

A Woodville councillor is quoted as saying:

> [A] man told him he had fired a shotgun over the head of fleeing vandals after disturbing them near his home. He claims he has the support of many residents.

The article goes on to reply to a statement by a West Lakes resident, as follows:

> ... his family has had enough of vandals and crime in his street—and he would not hesitate to use a gun for protection.

Finally, the Mayor of Woodville, Mr John Dyer, is quoted as rejecting the claims, stating:

> I have not heard of any groups setting up vigilante squads.

The Hon. J.H.C. KLUNDER: I appreciate the honourable member's concern about the nature of the claims made in an article in the *Advertiser* of 21 September about vandalism and other problems allegedly being experienced in a particular section of West Lakes. I sought comment from the Commissioner's office on whether these claims were an accurate reflection of the situation, and it appears they are not.

The police have advised that they first had contact with the gentleman named in the article, Mr Graham Roberts, in February this year, after the problems he was experiencing were brought to their attention by the member for Albert Park. A police investigation of the situation revealed that the property damage, graffiti and other behavioural problems appeared to coincide with games at Football Park. As a result, a special operation using the Regional Response Group was launched and continued for about two months, with particular emphasis on the Friday nights when matches were scheduled at Football Park. A number of charges were laid as a result of this police action.

However, according to police, no complaints have been received from residents in the area, including Mr Roberts, since the end of March. For that reason, the article came as a complete surprise. I have been informed that a few days after the article appeared Mr Roberts contacted police at Henley Beach and said his comments in the *Advertiser* were not intended as a criticism of the police; on the contrary, he was pleased with their actions and praised them for their efforts. The comments were apparently related to Mr Roberts' continuing efforts to have the Woodville council close a foot bridge which crosses the lake, an action the council apparently has refused to take. Police are continuing to monitor the area, and this will be intensified when the football season gets under way next year.

GREYMOUTH MILL

The Hon. H. ALLISON (Mount Gambier): Will the Minister of Forests advise the House why on 12 February last he told us that the losses on the Greymouth (New Zealand) mill closure would not exceed $11.5 million, whereas the Auditor-General, at page 419 of his report on 30 June this year, advises that the losses are in fact $14 million?

The Hon. J.H.C. KLUNDER: I cannot find my notes on this subject, but an amount of $2 million was put aside on a previous occasion, so it was brought to book at a different time, or something of that nature. I will obtain a report for the honourable member to reconcile those figures.

RETIREMENT VILLAGES ACT

Mr HAMILTON (Albert Park): Will the Minister for the Aged advise the House of the progress—

Members interjecting:

The SPEAKER: Order! The Chair cannot hear the question.

Mr HAMILTON: —of amendments to the Retirement Villages Act? In September last year I, like many other interested persons, attended the launch of a discussion paper on issues in the financing and administration of retirement villages. This was part of the third stage of the Government's program to address the needs of people who choose to live in retirement villages. The discussion paper exam-

ined options to overcome a range of problems that had been reported to the Commissioner for the Ageing and to organisations such as the South Australian Council of the Ageing. I have many retirement villages in my electorate, and they would be interested to know the response to the issues raised in the discussion paper and the likely timetable for legislative changes.

The Hon. D.J. HOPGOOD: Abbreviating as much as is reasonable, I can summarise by saying that a number of points of agreement have been reached and will almost certainly be incorporated in the legislation. They include: preferred forms of title in the villages; the requirement that any information in relation to title or any other relevant information should be in clear, plain English; tighter financial accountability; and methods of dispute resolution.

However, a number of matters require further resolution. They include things such as the extent to which residents should be involved in decision making procedures in the villages, and refunds under certain circumstances. I do not think that I need to spell that out further, because members would have had that matter drawn to their attention through their electorate offices. It may be that we will not obtain complete agreement on all matters before we feel it prudent to proceed with legislation, but it seems to me that there is already sufficient agreement to be able to say with some confidence that the legislation will proceed, and at this stage I am aiming for the autumn part of this session.

CRIME STATISTICS

Mr SUCH (Fisher): My question is to the Minister of Emergency Services. Following the disclosure during the Attorney-General's Estimates Committee that statistics are held within the Police Department identifying crime on a suburb by suburb breakdown and that the statistics will not be made public, will he take action to ensure that those statistics are made available to this Parliament immediately and, if not, why not?

The Hon. J.H.C. KLUNDER: The figures listed as crime statistics are made available in the Police Commissioner's report each year. Various sets of other figures are made available during the year through the *Government Gazette*, and I understand that both the Office of Crime Statistics and the Minister of Health also publish sets of figures. I do not know that we can argue that the Opposition is undersupplied with figures regarding crime statistics in Australia. If anything, this State is rather oversupplied with those figures.

DEPARTMENT OF LANDS

Mr McKEE (Gilles): Will the Minister of Lands provide information on the progress being made by the Department of Lands to convert to the automated title system known as TATS?

The Hon. S.M. LENEHAN: The South Australian automated title system, which the honourable member quite rightly describes as TATS, was implemented in June 1990. In the past year, 40 000 automated strata titles have been created from the deposit of both new strata title plans or as a result of the conversion program introduced last September. A conversion strategy for the remaining 750 000 paper titles is currently being developed, and it is anticipated that, within five years from June 1990, all Real Property Act transactions will be conducted on the automated register.

It is true to say that TATS will provide a window to the Lands Title division throughout South Australia. Clients in remote locations will have access to the same searching services currently employed by clients within the central business district. TATS is one of a handful of automated land registration systems in the world, and it is an integral part of the State's world-renowned LOTS system and, indeed, it cements South Australia's eminent position at the forefront of hard information systems.

MINISTERIAL STATEMENT: COMMUNITY HOUSING ASSOCIATION PROGRAM

The Hon. M.K. MAYES (Minister of Housing and Construction): I seek leave to make a statement.

Leave granted.

The Hon. M.K. MAYES: I refer to the future of the Community Housing Association Program. The program is one of the State Government's strategies in providing consumers with a wide variety of housing options. This program is an initiative which aims to promote partnership between the Government and the community in relation to 'needs' based housing. It specifically targets groups who are disadvantaged by income, social circumstance or a physical or intellectual disability. Concern has been expressed by those involved in this section of the housing portfolio that the Community Housing Association Program is being disadvantged, particularly in comparison to the cooperative housing program. This concern became evident in the submissions made to the select committee into the Housing Cooperatives Bill. I wish to make clear that this Government is committed to fulfilling the needs of those in the Community Housing Association Program, and to ensuring that the program is viable and cost effective.

As at August 1991, CHAP consisted of 21 housing associations administering 569 properties. The program is currently financed through credit foncier loans with private lenders at market rates. These financial arrangements require a very large Government subsidy to service, and are impeding the program's future. To deal with this, I have instructed that negotiations start to restructure the current loan portfolio to achieve lower interest rates. There has been a 1 per cent drop already, with further savings as interest rates fall. At the same time, I am pleased to announce that the Government intends to provide base level funding to the community housing associations forum for two years. CHAP is the peak body of housing associations, and base funding will ensure CHAP's stability and enable it to effectively represent and help develop this section. In addition, it will enable the sector to research and fully develop proposals to establish the program on a cost efficient basis.

The Government will commit an additional 100 units per year for three years as part of its work to secure the long-term future of the program. Initially, these units will be provided on a leasehold basis, with full security of tenure. A new 'community housing tenure' will be developed to maximise the potential for the Community Housing Association Program to exist as a viable and vital community asset in the long term. In conclusion, I look forward to maintaining continuing, positive support for this vital sector of the housing portfolio.

SITTINGS AND BUSINESS

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

That the time allotted for:

(a) completion of the following Bills:
Housing Co-operatives,
Maralinga Tjarutja Land Rights (Additional Lands) Amendment,
Motor Vehicles (Registration-Administration Fees) Amendment,
Residential Tenancies Act Amendment and
(b) consideration of the First Report 1991 of the Standing Orders Committee—
be until 6 p.m. on Thursday.

Motion carried.

The SPEAKER: Call on the business of the day.

WHEAT MARKETING (TRUST FUND) AMENDMENT BILL

The Hon. LYNN ARNOLD (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Wheat Marketing Act 1989. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It has a twofold purpose. It provides for changes to wheat research funding as a consequence of the enactment of the Commonwealth Primary Industries and Energy Research and Development Act 1989 and it provides that a trust deed may be approved to enable local management of the money returned to South Australia after passage of the Commonwealth Act. This matter has an interesting history. The United Farmers and Stockowners convinced the Government of the need to bolster existing funds for wheat research in this State. It was suggested that an amount be deducted from payments made by the Australian Wheat Board and that legislation was the most practical means of authorising those deductions. In due course, amendments to the State wheat marketing legislation were passed. Under that legislation, a rate of deduction was recommended each year by the United Farmers and Stockowners and any wheatgrower who chose not to participate could do so, provided he or she made his or her intention known to the Minister of Agriculture.

The Minister gazetted annually the rate of deduction and the total amount collected by the Wheat Board was paid into the Wheat Research Trust Fund established by statute. On the recommendation of the State Wheat Research Committee, money from the trust fund was then disbursed for research in South Australia. This arrangement came to an end when the Commonwealth passed the Primary Industries and Energy Research and Development Act. After passing that Act the Commonwealth returned $4.066 million to the State Department of Agriculture as the temporary custodian.

The United Farmers and Stockowners had foreseen this development and proposed that a fund administered by trustees be established to absorb and make use of that considerable amount. The Minister of Agriculture concurred with this view and prepared a trust deed that provides appropriate guidelines for use of this money. The trustees appointed are three representatives of the United Farmers and Stockowners and one departmental officer representing the Minister. This Bill reflects these developments by making appropriate amendments to the Wheat Marketing Act 1989. A proportion of the money returned by the Commonwealth was for barley research since identical circumstances in relation to wheat also apply to barley. Similar amendments are planned for the Barley Marketing Act 1947. However, it is proposed that these amendments will be incorporated in a more comprehensive Bill which will significantly update that legislation. I commend the Bill to members.

Clause 1 is formal. Clause 2 amends section 3 of the principal Act by inserting the following definitions:

'the fund' means the South Australian Grain Industry Trust Fund established under the trust deed:

'trustees' means the trustees appointed in accordance with the terms of the trust deed:

and

'the trust deed' means the trust deed approved under section 9a.

Clause 3 inserts sections 9a and 9b after section 9 of the principal Act. Subsection (1) of section 9a provides that the Minister may approve a trust deed that is made for the purposes of establishing and controlling the application of a fund to be known as the South Australian Grain Industry Trust Fund and for other related purposes. Subsection (2) provides that the Minister may approve any amendment to the trust deed and subsection (3) provides that the trust deed and any approved amendment to the trust deed must be promulgated by regulation. Section 9b provides that the fund is to be administered by the trustees in accordance with the terms set out in the trust deed and applied for the purposes set out in the trust deed.

Clause 4 amends section 10 of the principal Act by striking out from subsections (2) and (6) 'Commonwealth for the purposes of the Wheat Research Trust Fund' and substituting 'fund', by striking out subsection (7) and by striking out from subsection (15) the definition of 'the Wheat Research Trust Fund'.

Mr MEIER secured the adjournment of the debate.

DIRECTOR OF PUBLIC PROSECUTIONS BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It provides for the establishment of the Office of Director of Public Prosecutions. The Director of Public Prosecutions will be a statutory appointment independent of direction or control by the Crown. Criminal offences in South Australia are prosecuted at three levels of court—magistrates courts, the District Court and the Supreme Court. Whilst police prosecutors handle most of the matters in magistrates courts, Crown prosecutors prosecute all indictable offences in the higher courts together with a small number of the more serious committals in the lower courts.

Developments in recent years in England, the Commonwealth and in States such as New South Wales, Victoria, the ACT and Queensland have seen the creation, in each of those jurisdictions, of an Office of Director of Public Prosecutions as part of the development of an independent professional prosecution service. The creation of a statutory authority, headed by a Director, will mean that the Office of the Director of Public Prosecutions is independent and

seen to be independent from political or ministerial influence or intervention and that the exercise of prosecutorial discretions is vested in an independent, professional office. In January this year, Cabinet approved the establishment of an independent Office of Director of Public Prosecutions. This decision was reinforced in February 1991 when the National Crime Authority released its report on reference number 2—Operation Hydra. In that report, the NCA recommended that a position of Director of Public Prosecutions for South Australia be created by statute.

The Bill, as introduced, provides for the Governor to appoint a Director of Public Prosecutions for a term of office of seven years. The Director is eligible for reappointment. Terms and conditions of appointment are determined by the Governor. In order to remove any potential conflict the Director is required to inform the Attorney-General in writing of any direct or indirect interest that the Director has or acquires that may conflict with the Director's duties. The Bill establishes an Office of Director of Public Prosecutions. The office will consist of the Director and persons assigned under the Government Management and Employment Act 1986 to the office. For administrative purposes such as personnel and accounting functions the office will remain as part of the Attorney-General's Department. However, in the exercise of its prosecutorial function, the office would be independent of the department and Government.

Clause 7 sets out the powers of the Director. The Director is given power to lay charges of, and prosecute, indictable or summary offences against the law. The Director is also empowered to take proceedings for, or in relation to, the confiscation of profits of crime; to grant immunity from prosecution; to claim and enforce civil remedies that arise out of or are related to prosecutions commenced by the Director. The Director would also be able to enter a *nolle prosequi* and to exercise appellate rights arising from prosecutions. The Bill provides for the Attorney-General to transfer to the Director any powers or functions of the kind referred to above, or any power to consent to a prosecution vested in the Attorney-General by any Act. This will allow the Director to be given responsibility for a function even if an Act vests power in the Attorney-General. Each piece of legislation vesting powers in relation to criminal matters in the Attorney-General, the Crown Prosecutor or the Crown Solicitor is being considered and it is hoped that consequential amendments assigning relevant powers to the Director will be introduced shortly.

Clause 9 is a crucial provision of the Bill as it provides for the Director to be independent of direction or control by the Crown or any Minister or officer of the Crown, other than the Attorney-General. It provides that the Attorney-General may after consultation with the Director, give directions and furnish guidelines in relation to the carrying out of his or her official functions. Such directions are to be published in the *Gazette* and laid before each House of Parliament. Safeguards relating to prejudice to investigations and prosecutions and safety of or severe prejudice to individuals are included. The directions may be in general terms or relate to particular cases. It is already a well established principle that the Attorney-General is not subject to direction by Cabinet in the exercise of these powers. Clause 9 does not alter this position.

The Bill provides for the Director to direct the Commissioner of Police to investigate matters and to issue directions and guidelines in relation to investigating or prosecuting offences. Once the office is established, it is envisaged that guidelines will be released which will provide the Director with clear guidelines for the making of various decisions which arise in respect of prosecutions. It will also allow the public to be made aware of the considerations upon which decisions are made. In recognition of the Director's independence the Bill provides for the Director to report directly to Parliament on any matter affecting the proper functions of the office. The Bill sets out the powers of the Director of Public Prosecutions and the relationship of the Director with the Attorney-General. The Government believes that the time has now arrived for South Australia to adopt and embrace the concept and model of an independent Director of Public Prosecutions. I commend this Bill to members.

Clauses 1 and 2 are formal. Clause 3 is an interpretation provision. 'Director' is defined as the Director of Public Prosecutions (or a person acting in the position of Director of Public Prosecutions) and 'office' is defined as the Office of the Director of Public Prosecutions.

Clause 4 establishes the position of Director of Public Prosecutions. The Director is to be appointed by the Governor and must be a legal practitioner of at least seven years standing. The Director is to be appointed for a term of office of seven years. The Director is eligible for reappointment. The Director is required to inform the Attorney-General in writing of any direct or indirect pecuniary interest that the Director has or acquires in any business, or in any body corporate carrying on a business, in Australia or elsewhere and of any other direct or indirect interest that the Director has or acquires that may conflict with the Director's duties. The Director must not engage in legal practice outside the duties of his or her office or engage, without the consent of the Attorney-General, in any other remunerated employment.

The Governor may terminate the Director's appointment if the Director—

(a) is guilty of misbehaviour;

(b) becomes physically or mentally incapable of carrying out official duties satisfactorily;

(c) becomes bankrupt or applies to take the benefit of a law for the relief of bankrupt or insolvent debtors;

(d) is absent, without leave of the Attorney-General for 14 consecutive days, or for 28 days in any period of 12 months;

or

(e) fails to comply with the obligation to inform the Attorney-General of pecuniary interests or engages in legal practice or other employment contrary to the clause.

The Director's appointment cannot be terminated except as provided above. Clause 5 provides for the appointment by the Attorney-General of a person to act in the Director's position during a temporary absence or vacancy. The Acting Director must be a legal practitioner of at least seven years standing.

Clause 6 establishes the Office of the Director of Public Prosecutions. The office is to consist of the Director of Public Prosecutions and any persons assigned under the Government Management and Employment Act 1986 to work in the office. The clause also provides for delegation by the Director of powers or functions to any member of the staff of the office.

Clause 7 gives the Director the following powers:

(a) to lay charges of indictable or summary offences against the law of the State;

(b) to prosecute indictable or summary offences against the law of the State;

(c) to claim and enforce, either on behalf of the Crown or other persons, civil remedies that arise out of, or are related to, prosecutions commenced by the Director;

(d) to take proceedings for or in relation to the confiscation of profits of crime;

(e) to enter a *nolle prosequi* or otherwise terminate a prosecution in appropriate cases;

(f) to grant immunity from prosecution in appropriate cases;

(g) to exercise appellate rights arising from proceedings of the kind referred to above;

(h) to carry out any other function assigned to the Director by regulation;

(i) to do anything incidental to the foregoing.

The clause provides that the Attorney-General may transfer any powers or functions of the kind referred to above, or any power to consent to prosecution, vested in the Attorney-General by an Act passed before the commencement of this Act to the Director by notice in the *Gazette*. The clause also contains an evidentiary aid—an information or complaint apparently signed by the Director or a person authorised by the Director is, in the absence of proof to the contrary, to be taken to have been duly signed by or on behalf of the Director.

Clause 8 provides that the Director must, at the request of the Attorney-General, consult with the Attorney-General with respect to the exercise of the Director's powers or functions. The clause also contains a reciprocal provision with respect to consultation by the Attorney-General at the request of the Director.

Clause 9 provides that, subject to the clause, the Director is entirely independent of direction or control by the Crown or any Minister or officer of the Crown. The clause provides for the giving of directions and guidelines by the Attorney-General to the Director in relation to the carrying out of his or her functions. The Attorney-General must consult with the Director before issuing any such directions or guidelines. The directions or guidelines must be published in the *Gazette* and laid before each House of Parliament. Publication and tabling may be delayed if the Attorney-General is of the opinion that disclosure may be prejudicial to an investigation or prosecution. Material may be withheld from disclosure if the Attorney-General is satisfied that disclosure would place human life or safety at risk or cause some other form of severe prejudice to any person.

Clause 10 compels the Commissioner of Police to investigate any matter referred by the Director for investigation. The Commissioner must provide the Director with a report on the results of the investigation whenever required to do so by the Director and in any event as soon as practicable after completing the investigation.

Clause 11 provides for the giving of directions or guidelines by the Director to the Commissioner of Police or other persons investigating, or prosecuting, offences on behalf of the Crown. Any such directions or guidelines must be published in the Director's annual report. Material may be withheld from disclosure if the Director is satisfied that disclosure would place human life or safety at risk or cause some other form of severe prejudice to any person.

Clause 12 provides for the preparation of an annual report by the Director and the tabling of the report in each House of Parliament. It also enables the Director to report on a matter directly to Parliament.

Clause 13 provides general regulation making power.

Mr S.G. EVANS secured the adjournment of the debate.

SELECT COMMITTEE ON THE ABALONE INDUSTRY

Mrs HUTCHISON (Stuart): I move:

That the time for bringing up the report of the select committee be extended until Tuesday 22 October 1991.

Motion carried.

SELECT COMMITTEE ON THE HOUSING CO-OPERATIVES BILL AND THE RESIDENTIAL TENANCIES ACT AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Housing and Construction): I move:

That the report be noted.

The select committee was established on 12 December 1990 by this House to review the Housing Co-operatives Bill and the Residential Tenancies Act Amendment Bill. The committee has spent the past eight months considering this Bill and a report was finalised on 12 August this year, and I commend the report. Let me run through the process that the select committee has undertaken in coming to its conclusions on the Housing Co-operatives Bill. We have called for oral and written submissions and have had 30 people from a great range of quite diverse organisations come before the committee and present their viewpoints.

These viewpoints have come from various housing cooperatives (that is, tenant-managed organisations); housing associations (that is, organisations which manage housing on behalf of their tenant customers); the Community Housing Association Forum, which is a peak council for community housing associations in South Australia; the Community Housing Associations Service of South Australia (CHASSA), which is in part a peak council for tenant-managed housing associations (known as cooperatives); and the Chair of the South Australian Cooperative Housing Management Committee, which has been overseeing the program.

As well, senior Government officials from the Office of Cabinet and Government Management Board, the South Australian Government Financing Authority, the Department of Housing and Construction and the Housing Trust have met before us, and the South Australian Centre for Economic Studies also appeared before the select committee with its views on the effectiveness of the program. I believe this diverse range of people and their viewpoints, mostly in substantial agreement with the aims and the details of the Bill, have been a most comprehensive, open and informing process for the members of the select committee and therefore the House.

The select committee has also received 44 written submissions, again from a great range of organisations and it is clear from both the oral and written submissions and from the inspections that the select committee undertook that there is a very substantial and hard working sector of community people who are working to establish and manage housing cooperatives in this State. The select committee has reviewed the current programs, the role of both forms of housing associations in our South Australian housing strategy, the financial structures of the proposed program, the administration of the proposed program and the need for and the process by which appeals may be made within the program, and the requirements for amendments, within the Residential Tenancies Act.

Let me examine each of these issues in more detail. The committee heard a wide range of evidence and submissions in support of the creation of the South Australian Cooperative Housing Authority to administer the Act. It was the

view of the committee that the appropriate mechanism to administer a program involving a large number of small groups all of which wish to be involved in the decision making process should be the authority proposed in the Bill.

The committee recognised that there needs to be a partnership between Government and the community sector in order to successfully manage the program, and that the best way of achieving this partnership is through the proposed authority.

Indeed, the committee gave serious consideration to whether or not there exists a need for this proposed authority or whether instead the Housing Trust Act could be amended and the Housing Trust itself could take on these functions. The proposed Housing Co-operatives Act essentially regulates the relationship between the Government and potentially a substantial number of small housing cooperatives, and on balance the select committee considered that a separate authority was required. This point is important and I would like to quote the recommendation of the select committee on this matter, as follows:

> The committee supports the establishment of the South Australian Cooperative Housing Authority, with the powers, responsibilities and structures set out in the Housing Co-operatives Bill and the committee's proposed amendments. The committee accepts the arguments for a separate authority, as the embodiment of the partnership between Government and the cooperative sector is necessary to the success of this program. (4.13)

The committee took the view that tight financial management and accountability would best be achieved through the authority. The committee felt that the authority would be able to dedicate itself to the substantial amount of detailed involvement in program administration which is required, and that the authority would have the legitimacy to become involved in the workings of dysfunctional cooperatives. At the same time, the committee took the strong view that reduced inefficiency and duplication in administration is essential and recognised the need for integration of the cooperatives program with other areas of the housing portfolio. For this reason the committee has decided to recommend that the General Manager of the trust or a nominee should be an *ex officio* member of the board of the South Australian Cooperative Housing Authority, and that the staff of the new authority be drawn from the South Australian Housing Trust.

The committee also believes that CHASSA, as the peak council of cooperatives, should be on the authority as part of the partnership of management of the program. The committee paid close attention to the proposed financial arrangements for the program and examined the comparative cost benefits of this form of housing. On the best evidence available, the committee notes that cooperative housing is at least as financially efficient as other forms of rental housing. In this regard the submission by the South Australian Centre of Economic Studies is most relevant and the committee was pleased to receive its advice, which contains this summary:

> To sum up: if cooperative tenant incomes grow faster than those of SAHT tenants by virtue of the tenure type, then on any analysis cooperatives have an advantage over the SAHT. If the differential income growth does not occur then the two tenure types are generally equal in cost benefit terms, and a decision between the two then rests on non-economic grounds.

The committee believes that an assessment of the cost effectiveness of the arrangements should be undertaken in two years time. The committee has given close scrutiny to the proposed financial arrangements for the program and is satisfied that the proposed measures will lead to prudent financial management which will significantly improve on current arrangements.

The committee has thoroughly reviewed the proposed review mechanisms contained in the Bill. The committee understands that the measures proposed occurred at the commencement of significant work in this area but, acting on suggestions from members of the committee, it believes it is now possible to improve substantially on the original provisions. This is reflected in the proposed amendments. The committee is satisfied that the proposed amendments to the Residential Tenancies Act are generally appropriate. However, the committee believes that the proposed period of notice of termination of tenancy agreement to members of a cooperative should be extended to 28 days.

The committee further addressed the issue of equity between different forms of rental housing. The committee recognises that flexible arrangements in regard to allocation processes within cooperatives were required during its developmental phase, but believes that the detailed arrangements should now be developed to ensure that equity between different forms of housing can be guaranteed.

The committee heard evidence from members and representatives of community housing associations, and recognises that the Community Housing Associations Program carries out different but valid functions from the cooperative housing program, and recommends that adequate resources be allocated by the Housing Trust to ensure that further program development now occurs. Changes have recently been made within the Housing Trust to begin the process of revitalising the Community Housing Associations Program.

I am in firm agreement with the committee's view that the Community Housing Associations Program be given further support, as it has a vital role to play in the provision of housing services to South Australian families in need. I give a commitment as Minister to ensure that adequate resources are provided, and I look forward to reporting in due course to this House on the changes to enhance the success of this program.

The committee also heard evidence from the Auditor-General who had previously expressed some concerns in regard to the administration of the program by the South Australian Housing Trust. It is pleasing to note that the Auditor-General gave the current program a clean bill of health and is supportive of the proposed Bill.

As I have already noted, in reviewing the Bill the select committee considered the need for amendments to some parts of it, notably in regard to the appeals procedure. These amendments proposed by the select committee will therefore be dealt with in the Committee proceedings as the appropriate clause in the proposed Bill.

The select committee process has reviewed what I believe to be a major and significant program to develop social housing in South Australia and establish a statutory base to advance a new form of housing tenure. I recognise that some people in the community have felt frustrated by the select committee process, but it needs to be remembered that this Parliament has put together a select committee consisting of Government members, Opposition members and an Independent member whose close scrutiny of the Bill has enhanced the Bill and has increased the awareness of the changes to social housing that the Government has undertaken. Thus the Bill has been openly debated by members of all political persuasions and with some agreed amendments has been given the assent of those political Parties in South Australia. The select committee process has given Parliament the opportunity to call for information, to review, to hear argument, and to deliberate on the appropriate structure for this Bill. I am pleased to say that although substantial changes were made to some parts of

the Bill, for instance the appeals procedures, the great bulk of the Bill has been accepted in its entirety. I therefore thank and commend those who have made submissions before the select committee and the members of the select committee for their time and effort.

In conclusion I would like to note the committee's strong endorsement of the continued growth of the cooperative housing program and its recognition of its important contribution to housing strategy in South Australia. I therefore quote from the select committee's report, as follows:

> On the basis of the findings and submissions, and of its deliberations, the select committee strongly supports the continued growth of the housing cooperatives program; and recognises its important contribution to housing strategy in South Australia.

I commend the report to this House.

Mr LEWIS (Murray-Mallee): Other members in this House and on this side of the Chamber who have participated in the select committee process, such as the member for Hayward, have a more detailed and intimate knowledge of the matter than I do, but in this place as the Opposition's spokesman on such matters I am compelled to put before the Chamber the views that the Opposition has in general. We acknowledge that the Government is committed to support the housing cooperatives concept and therefore to provide a legislative framework through which to give greater administrative control and greater financial control to the housing cooperative movement.

However, the Opposition would emphasise that legislative amendments which affect the tenant-based cooperatives as distinct from community housing associations, that is, those organisations such as Bedford Industries and church and community groups, were advocated and established by the Hon. Murray Hill. Women's shelters were established in 1981; this is their tenth anniversary. The Liberal Party continues to support community housing association activities as sound and responsible. We recognise that they work within an acceptable and sensible administrative framework. However, the select committee was established because of public disquiet about tenant-based cooperatives and it discovered some legitimacy for the public concern about them.

The Government is aiming at 300 units of such cooperative housing accommodation on an annual basis. As we find Commonwealth-State Housing Agreement finance being reduced to the public housing sector, we notice that the South Australian Housing Trust has had the number of units it commences each year drop from 2 800 or thereabouts approximately 10 years ago to about 1 000 this year. We have seen therefore the emergence of an alternative strategy: the tenant-based housing cooperative.

However, those innovations of tenant-based housing cooperatives have led to the public's observance or at least its subjective opinion that queue-hopping has occurred, that the system allows for friends of the Government or for mates within the administrative framework to be provided with housing without there being any consideration for the salary caps of the people who avail themselves of the opportunity of participation in these programs, which cost the public purse a considerable sum.

In the opinion of those members of the general public who have watched their operation, they have been regarded as being sloppily administered in the general case. In fact, we now find, in the answers tabled today to the budget Estimates Committees questions put to the Minister about these co-ops, that some of them are at present subsidised to the tune of $10 000 a year, which is the equivalent of about $200 a week.

In the private rental market it is possible to obtain rental accommodation for less than $200 a week, yet that is the shortfall per week per home that those cooperatives are requiring the public purse to find. It is as if we are indeed squandering money to allow that to continue. Clearly, we could simply pay the total rent for the tenants in such cooperatives and still be better off in the public purse because rental accommodation is available at much less than $200 a week, yet that is the extent of the subsidy in some of those cooperatives—the subsidy, not the total cost.

Even the Hindmarsh Tenant Housing Cooperative, which has been established for over eight years, still subsidises each housing unit to the extent of $8 000 a year. Members can do some quick mental arithmetic and recognise that that is close to $160 a week, and that is after eight years, yet the project was intended at the time to provide people who had no housing or work and who had low self-esteem and other associated sociological problems with the opportunity of breaking through and finding appropriate accommodation for themselves, increasing their self-esteem and enabling them to acquire a grubstake and an interest in the accommodation and, through that improved self-esteem, to find more secure employment than being either unemployed or itinerantly employed.

However, the project, therefore, is a failure by its own measuring sticks, set by itself as its goals. It is not succeeding in that regard if $160 a week or more is still being paid by the public purse as a subsidy to the cooperative, as a particular illustration of the point the Opposition wishes to make on that matter.

The Community Housing Authority that the Bill proposes to establish is something about which the Opposition has grave misgivings. From time to time the Minister has seriously—whilst he is out of order in the way in which he chats to members of the public from the floor of the Chamber—interjected and goaded Opposition members to engage in deregulation. He has accused us of not knowing deregulation when we see it, yet the Minister at the bench in this instance proposes to further regulate by establishing yet another statutory authority.

It is interesting to note that the staff of the proposed new authority are to be taken from the Housing Trust. It strikes Opposition members as being quaint that it is necessary to establish yet another statutory authority and further regulate Government services without simply leaving the Housing Trust in its present form—without disturbing its staff—and allowing it to provide the service needed to ensure that the more responsible, administrative framework within which the cooperatives function can be monitored. Certainly, we do not see the need for yet another statutory authority. We believe that the staff presently within the trust can do the job just as well employed within the trust as they could do it after being transferred from the trust to the new authority that the Government proposes to established.

It is also interesting that the proposed Community Housing Association Service of South Australia Inc. will be controlled by the tenants, yet the expenses will be met by the taxpayer. To say the least, the Opposition is anxious about that proposal, which does not smack of any measure of responsible legislative approach in the way in which the Minister nonetheless claims he is responsible in the manner in which he goes about discharging his responsibilities. If that is to be the case, the Opposition believes that the new authority—if it is to be formed—should have nine and not seven members and that the Minister ought to appoint people from the Housing Industry Association and the Real Estate Institute who have some knowledge of these matters. As I have said, I am not the member on this side who has

the greatest measure of insight and understanding on this matter.

Indeed, my colleague in another place, the Hon. Legh Davis, is our spokesman in the public domain on such matters, and members of the select committee from this side of the Chamber are better briefed in greater detail than I am or can be, and our lead speaker who will place on record greater detail in support of the position we have taken, with the argument that arises from that detail, will be the member for Hayward.

With those reservations, the Opposition guardedly supports the legislation and acknowledges the work done, without for a minute berating the efforts of the committee. We wish to acknowledge the work of the committee members and thank them for their efforts; in particular, we thank the members of the general public who took the trouble to prepare information of substance to bring before the attention of the committee in order that Parliament could be given the benefit of this broader insight than would otherwise have been possible in the course of this debate.

Mr BRINDAL (Hayward): Like my colleague the member for Murray-Mallee who has spoken first, I would like to commend the other members of the committee. I was privileged by my Party to be part of the committee, and I found it an interesting and informative committee of which to be a member. As the Minister said, all members of the committee worked hard and tirelessly to try to achieve the best results in terms of this legislation.

I concur with the Minister that many of the amendments proposed by the select committee will tighten and enhance the Act considerably. In noting the report of the select committee, and as the Minister stated, we must put it into some form of historical context. The incorporation of women's shelters in 1980 marked the advent of cooperative housing. It was a Liberal initiative and one for which our Party should be commended. I hope that the Liberal Party will always support programs in which people seek to help themselves.

In as much as the cooperative housing program has been a social housing program with a component of self help, I do not believe that many members would criticise it on those grounds. Along with other members of the committee, I was most impressed with many of the cooperatives that we saw and many of the management techniques used in those cooperatives. I have no criticism of much of the evidence presented to our committee by a very fine body of people who obviously are dedicated to a lifestyle and method of housing. Those people are to be commended.

The Bill comes about because of fairly bad abuses by other people in the past. We are dealing with this Bill because of what has happened previously in the name of housing cooperatives. I commend the current Minister. He has been faced with a very difficult task. He inherited a complete mess from the previous Minister, who now sits on the back bench and devotes his time to putting forward notices of motion in private members' time and telling everybody else how they should act and how they should run this House. If he was still the relevant Minister, I believe that this Opposition would rightfully be crying for blood. The abuses in the housing cooperative system can be laid squarely at his feet. He was a Minister of the Crown with a responsibility to this Parliament, and the evidence which the select committee heard as to some of the things that happened during the incumbency of the Hon. Terry Hemmings as Minister of Housing and Construction really had to be heard to be believed.

The SPEAKER: Order! Reference to all members will be by the position they hold or the electorate they represent.

Mr BRINDAL: I am sorry, Sir; I make quite clear that I was referring to the member for Napier. Some of the evidence we received was astounding. I was really very shocked. For instance, the Housing Trust was receiving cheques and putting those cheques in the drawer for long periods of time. In fact, while the Opposition was blaming housing cooperatives for their tardiness, it became obvious in the course of the committee's deliberations that it was not always the cooperatives that were to be blamed.

Various agencies of Government found it convenient to heap scorn and derision on the housing cooperatives when in fact they could not adopt simple audit procedures that any Government department should be expected to keep. I for one find it abominable that large amounts of money could have been consigned to desk drawers for long periods of time. Again, it is not a criticism of this Minister. I think this Minister honestly seeks to redress problems that he has inherited because of what I believe could be described as the incompetence of his predecessor.

As the member for Murray-Mallee stated, it is of concern to us that the level of subsidy for some housing cooperatives seems to be fairly high. In noting this report, a number of things need to be explained to the House. The select committee was charged with certain responsibilities, which I believe it discharged. But part of the total consideration of the housing cooperatives area was not really within the responsibility of that committee. I commend the Minister for his statement today on CHASSA concerning the future of the Community Housing Association program. It was something which did concern the select committee and on which the Minister gave to the committee certain unequivocal undertakings. As I remember them, they were that, as Minister, he would continue to exercise a responsibility for and oversight of CHASSA, and he would see that that very important group of Community Housing Association personnel, the disadvantaged people who are in need of the sort of housing which is supplied, would be looked after. I note that, in his statement today, he starts on the path which he undertook to the committee to follow.

I note with some degree of concern that his commitment to the Community Housing Association is 100 units per year for the next three years, and his commitment to cooperative housing is 300 units per year for the next four years. I believe that the Opposition will responsibly question the Minister on whether that is a correct balance as to the housing needs of each group. That is a responsible thing for the Opposition to do. I am sure that the Minister will answer as responsibly as he is able. That was one matter that did not enter into the consideration of the committee in many ways.

Similarly, the mixture of cooperative housing, CHASSA and the public housing sector as expressed by the Housing Trust was part of the Minister's responsibility, as he pointed out, and part of the budgetary process of the Government of the day. The select committee accepted that, and rightfully so, but obviously that is an area in which any Opposition can and will continue to ask questions and probe to see that the mixture between Housing Trust housing, CHASSA and cooperative housing is achieved in a correct balance.

As I said, the Opposition remains worried at the level of subsidy for cooperative housing. I do not think that the people concerned are behaving irresponsibly; certainly the ones we saw were not, but the question remains to be asked whether it is efficient for the Government to continue to supply housing subsidies at those levels when in theory we

could put all those people into the private rental market and show an extra return for the Government. In fact, we could put them into the private rental market free on a subsidy of $200 per week and show a return, and they would be considerably enhanced in that they would not be burdened with any rent at all. That bears serious questioning and consideration in terms of the efficiency of the whole program. As my colleague the member for Murray-Mallee said, we support the general thrust of the report of the select committee. As did my friend and colleague the member for Hanson, I supported the Minister through the whole of the select committee. As I said before, every member of the committee behaved responsibly and tried to do the best thing by the people in housing cooperatives, those in this place and the Government of the day.

The only real sticking point for the Opposition, rather than for me as a member of the select committee, remains the existence of a separate authority. My view differs slightly from that of the member for Murray-Mallee in that I understand why the Minister accepted the Housing Trust as the agency under which the concurrent staff would be administered. That is a good idea, because it means that a completely new authority is not set up. At least there is a group which administers the authority, and the only differential is the memberhsip of the board.

As the Minister said, it was also the unanimous recommendation of the select committee that the General Manager of the Housing Trust should be a part of that authority. However, the Opposition remains concerned about the existence of a separate authority and believes that if CHASSA can be administered through the Housing Trust it should have been possible for this Act to be administered in the same way.

The Opposition believes that the report of the select committee is a considered and worthwhile attempt to provide a legislative framework for an area that has been grossly abused. The Opposition believes that it has been grossly abused, as I have previously said, by the inattention and neglect of a previous Minister in this place. We believe that the select committee report and the Bill as introduced by the Minister are a responsible attempt to fix up a serious problem—a problem which appeared to be deteriorating but which I think the Minister has made a genuine attempt to redress.

I would take issue with a couple of other small points raised by the Minister and kindly suggest to him that he may well have been gilding the lily just a little. My understanding of the financial arrangements was much the same as the Minister's but I note—and I think responsibly—that we have asked for a review of the financial arrangements after two years, because it was not always clear that the modelling would come out as it was intended to come out. I think that asking for a review after two years is a responsible approach, and I commend the Minister and Government members of the select committee for acquiescing to that. However, I do not think that the financial modelling is as clear as it could be. I do not believe that any of us on the select committee are experts in the field, and I expressed that opinion in the committee at the time. I therefore feel that the committee's suggestion that there be a review after two years is responsible, but I do not quite agree with the Minister's earlier remarks that we thought everything was rosy in the garden. As the Minister well knows, that was an area about which I was worried, because it commits the Government to quite a deal of funding.

The Opposition also remains concerned that this program will be responsibly administered. It is a social justice program; it is a self-help program, which we believe should be provided for people who need help. I am sure that there will be no argument from the Government benches on this matter. However, the proof of the pudding in this case must be in the eating. In the past there has been criticism that some housing cooperatives could develop into cheap housing for yuppies. I saw no evidence of that, and I hope that this Bill will ensure that that sort of thing does not happen. However, I believe that is largely up to the housing cooperatives themselves. We can enact such legislation as we wish, and for every piece of legislation enacted there is always a loophole, some way around it, and some way of getting out of it, and it will be for this new peak body to so regulate itself as to see that the integrity of the program, which was introduced by a Liberal Government and which has been carried through by a Labor Government, is maintained.

There is a large number of people served by this program and it is serving them well. It would be a pity if, after this legislation had been introduced in this place to amend past wrongs, further things went wrong that jeopardised the program, because there are many people who benefit from it, who deserve to benefit from it and who are behaving very responsibly within it. The trouble is that too often a good program is destroyed because a few people wish to do nothing more than feather their own nest and abuse the program. I hope that will not be the fate of this proposal.

As I have said, I believe that the Minister has introduced this Bill in a responsible way to address a developing problem, and that the committee has considered the Bill very carefully and brought into this Chamber today responsible amendments that enhance the Bill. I join the Minister in thanking and congratulating the other members who served on the committee. It was a learning curve for me and I learnt a great deal from the expertise of other members. In addition, with the Minister, I thank those members of the public who gave their time to appear before the select committee. Select committees are a valuable part of this Parliament. It is all right for us to stand here and pontificate *ad nauseam* about things that our grandmother's sister told us, but, when we can have members of the public—people who live in and operate housing cooperatives—representatives of the Housing Trust, the Auditor-General and other witnesses of intelligence, veracity and understanding of the problem talk to us, examined and, in a sense, cross-examined, I believe it demonstrates that this House operates in its most effective manner. I commend to the House the noting of the report.

Mr De LAINE (Price): I was very pleased to be a member of the select committee examining this matter of housing cooperatives and I congratulate the Minister on the way in which he chaired the meetings of that committee. I also congratulate the other members of the committee and thank them for their bipartisan support. I must confess that initially I was a fairly reluctant participant of the committee, mainly because of my connection with the failed Port Housing Association scheme and the problems involved in it. I was somewhat reluctant to support this type of association continuing. However, after having been a member of the select committee and hearing the evidence given by witnesses and, more importantly, as a result of the visits that the select committee undertook to several housing cooperatives in the metropolitan area, I was very impressed with the way in which these cooperatives are administered.

I pay tribute to those people who administer housing cooperatives and also to the tenants for their enthusiasm, dedication and the way in which they go about their business. Housing cooperatives provide a complete, across the

board, range of housing options for people with all sorts of means and requirements. I was very impressed with that side of the program. I learnt a lot from being on the committee, especially in relation to the needs of people from disadvantaged groups. I remember quite vividly going to one particular housing cooperative and speaking with the tenants, who were disabled. I, like many other members, take many things for granted in my daily life. It was quite evident in this particular housing cooperative that things such as access for wheelchairs and toilet and showering facilities need to be considered.

I was impressed by the attention given to the particular needs of these people in relation to heating and cooling. On the day we visited the housing cooperative it was very hot—something like 40 degrees—and it became very obvious that these people, who were in wheelchairs, needed cooling facilities and, in the colder weather, heating facilities. Unlike able-bodied people, they cannot move around to get cool or warm and they are very much victims of having to sit in one place in their wheelchair and feeling the effects of the heat and the cold.

Reference to those sorts of needs was included in the report, and I hope they will be taken heed of. It is one area that can best be covered by housing cooperatives rather than by the Housing Trust. I learned very valuable lessons and, all in all, I think that the report is very good. It goes into the details of administration, controls and safeguards against the sort of situation I described happening at Port Adelaide. No doubt, the Minister has been through those points, so I will not elaborate on them now.

It was a very good report and a very interesting learning experience for me as a member of that committee. Once again, I should like to thank the Minister and the other members of the committee for their bipartisan support. I commend the report to members, and fully support the legislation.

Mr S.J. BAKER (Deputy Leader of the Opposition): I am pleased that the committee has come up with a number of observations and recommendations that are very pertinent to cooperative housing. As members would know, the first initiative in the cooperative housing area was that of Murray Hill's women's shelters. At least the Liberal Party can be quite proud of its record. In other parts of the world, where they look at various housing types and arrangements for rental accommodation, housing cooperatives are very much to the fore. It should be recognised that Australia has one of the highest levels of home ownership in the world. We are not the norm: we are abnormal, as the vast majority of people in this world live in rental accommodation.

It is important to recognise that, with the various types of rental accommodation available, there are also various types of arrangements for meeting areas of need. Members of the committee who have examined the material, perhaps, would not have had the benefit of looking at some of the overseas experience, but I advise them to look at some of the arrangements that exist in Europe in a number of major cities, where accommodation is provided by locale as well as by particular interest groups. By 'interest groups', I mean those who may be disadvantaged in some way or who have some affinity.

South Australia has taken a number of initiatives in the area of cooperatives, some of them good and some not so good. We started with the women's shelters. In my electorate, initiatives have been taken by the Salvation Army, and we had the Salvation Army and the Housing Trust combining to build three units on Goodwood Road that were used virtually for emergency accommodation for people who needed shelter for a short time and who were then to be housed elsewhere on a longer-term basis.

One wonderful example on the cooperative housing front has come from Bedford Industries, with the accommodation provided for a number of people who work there and who are intellectually disabled. That has been a real success story. On another front, people associated with my electorate initiated the Urrbrae Housing Association, which operates a number of houses in the seats of Unley and Bragg and one or two in the seat of Mitcham, another fine organisation that has provided a very good screening process and a very good level of administration in respect of cooperatives. So, we have a number of very good examples. With 21 examples in the community housing area, members could perhaps quote another 18 very successful arrangements. Some three years ago, the Ex-Servicewomen's Association built a set of units in Price Avenue, Lower Mitcham, and I was pleased to be at their opening. There are very good reasons why we should use cooperative arrangements to produce a result that will benefit everyone. The major criticisms involve the area of tenant-based cooperative housing.

During the 1980s, we saw a number of tenant-based cooperative organisations being established to provide shelter at a reasonable price to groups chosen by locality rather than by interest group. Those organisations, largely, have not been run as well as those that have been run by non-profit organisations. The Salvation Army, Bedford Industries, Urrbrae and the Ex-Servicewomen's Association are just four examples of where there has been a focus for the delivery of the service and people who have been made responsible for that delivery.

Where cooperatives have depended on the goodwill of people who do not have a vested interest—and by 'vested interest' I mean a real desire to improve the lot of their fellow human beings—on a number of occasions tenant-based cooperatives have started out with the best will in the world but have fallen by the wayside due to very poor administration. I understand that there were 38 tenant-based cooperatives, involving some 600 dwellings. That is about half the total number in the cooperative housing area. There were 21 community-based organisations, involving 580 houses.

The key to the whole exercise is to get rid of the flaws in the system. In its wisdom, the committee made a set of recommendations to achieve just that. It stated that the cooperative system is, basically, very sound and that we should build on that while making sure it is financially accountable. The committee made a recommendation to set up an overseeing body, a new statutory authority called the South Australian Cooperative Housing Association (SACHA).

This is where I find some difficulty with the report. It should have allowed the Housing Trust to be the overseer of all the cooperative groups, both those that work particularly well (and I have mentioned some of those) and those that do not. Two of those associations have spoken to me and said, 'If we're burdened with more regulation and it becomes more difficult to run these community-based cooperative housing organisations, we just cannot continue.' I am sure that these organisations have also spoken to the Minister.

There is some concern that a number of extra responsibilities would be placed on the organisations merely to cut out some abuses in other areas, mainly in the tenant-based cooperatives. Whilst the committee did a pretty reasonable job of analysing the problems, I do not necessarily concur in its assumption that SACHA would be an appropriate overseeing body. I believe that the Housing Trust has suf-

ficient capacity to keep an eye on those basically tenant-based organisations that are not performing.

I looked very carefully through the report, and had difficulty with the financial analysis, which I did not believe was as thorough as it should have been. I feel that, if it had been more definitive, we would have found a considerable difference between the successful outcomes associated with the community-based organisations and the less than successful outcomes associated with the tenant-based organisations.

I believe that a marginal advantage in relation to the community-based organisations would have been satisfied in the report between them and, indeed, the normal tendering arrangements through the Housing Trust with its very large stock. This is an important issue. As I understand it, because of the funding crisis that the State finds itself in, only 1 000 new dwellings will be added through either building or through acquisition to the stock. Therefore, the issue of where we should apply those resources becomes very important. I commend the report, but I have one or two difficulties in relation to certain matters raised in it. I commend the committee for the job it did.

Mr BECKER (Hanson): I know that you, Mr Deputy Speaker, are interested in this report, and that you were one of the hard-working members of the committee. No doubt you, Sir, will give me quite a bit of leeway to make the points that I have expressed to you on many occasions. The concept of housing cooperatives came into vogue during the 1979-82 Tonkin Liberal Government. It was an initiative of the Hon. Mr Murray Hill when he was the Minister of Housing.

Mr Lewis: I have said that.

Mr BECKER: The member for Murray-Mallee reminds me that he said that. I am pleased to see that he is learning something and that my years of repetitive messages in the Party room are getting through to him. I will have him fully trained in the housing area by the time I finish in Parliament, which will not be for many years.

Mr Ingerson: Is that soon?

Mr BECKER: No, it will not be for many years: I will be here for many elections yet. Better housing is a subject that has been dear to my heart since I have been in this House. Most importantly, we need to adopt schemes whereby every member of the public has the opportunity to own their own piece of real estate. Unfortunately, many people are not able to acquire a house or a residence as we know it today. To own the average quarter-acre block of land, with a three-bedroom house with modern facilities has always been a dream of the majority of Australians. However, with the change of style of population within the country, it is no longer the aim of many migrants coming to this country. So, a change in emphasis in home ownership has occurred.

We have always treasured the quarter-acre block of land. Over the past 25 years we have seen the size of the average block shrink because of the demands of urban sprawl and on public services. It is no wonder that ideas are continuously put forward to Governments to overcome the housing shortage. It is disturbing to note that currently the Housing Trust waiting list is at least eight or nine years. Soon, we will see that blow out to near 10 years. That type of accommodation should be readily available to the needy. It is a great disappointment to us on this side of the House, because it was a Liberal initiative to establish the South Australian Housing Trust, an organisation that has served the State for almost 52 years. It has done extremely well. About 63 000 families are now housed in Housing Trust accommodation.

It is a terrible indictment of the Government when about 44 000 families are on the waiting list for housing. It makes one wonder whether we will ever have the tens of millions of dollars necessary to make up that leeway. The housing cooperatives initiative was introduced by a Liberal Government—the only Liberal Government we have had in the past 20-odd years—to try to overcome the housing problems being experienced in this State. As I see it, the situation is further depressed by the poor treatment the Government has received from Canberra.

When we analyse what has happened to housing in the past eight or nine years in this State, we must come back to the former Minister of Housing and Construction, the member for Napier. He was party to probably the worst housing agreement ever negotiated by the State and Federal Governments. He was also party to a period when the management of housing in this State left a lot to be desired. It is a reflection on his administration and on his ministerial capabilities that the housing cooperatives were seen in a poor light by the Auditor-General. On page 371, the 1990 Auditor-General's Report states:

> Reference was made in my predecessor's last two reports to a wide-ranging review of this program by the Minister of Housing. Resulting from that review Cabinet has approved of:
>
> The appointment of a South Australian Cooperative Housing Management Committee.
>
> The establishment of two distinct programs:
>
> The Community Housing Association Program (community association managed);
>
> The Cooperative Housing Program (tenant-based managed).
>
> The drafting of legislation for the Housing Co-operatives Act.

At long last, we got that legislation. It has taken a long time, and it has caused a lot of headaches. It is still disappointing to note that the Auditor-General over the past few years has been critical of the financial management of the housing cooperatives program. When the Auditor-General was called in towards the end of the committee's hearings, we found that some of the incidents referred to in the Auditor-General's Report, which were given considerable prominence, were quite minor hiccups within the administration of the housing program. They easily could have been overcome had there been tighter management, as I said, at ministerial level. The member for Napier has much to answer for in this House for the way in which he administered his portfolio.

The Hon. B.C. Eastick interjecting:

Mr BECKER: The member for Light reminds me of the time he was the shadow Minister—and I followed him in that position—when we questioned the honourable Minister at length (and we also placed questions on the parliamentary Notice Paper) about the operation of the housing cooperative at Port Adelaide. To my knowledge most, if not all, of those questions were never answered and, if they were, the answers were quite vague. Once, I remember receiving a letter containing replies to questions after Parliament had adjourned, but the replies were meaningless. That is the disappointing feature; if we as a Parliament cannot help one another to govern this State in a proper manner, if we cannot make sure that mistakes are not repeated, Parliament is failing.

It was an idea to highlight the problems that were associated with the housing cooperative at Port Adelaide. The wrong people were in control. Those same people made threats against the member for Light and against me that they were going to get us, amongst other things. Fortunately, nothing much has happened. I am not particularly worried: I get threats all the time. However, that indicates the type of people who were given the responsibility of looking after that program. The people who were charged with the responsibility of the management of that program would make

threats against a member of Parliament just because he dared ask questions about their operations. That indicates the type of problems one can run up against in this type of operation. Fortunately, that is all behind us because, with this legislation, the cooperative housing program can look ahead with confidence and with a much more secure base.

The select committee deliberately took its time in thoroughly investigating the various aspects of the operation of cooperative housing programs in South Australia, bearing in mind the responsibility that committee members had to this Parliament to get the legislation right. It would have been a waste of time and effort if we did not. So a lot of consideration has been given to the legislation.

This was only the second time in my 22 years in Parliament that I have been a member of a select committee and one of the most pleasing aspects of that membership was the opportunity that I had to visit many of the houses under the cooperative housing scheme. I was very impressed with what I saw and with the way in which the various groups managed and shared the responsibilities of looking after the houses, be they ethnic groups or supporting or lone parents, right through to disadvantaged groups covering people with a wide range of physical and health disabilities. Probably none impressed me more than the Northern Suburbs Housing Association—whoever made the pumpkin scones deserves the highest commendation! It was great to see the cooperation amongst the people and to see them accept the challenge of forming and administering a cooperative, providing accommodation for those who need it. I cannot express in words or do justice to that boost in morale for those people. It has given them a chance in life, and that is what cooperative housing is all about. That is what Governments should be all about—giving opportunity to those who want to accept the challenge.

It is full credit to the committees of management and to the members of all the cooperative housing schemes that they have accepted their responsibilities and the challenge that we have given them and that they are sharing their knowledge and their time with one other to provide the type of housing they want. I wish each and every one of them well. The whole structure of the umbrella organisations that will be formed under this legislation has been carefully thought out with one objective: to provide the challenge and the opportunity for those who want to accept it, at the same time providing an opportunity for improved housing.

The legislation goes further, because tenants can take up shares. The tenants even have the opportunity to purchase their accommodation if they want to, and some will, once they get back on their feet and get established. A lot of these people have found themselves in a difficult situation through no fault of their own, and I refer particularly to deserted wives or sole supporting parents. Generally it is the male who walks out on the female, leaving her to battle to raise a family and find accommodation usually without any income. Males can be pretty miserable in some circumstances. It is great to see these people using their initiative in re-establishing themselves and housing cooperatives have given them that opportunity for a new start in life.

The committee was well served by staff from the Minister's office and I know that some might think that that is not quite right. It was a great help to the committee to have that assistance provided by the Minister and by Parliament. The Secretary to the committee was Malcolm Lehman, and he, along with the *Hansard* staff and everyone associated with the Parliament who worked with us and assisted the committee, deserves our appreciation and commendation for diligently sticking to the task. It is not always easy to get a committee like ours together. The Minister and I were exceptionally busy on other matters; we had to go overseas on a couple of occasions to lobby for the Commonwealth Games. While overseas I kept nudging the Minister in the ribs suggesting that we might look at housing, particularly cooperative housing, in those countries. We had the opportunity to speak with different people about housing and, as the member for Murray-Mallee would be pleased to hear, we were always conscious of our responsibility to Parliament and to the housing cooperatives program.

I have come back convinced that we have a good scheme. I thank you, Mr Deputy Speaker, for your assistance, also. I am sure that we will come up with a much better system. From now on, the Auditor-General will report only on the statistics of the housing cooperatives program, and each and every member of Parliament should be pleased that the committee has done its job.

The Hon. T.H. HEMMINGS (Napier): I did not intend to speak in this debate because, as I have said to you, Mr Deputy Speaker, in the past, 'The king is dead. Long live the king.' However, my colleagues urged me and reluctantly I have agreed to make a brief contribution to this Bill. Let me place it firmly on the record that, when you are damned by the Opposition, you know that you have done a good job and, with respect to public housing, this Government has achieved more than any other Government in the history of the Commonwealth of Australia.

My colleagues tell me that the member for Hayward was stinging in his criticism, and that says it all about the honourable member. Many times in this Chamber I have put the member for Bragg in his place over his misguided understanding of public housing, HomeStart and all the other initiatives that this State Government has introduced. Let me make clear that I do not claim personal credit for all the great things that the Minister outlined in his speech, because what this Government has done with respect to public housing and home ownership, and its attempts to keep people in home ownership when interest rates fluctuated, resulted from a decision of 13 people backed up by the full Labor Caucus. That is the strength of this Government.

Mr BRINDAL: I might be obtuse, but I fail to understand the relevance of the honourable member's contribution to noting the select committee's report.

The DEPUTY SPEAKER: The Chair is certain that the member for Napier will make it relevant shortly.

The Hon. T.H. HEMMINGS: You are always correct, Sir, and you know that one needs a preamble into a speech. I give credit to the previous Government, which started to tinker around with cooperative housing, and I have always given credit to that Government. Despite the fact that Dr Tonkin was a bit of a buffoon, he had a little streak of compassion and he was prepared to listen to those officers in the Housing Trust who said, 'There is something good happening in Victoria. Why don't you pick it up, Premier, and give it a go?' To give him credit, Dr Tonkin did just that. This Government saw that cooperative housing was another form of housing tenure for people on low incomes, for those who did not want home ownership or for those who did not want to go into private rental but wanted to work for the common good. That is something that members opposite do not and cannot understand.

They just go for those people who are wealthy enough to buy flash houses in the eastern suburbs and be serviced by the member for Bragg. Opposition members do not understand that situation. The Labor Government—the 13 members of Cabinet, backed up by Caucus—gave the scheme its

full support, and it expanded at a fantastic rate. There were no losers—only winners. Occasionally, if there was a slight problem—and that could happen anywhere—members opposite came out of the woodwork like cockroaches, especially members from the Upper House, slamming the housing cooperatives. What the Opposition did not realise was that, every time it slammed the housing cooperative movement, the Government picked up more and more supporters, and that was reflected in the 1985 election and, frankly, it may have pushed some of our members over the line in the 1989 election.

Mr Ingerson interjecting:

The Hon. T.H. HEMMINGS: The member for Bragg says, 'No.' The member for Bragg is renowned for making snap judgments and living to regret them later. I digress from the Bill, but the member for Bragg has never apologised to the Minister of Housing and Construction for the outrageous statement he made about gold passes in respect of the Adelaide Grand Prix. For the record, let me recap what this Government has done in the field of housing. I pay credit to you, Mr Deputy Speaker, for the innovative ideas that you have put forward to the Government and the trust to further enhance living standards for the people in my electorate. I say that quite seriously, Sir, because you deserve credit for it. I point out that 62 000 new tenants have been put into public housing and 16 747 new dwellings have been created, which is more than Playford ever provided in creating Salisbury and Elizabeth in the early days.

In a short period this Government has built more new public housing than any other Government in the history of South Australia or Australia, and that is not bad for a Government that is supposed to have messed up housing, according to the members for Hayward and Bragg. Through Homesure and HomeStart this Government has provided 20 000 loans to families who otherwise would not have been able to get into home ownership. Again, not a bad record for a Government that is supposed to have messed it up. Let me look at those people who through no fault of their own cannot meet the high rents being demanded by those sharks out in the private sector. The Tonkin Government created rent relief.

Mr Becker interjecting:

The Hon. T.H. HEMMINGS: Again, I give credit to the Tonkin Government for initiating that program—but after six months of the Tonkin Government's rent relief program only about 20 people had received relief, as I recall. Since the time that we came into Government 50 000 people have received rent relief, providing a chance to get into rental accommodation other than public rental accommodation and still pay a reasonable amount of rent.

Also, 3 000 households have received mortgage assistance. Are these statistics of a Government that has failed? If this Government has failed based on those statistics, I doubt that in their wildest imagination members opposite could give an example of another Government in Australia or the rest of the world that has produced a better housing program per capita of population than the South Australian Government. More than 73 000 families were granted relief from stamp duty on the purchase of their first home. That is a hell of a lot.

Mr Ferguson: It's more than the number who go to Football Park.

The Hon. T.H. HEMMINGS: As my colleague says, it is more than the number of people who go to Football Park. The Emergency Housing Office was set up by the Tonkin Government, but it was only a sop. It was established with limited accommodation—it rented a little rathole somewhere down in Currie Street (I cannot remember where)—and it could not even get through to the then Minister. However, since the Labor Government took over and expanded that office, 153 000 households have been helped along the way and put into private rental accommodation.

Turning to the Bill, the housing cooperative program and the community housing program have added nearly 1 200 dwellings, and 514 units for Aboriginal accommodation have also been included. That is a tribute not to the Minister, the Government or the Housing Trust but to those ordinary people who wanted to go out and sell a program of cooperative housing to the Government. The Government should be congratulated because it listened to those people who said, 'Look, an alternative form of housing tenure should be available to the people out there. There are some people who do not want to go into public housing, there are some who do not want to go into rental housing and there are some, for a variety of reasons, who do not want go into home ownership.' The Government picked up the challenge and worked with those members of the community and added a fantastic number of new dwellings.

The housing cooperative movement is not the brain child of South Australia or Australia because it works throughout Europe, North America and the United Kingdom. It is true that Thatcher used her housing cooperative program in the United Kingdom to decimate the local council housing program. However, cooperative housing has been a well established and respected form of housing available to many people in Europe and North America. However, as to the very small minds of members opposite, when they see something working successfully, they want to knock it. They get out their book and see the word 'carp' and under it all the things they can say. There were all the outrageous claims we heard when they directed their venom not to me—they were always too frightened, if you recall, Mr Deputy Speaker—but against the Hindmarsh housing cooperative. The Opposition accused officers of the cooperative of the most dastardly tricks, of feathering their own nest, of cooking the books and of every crime under the sun.

However, not once did members opposite accuse these people outside this Chamber—not once. They always did it inside this Chamber because they knew they had protection. I always remember a worthy Speaker of this Chamber, Gil Langley, who used to represent the seat that the Minister of Housing and Construction now represents. He used to say that members of the Liberal Party used this place as cowards' castle. That is where they made these attacks—in the House. They never once had the guts to go outside and accuse those community people of doing all those things because they knew that they would have been faced with a libel case straight away. Mr Deputy Speaker, I am not telling you anything new because, in your time here, you have seen the Liberal Party do that time and again.

I will not take up my full time. I am sure that the Minister, in response to this Bill, and because of the outrageous claims that have been made by certain members opposite, took the whole concept of—

Mr BRINDAL: On a point of order, Mr Speaker, I believe that the member for Napier is imputing improper motives not only to members of this side of the House generally but to the select committee. The honourable member clearly said that we did not have the guts to question members of the public, and that is a direct reflection on all members of the select committee. I object and ask him to withdraw.

The DEPUTY SPEAKER: The imputation would have to be against an individual member and not in general terms. The member for Napier.

The Hon. T.H. HEMMINGS: I congratulate the Minister. Because of these outrageous claims when this Bill was

first introduced, he referred it to a select committee, and that committee has come down with what I consider to be a very concise and proper report of what the housing cooperative is all about. It has picked up some of the concerns being expressed—that there should be proper control within the cooperative movement—and I congratulate the Minister for being firm and ensuring that those controls are in place. But what else has happened? I will have to read *Hansard* tomorrow to see whether the member for Hanson said anything nasty about me, because I am going to say some nice things about him.

Mr Becker interjecting:

The Hon. T.H. HEMMINGS: The member for Hanson is quite touchy. I have never said anything nasty about him. I have always told the truth, and if the truth hurts—

Mr Becker interjecting:

The Hon. T.H. HEMMINGS: With my karate and SAS training, I could kill him at one blow, but I have always demolished him with words. This Bill places certain responsibilities on those people who wish to get into the housing cooperative movement, but it also gives them responsibilities and incorporates a vision for the future. If by some fluke the community is conned when the member for Coles leads the Liberal Party at the next election and if members opposite are sitting in the Government benches after that election, I ask members opposite: what will the Liberal Party do with the cooperative movement? I have been out of the Chamber, so I do not know exactly what members opposite have said. I would like to hear someone from the Opposition say not only that will they support this Bill but that they will support the concept of the cooperative housing movement. If they get their grubby little bottoms onto the benches on this side of the House, I suspect they will wind it down as quickly as possible. They will give various reasons, the same as for winding down public housing.

The Minister on the front bench has made many speeches condemning the Federal Labor Government for what it has done to housing, but that is nothing compared with what Federal and State Liberal Governments would do. All those people who unfortunately were still on the list waiting for public housing might as well kiss goodbye all those chances of getting into public housing, because it would not happen. We know that; you know that, Sir—

Mr Ferguson: We have not heard their policy yet.

The Hon. T.H. HEMMINGS: As the member for Henley Beach said, we have not heard their policy yet. However, it is one of carping criticism. If there were votes for carping criticism, they would win hands down everytime. I thank the House for the opportunity to speak on this Bill. I had no intention of doing so but, when members opposite impugn my honourable motives, I feel inclined to stand up and protect myself. If the member for Hanson wishes to don the gloves with me in the evening break, I will be only too pleased. I support the Bill.

The Hon. M.K. MAYES (Minister of Housing and Construction): I thank members for their contributions. I have heard the Deputy Leader in the past occasionally make what is meant to be a prophetic remark about the state of finances. He again made some fleeting comments about not being happy with the model, that it does not match up and does not wash up. I put it back to him: I ask him as a member of this House, where does it not match up? Why does he not bring it forward? Has he the intellectual depth to be able to dig it out and present it to us? If so, he should do so: if not, he is derelict in his duty in terms of this Bill. If there is a suggestion that there is a flaw in the model, and if the Deputy Leader has this information at his fingertips, I invite him to bring it forward in the process before the House or the other place. However, let me assure members that the select committee tossed it around for eight months and had various expert witnesses debate within the confines of the committee *ad nauseam* the questions of the financial structures and how they will operate. I will be surprised if the Deputy Leader comes forward with that information.

The very reason for this Bill is to ensure that we see proper accountability, proper financial structures and proper legal status and structure for the cooperative program, and the Opposition has been criticising the cooperative housing movement for being lacking in those areas. That is the basis for the introduction of this Bill, and my predecessor, who had the carriage of this portfolio for many years, proposed this method to ensure the status, accountability and proper structuring of cooperative housing in this State.

The other point the Deputy Leader made resulted in a muddying of the waters. He cut across two areas, talking about community housing and cooperative housing in the one sentence and confusing the issues. It must be clarified that he was speaking, on the one hand, of the community housing movement and, on the other hand, of the cooperative housing area. We are addressing community housing, but he made some criticisms of the cooperatives on the basis of criticisms regarding the community housing sector. That must be clarified. Again, I am not his keeper and it is for the Deputy Leader to clarify it. He moved from one to the other, and is confused in his mind as to which is which.

I thank members of the select committee for their cooperation. I also thank the staff, including the officer who served that committee. I have been on several select committees as a back bench member and as a Minister, and we undertook a very exhaustive process. It taxed every member of the committee to look at every possible issue, and it is no surprise to the community that we went through every clause of the Bill and looked at its implications, assessed its meaning and considered what it would do if this Parliament passed the Bill. It is fair to say that this is one of the most closely scrutinised Bills with which I have been associated in my time in this Parliament, either as a back bench member or as a Minister.

It is worth noting that the legislation is better for the exercise. It has been useful for the cooperative movement to be able to exhibit to members opposite the value it provides to the community. The member for Hanson made comments about his experiences in terms of the select committee process and the visits he undertook. It is fair to say that, as a consequence of this select committee process, the cooperative movement was able to exhibit quite clearly the benefits it brings to the community as a whole. I commend its effort in its presentations.

In summary, it is essential that this Bill be put in place for the future growth and benefit of cooperatives. It is important to note that the member for Napier has well documented his defence and that of the Government. In my opinion, this Government has a record in public housing that cannot be equalled by any other country I have visited, and I have been to the Netherlands, Finland, Sweden, Denmark and England, and God help us if we adopt the English system. The Thatcher model has destroyed public housing for the community in England. It is a public disgrace and something from which it will take the English many decades to recover, if they ever recover, from the impact of Thatcherism on public housing. Public housing is a fundamental of community wellbeing. If we look at any of the modern economic models, such as Japan or Singapore, we see a foundation of public housing.

That is what my colleague the member for Napier fought for very effectively. The track record of his achievements as Minister of Housing and Construction is there and speaks for itself. Sadly, I do not think that I will enjoy the same level of achievement because, as he said, of the funding structures of CHASSA from the Federal Government. However, his achievements over those years have, of course, laid the foundation for bringing this Bill before the Parliament. They are well-documented and will serve to his credit over the years. I have great pleasure and a great deal of confidence in introducing the Bill. I thank the members of the select committee and, although it was a drawn out process, it was a very useful exercise. I feel more confident of the Bill, as I am sure the members of the committee do, as a consequence of the select committee hearings.

Motion carried.

HOUSING COOPERATIVES BILL

In Committee.

The CHAIRMAN: The Chair has before it the Bill and five sets of amendments. The set of amendments in the Minister's name results from the select committee report and can be dealt with in that context. The member for Murray-Mallee has two sets of amendments, one of which relates almost exclusively to the question of the Housing Trust as opposed to the authority referred to in the Bill. That will be dealt with on a test case basis, facilitating the process of the Committee. There are other sets of amendments proposed by both the member for Murray-Mallee and the Minister.

I have an additional complication about which I must inform the Committee. Due to the reprinting of the Bill, many of the page and line number references in the amendments will not correspond to the Bill that members now have before them, because the original Bill was printed some time ago. However, the wording of the amendments is correct; it is just that the line numbers and, occasionally, the page numbers may not be. The Chair has before it both copies of the Bill and I can assure members that I will follow the debate very carefully and ensure that the printed records of the Parliament correspond precisely with our deliberations this afternoon. I therefore ask for the cooperation of all members in proceeding through these amendments to the Bill as carefully as we can collectively manage.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. M.K. MAYES: I move:

Page 1, lines 31 and 32—Leave out all words in these lines and subsititute:

(f) a spouse of the person;

(g) a person (not being a spouse) with whom the person lives on a permanent domestic basis;

or

(h) a parent, grandparent, step-parent, child, grandchild, step-child, brother, sister, step-brother, step-sister, uncle, aunt, nephew, neice or first-cousin of the person;.

Amendment carried.

Mr LEWIS: I move:

Page 2, lines 1 and 2—Leave out the definition of 'the authority'.

The Minister at the bench has often said of the Opposition, 'You would not recognise a deregulation if you saw one.' He has been abusive of the Opposition in the past regarding the setting up of statutory authorities or, more particularly, when we have, in his mistaken opinion, apparently opposed what he calls deregulation. In this instance the boot is on the other foot. There is some cause for it. The Minister proposes to establish further regulation by bringing into being yet another statutory authority. It will achieve nothing.

According to the recommendations debated and agreed to by this House from the select committee, its staff will come from the Housing Trust. Those people could just as easily perform the same task where they are currently without the additional expense of transferring them into a new authority, which will have its own administrative costs in excess of what they would otherwise be if the whole scheme were to be given proper oversight by the South Australian Housing Trust. Therefore, the Opposition puts forward this amendment, knowing that it is a Party of genuine deregulation, wanting to reduce the amount of red tape and the number of statutory authorities that exist.

The Hon. M.K. MAYES: I stand by my comments about deregulation, but that would be to digress from the issue before the House. The question raised by the Opposition on numerous occasions relates to appropriate and proper management. The Opposition focused on accountability, financial control and appropriate reporting to both the House and the Minister in regard to the operation of cooperatives. This was seen as the most appropriate way to address those issues—to bring in legal status, accountability, and a financial structure that is accountable and accounting appropriately to the various authorities which, in the end, must stand the test and be judged on the performance of the cooperatives. Of course, it is the Government, me as Minister and the Parliament about which, inevitably, the community makes judgment. This is the proposal which brings all these concerns together and which addresses the Opposition's criticisms of the Government and the former Minister that he did not bring in accountability and a structure that had a legal and accounting framework appropriate to the desires of the Parliament, the Auditor-General and, of course, the community. That is the purpose in introducing this Bill.

We are quite directly and very carefully ensuring that there is no duplication in the administration. We are eliminating areas where we see duplication and inefficiency. We are bringing it under the management of the Housing Trust in the sense of the services provided, but we are providing an opportunity for a structure which allows cooperatives to operate within their own policy framework but under which the administration will be implemented and applied by the Housing Trust.

It is important to note that the Housing Trust has its public housing portfolio and policy responsibilities. This is a cooperative housing program, which has a separate style of management, and that is an important aspect that is dealt with in the structure of this authority. I feel sure that we are not—and I would be the first to intervene if we were—looking at a massive bureaucracy expanding, absorbing and creating more of an administrative nightmare than what was intended, that is, to address the problem and to ensure that a legal and accounting framework exists.

Mr BRINDAL: The Opposition accepts what the Minister is saying about not wanting to increase the size of the bureaucracy, and that is addressed in terms of the administrative framework of the authority. The Minister has acted responsibly in this regard and has been consistent throughout the sitting of the select committee in his belief that we need an authority. However, it is the considered opinion of the Opposition that this could well be done within the framework of the Housing Trust. That does not negate what the Minister was saying about the need for accountability and responsibility.

The Opposition accepts that, and commends the Minister in so far as this Bill seeks to do that. It is just that we as

an Opposition believe that the authority is not necessary; that a framework could be built around the Housing Trust or within the Housing Trust to address the problem. I do not think that in this matter the Opposition is far from the Government, but we support the amendment of the member for Murray-Mallee.

The CHAIRMAN: In this context, the Chair will refer to the line numbers as they are printed on the amendments, in order to keep the record straight, even though they will not necessarily correspond with the Bill.

The Committee divided on the amendment:

Ayes (22)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis (teller), Matthew, Meier, Oswald, Such, Venning and Wotton.

Noes (22)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes (teller), Peterson, Quirke, Rann and Trainer.

Pair—Aye—Mr Chapman. No—Mr Crafter.

The CHAIRMAN: There are 22 Ayes and 22 Noes. There being an equality of votes, I give my casting vote for the Noes. The amendment is not agreed to.

Amendment thus negatived.

The Hon. M.K. MAYES: I move:

Page 2—

Line 4—Leave out the definition of 'capital value' and substitute:

'capital value' means—

(a) a value determined in accordance with regulations made for the purposes of this definition;

or

(b) if no such regulations are made—capital value defined in the Valuation of Land Act 1971:.

Lines 29-36—Leave out the definition of 'relative'.

Page 3—

Lines 15 and 16—Leave out the definition of 'tenant-member' and substitute:

'tenant-member' of a registered housing cooperative means—

(a) a member of the cooperative who has entered into a tenancy agreement with the cooperative;

or

(b) a person whose application for membership of the cooperative as a tenant-member has been accepted:.

Line 33—Leave out 'may make provision for' and substitute 'should support'.

Line 37—Leave out 'is able' and substitute 'should'. Leave out 'to'.

Amendments carried; clause as amended passed.

Clauses 4 and 5 passed.

Clause 6—'Companies and Securities Industries Codes do not apply to registered housing cooperatives.'

The Hon. M.K. MAYES: I move:

Page 5, lines 1 to 10—Leave out this clause and substitute:

Non-application of provisions of the Corporations Law

6. (1) Except as otherwise expressly provided by or under this Act, the provisions of the Corporations Law do not apply to or in relation to a registered housing cooperative.

(2) The regulations may apply specified provisions of the Corporations Law to or in relation to registered housing cooperatives, subject to such modifications, additions or exclusions as may be prescribed by regulations.

Amendment carried; clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—'Membership of authority.'

The Hon. M.K. MAYES: I move:

Page 6, line 6—Leave out 'nine' and substitute 'seven'.

Amendment carried.

The CHAIRMAN: The next amendment for the Committee to consider relates to lines 7 to 14, which is in the Minister's amendments. Of course, that is at variance with the amendment circulated by the member for Murray-Mallee, which proposes a different constitution for the authority. If the Committee accepts the Minister's amendment, that would be the end of the matter because the member for Murray-Mallee's amendment could not then be moved. If the Minister's amendment were to be defeated, the Committee could then reconsider the member for Murray-Mallee's amendment relating to the constitution of the authority. In asking the Minister to speak to his amendment, I would then invite the member for Murray-Mallee, if he wishes to oppose it, to promote the alternative which he suggests in his amendment. The debate would take place on the Minister's amendment and, according to whether or not the Minister's amendment is accepted, we would then proceed with that amendment.

Mr BRINDAL: I rise on a point of order, Mr Chairman. I do not quite understand why, whether or not the Minister's amendment is passed, the member for Murray-Mallee is not entitled to move a further amendment.

The CHAIRMAN: Fundamentally, because the numbers in the constitution of the authority would not agree with what the Committee has already accepted. I take the honourable member's point: it is quite a reasonable question to ask at this juncture.

The Hon. M.K. MAYES: I move:

Page 6, lines 7 to 14—Leave out paragraph *(a)* and substitute:

(a) four will be appointed by the Governor—

(i) three being nominated by the Minister;

and

(ii) one being chosen from a panel of three submitted by the Community Housing Assistance Service of S.A. Inc.;

(ab) one will be the General Manager of the South Australian Housing Trust.

The CHAIRMAN: If the member for Murray-Mallee wishes to address that, the Chair would be agreeable to his addressing his alternative amendment at the same time.

Mr LEWIS: It is regrettable that the drafting of this legislation makes it an extremely difficult task for the Committee to see what is going on. If members look at the Bill as originally introduced by the Minister before it went to the select committee, on page 6 they will see that it proposed an authority consisting of nine members. My amendment seeks to reconstitute that authority. Given that the committee in its wisdom has chosen to retain an authority as an additional and separate statutory body, I have left alone those other amendments standing in my name on the preceding clauses, and I have not taken up the Committee's time on them. I seek what I consider to be, and what the Opposition earnestly considers to be, nonetheless, a better composition of that authority.

The Minister also proposes to reduce the size of the authority from nine to seven members. The Opposition is disturbed, therefore, at the prospect of tenants being able to dominate a quorum of that body. We believe that the record of these cooperatives is not good and that, therefore, to tempt a situation in which they could dominate the decision making process would be unwise. That is the reason for the Opposition's persisting with its proposed amendments to clause 9 and opposing the existing Bill and the Minister's proposals to amend it.

If members want some further insight, they can look in their Bill file to find page six of the Bill, page three of the Minister's amendments and the commencement of the alternative amendments standing in my name. I commend the proposition of the Opposition to members of the Committee.

The Hon. M.K. MAYES: The select committee looked at length at this issue and proposed these amendments for very good reasons to do with the nature and balance of the authority's role and to ensure proper input from those organisations, particularly from the General Manager of the Housing Trust and the Community Housing Assistance Service of South Australia Incorporated, so there is accountability and structure in the formation of the representation.

Amendment carried.

The Hon. M.K. MAYES: I move:

Page 6—
After line 24—Insert—
(3a) Subsections (2) and (3) do not apply in relation to the General Manager of the South Australian Housing Trust (who holds office as a member of the authority *ex officio*).
After line 27—Insert—
(6) The Minister will appoint a member to be the presiding member of the authority for such term as the Minister thinks fit and specifies in the instrument of appointment.

Amendments carried; clause as amended passed.

Clauses 10 and 11 passed.

Clause 12—'Procedure at meetings.'

The Hon. M.K. MAYES: I move:

Page 7, line 16—Leave out 'Five' and substitute 'Four'.

Mr LEWIS: I place on record that the Opposition opposes clauses 8, 9, 10, 11, 12, 13, 14 and 15 because the Bill as it stands is not of the kind that the Opposition would have and, notwithstanding the fact that we have had a test division, I have no intention of seeking to further delay the Committee.

Amendment carried.

The Hon. M.K. MAYES: I move:

Page 7, lines 24 and 25—Leave out subclause (7) and substitute:
(7) Subject to subsection (7a), any member of the public is entitled to attend a meeting of the authority as an observer.
(7a) The authority may exclude persons who are not members of the authority from a meeting while the Authority considers business that it considers to be confidential.

Amendment carried; clause as amended passed.

Clauses 13 to 15 passed.

Clause 16—'Functions and powers of the authority.'

Mr LEWIS: I move:

Page 8, line 41—Leave out 'practicable' and substitute 'appropriate'.

This is simply a more appropriate term in context. Paragraph *(c)* provides:

To take action (so far as may be practicable) to support the activities and promote the best interests of housing cooperatives.

We believe that it is better to use the term 'so far as may be appropriate' because 'practicable' does not imply any responsibility in law. The word 'appropriate' does; it has a connotation of responsibility and the obligation then to exercise due care in judgment about it.

The Hon. M.K. MAYES: I am prepared to accept that amendment.

Amendment carried.

The Hon. M.K. MAYES: I move:

Page 8, after line 42—Insert new paragraph as follows:
(ca) to ensure the full and proper accountability of any housing cooperative or secondary cooperative that receives funds or other forms of assistance from the authority or another Government agency or instrumentality;.
Page 9—
Lines 9 to 11—Leave out paragraph *(h)*.
After line 38—Insert new paragraph as follows:
(v) enter into contracts of guarantee;.
After line 41—Insert—
(ca) charge fees in relation to the provision of services by the authority;.

Amendments carried; clause as amended passed.

Clause 17—'Delegation.'

The Hon. M.K. MAYES: I move:

Page 10—
Line 7—After 'may' insert ', by instrument in writing,'.
After line 22—Insert—
(4) The authority must ensure that a list of the delegations that it makes in a particular financial year is included in its annual report for that year.

Amendments carried; clause as amended passed.

Clause 18—'Staff and use of facilities.'

The Hon. M.K. MAYES: I move:

Page 10, lines 25 and 26—Leave out 'employed in the Public Service of the State' and substitute 'who are members of the staff of the South Australian Housing Trust'.

Amendment carried; clause as amended passed.

Clauses 19 to 27 passed.

Clause 28—'Powers of a registered housing cooperative.'

The Hon. M.K. MAYES: I move:

Page 16, after line 35—Insert—
(4) A registered housing cooperative must not allow its borrowings at any particular time to exceed, in total, an amount equal to the current market value of all of its properties.
(5) A contravention of subsection (4) does not affect the rights of any person who has lent money to the cooperative.

Amendment carried; clause as amended passed.

Clauses 29 to 35 passed.

Clause 36—'Control of payments to members, etc.'

The Hon. M.K. MAYES: I move:

Page 9, line 6—After 'person' insert ', other than where those services are provided by the person in his or her capacity as a member of the cooperative'.
Page 19—
Line 27—After 'subsection' insert—
—
(c)
After line 29—Insert—
(d) order the convicted person to undertake, in accordance with the terms of the order, specified work for the benefit of the cooperative.
(6) Where a person contravenes or fails to comply with a provision of this section and a cooperative suffers loss or damage as a result of the contravention or failure, the cooperative may, whether or not the person has been convicted of an offence against this section, recover from the person as a debt due to the cooperative by action in a court of competent jurisdiction an amount equal to that loss or damage.

Amendments carried; clause as amended passed.

Clause 37 negatived.

Clause 38—'Rules of natural justice to apply in relation to any dispute.'

The Hon. M.K. MAYES: I move:

Page 21—
Line 32—Leave out 'Subject to subsection (2)' and substitute 'Subject to this Act'.
Lines 36 and 37—Leave out subclause (2).

Amendments carried; clause as amended passed.

Clause 39 passed.

Clause 40—'Qualification of a committee member and vacation of office.'

The Hon. M.K. MAYES: I move:

Page 22—
Line 30—Leave out 'director' and substitute 'member'.
After line 39—Insert new paragraph as follows:
(fa) is removed from office in accordance with the rules of the cooperative;.

Page 23—Lines 11 to 20—Leave out subclauses (3) to (6) and substitute:
(3) The Supreme Court may exempt a person from the operation of subsection (1) or (2) *(g)* or *(h)*.
(4) When granting an exemption under this section, the Supreme Court may impose such conditions or limitations as it thinks fit and a person who contravenes or fails to comply with any such condition or limitation that is applicable to him or her is guilty of an offence.
Penalty: Division 6 fine.
(5) A person intending to apply to the Supreme Court for an exemption must give to the authority not less than 21 days notice of his or her intention to make the application.

(6) The Supreme Court may, on the application of the authority, revoke an exemption granted by the court under this section.

Amendments carried; clause as amended passed.

Clauses 41 to 44 passed.

Clause 45—'Duties and liabilities of officers and employees.'

The Hon. M.K. MAYES: I move:

Page 25—
Line 24—After 'section' insert—
—
(c).
After line 25—Insert—
(d) order the convicted person to undertake, in accordance with the terms of the order, specified work for the benefit of the cooperative.

Mr LEWIS: Can the Minister explain the effect of the proposed amendment?

The Hon. M.K. MAYES: Particular concern was expressed about the impact of this clause on an organisation in respect of a convicted person. The committee spent some time not only on this clause but also considering eligibility with respect to cooperatives and particularly the impact on the public image and the concern of the community about this aspect of a cooperative. Members of the committee were concerned about that.

Mr LEWIS: I am grateful for the Minister's explanation. Will he further expand on it? Did the committee find evidence indicating that it was desirable to place in legislation this provision which excludes anyone who has been convicted 'in accordance with the terms of the order, specified to work for the benefit of the cooperative'? If it found any such evidence, what was it and how did the committee come to the conclusion that enabled the Minister to feel so confident about moving this amendment?

The Hon. M.K. MAYES: This amendment is consequential on the committee's report and it relates to the duties and liabilities of officers and employees. The committee was particularly concerned, as highlighted by the amendment inserted after line 38, in respect of the concern expressed about someone who is a 'convicted person'. It was felt that a burden should not be placed on that person apart from the normal responsibilities of office with the cooperative and that both the organisation and the individual should be responsible for the performance of the cooperative.

In that particular, from both the point of view of the authority and the cooperative, there was concern expressed by the committee but there was also a compassionate note to see that the issue was sensitively addressed in terms of not excluding a person with a criminal record or a conviction. We want to allow such a person to be a participant in the cooperative; we do not want to impact on their performance as an officer or a member. I hope I have canvassed that adequately. The matter is touched on in the report, and other amendments relate to it as well.

Mr BRINDAL: I have listened with interest to what the Minister said. Although I was a member of the committee, it did not occur to me then to ask why these powers are necessary. Would not any dishonest act or impropriety as defined by this clause be covered by other Acts? If one attempts to defraud someone, would it not be covered by other legislation? I seek the Minister's advice as to the necessity for this provision.

The Hon. M.K. MAYES: I am sure as we go through it that the honourable member's memory will return. Considerable concern was expressed about how any penalty would be enforced and about its impact. There was debate about its implementation. In the original clause, we discussed the impact it would have on the individual and how it would be enforced by the cooperative. It was apparent to me that we were concerned not to be harsh and unreasonable but to still require an appropriate performance in the circumstances. I had the feeling that the committee was conscious of the need to be both compassionate and fair and to ensure that there was fairness to the cooperative in the implementation of this clause.

Mr S.G. EVANS: I am concerned about the position that would apply if a cooperative took action in court and that resulted in someone being convicted. Might such a person not go before a court and instead the cooperative or the board makes a decision in respect of a lesser penalty? If anyone contravenes the provision, will they go before a court in all cases? As I read the provision, a person will have to go before a court, but I want to be sure that, where there is an offence against this provision, it will be dealt with by a court.

The Hon. M.K. MAYES: To draw the issue closer to what the committee discussed, the amendment was the suggestion of the member for Hayward in order to solve the impasse reached on the committee. In reply to the member for Davenport, it must be an order of the court, so it will have to go before a court. The details of the discussion are coming back to me now about what occurred in the committee discussion, which was held over a couple of meetings. We were concerned about this and sought advice on how to address it. This was the agreed compromise. Various views were expressed about how to put it in place. This provision weaved its way through the middle. It was the one with which everyone felt comfortable.

Mr BRINDAL: I understand what the Minister is saying, and my memory agrees with his recollection. If someone attempted to defraud a cooperative, presumably that would be covered by the Criminal Law Consolidation Act. The clause provides:

. . . where the offence was committed with intent to deceive or defraud—division 4 fine or division 4 imprisonment.

Is that consistent with the penalties for fraud under other legislation? I do not know that it matters, but it should be clear that the greater penalty should apply if the offence is more serious.

The Hon. M.K. MAYES: In response to that sensible question, I am advised that the police will decide under which Act they will prosecute. That flows through to this Act as a consequence of prosecution and the order of the court.

Amendments carried; clause as amended passed.

Clause 46—'Meetings of a cooperative.'

The Hon. M.K. MAYES: I move:

Page 25—Line 40—Leave out 'five' and substitute 'three'.
Page 26—Lines 4 to 8—Leave out subclause (4) and substitute:
(4) A written notice setting out the date, time and place of a meeting must be given to all members in accordance with the rules of the cooperative at least seven days before the date of the meeting.

Mr LEWIS: For the benefit of the Committee, can the Minister kindly explain the consequence of this amendment? On my file, the Bill does not relate to the lines in question as defined by the amendment. I want to be absolutely sure of the sense of what the Committee is considering at this point before it agrees to the amendment. I note also that an additional subclause (4) is to be added. In the amendments on file under the Minister's name, it states that it is on page 25, whereas in my Bill, subclause (4) is on page 26. I would be pleased if the Minister would therefore kindly explain how new subclause (4) will control the meetings of the cooperative within this new framework.

The Hon. M.K. MAYES: It was the feeling of the committee that the annual general meeting of the cooperative should be held within three months after the financial year, and not within five months, as set out in the original Bill. The feeling was that three months was adequate and in some ways essential to ensure appropriate reporting. The other amendment provides for a uniform period of notice within the body of the Bill, rather than seven or 14 days as set out in the original Bill.

Amendments carried; clause as amended passed.

Clause 47 passed.

Clause 48—'Preparation of accounts and audit.'

The Hon. M.K. MAYES: I move:

Page 26— Line 37—After 'other' insert 'appropriately qualified'.

Page 27—Lines 18 and 19—Leave out 'a provision of this Act or a rule of the cooperative' and substitute—

(i) a provision of this Act;

(ii) a rule of the cooperative;

or

(iii) a term of an agreement between the authority and the cooperative under Division III of Part VII;.

Amendments carried; clause as amended passed.

Clause 49—'Accounts and reports to be laid before annual general meeting.'

Mr LEWIS: I move:

Page 27, after line 45—Insert new subclause as follows:

(2) A registered housing cooperative must furnish to the authority, within 14 days after each annual general meeting of the cooperative, a copy of the audited financial statements and auditor's report laid before the annual general meeting of the cooperative pursuant to subsection (1).

Members will note that on page 6 of the first batch of amendments I sought on behalf of the Opposition to despatch 'the authority' and leave it within 'the trust'. We now have a situation in which the Committee has accepted that the 'authority' shall remain and the Housing Trust will not look after the housing cooperatives in this State—it will be this new and separate authority, in the event that the Bill passes the other place. My amendment in either place has the same effect. It does not matter whether it is in the trust or the authority, but I have to use the correct words. My amendment seeks to insert a new subclause (2) in the legislation.

My amendment provides that the authority must receive from each cooperative within two weeks of the annual general meeting a copy of their audited financial statements, otherwise the authority will not have any means of knowing what has happended, and that will be no good for us. That is the important thing. I am sure that you, Mr Chairman, and the Minister would appreciate that, if we did not do this, as a legislature we would not understand the responsibility that we are handing over without accountability to go with it.

We are giving these cooperatives money, and it is no mean sum—it is quite substantial. It is legitimate for us as legislators to require in the public interest that the audited financial statements go before the annual general meeting and, within 14 days after the meeting, be handed to the authority, acting in the public interest, to ensure that everything is in order.

The Hon. M.K. MAYES: I am prepared to accept the amendment.

Amendment carried; clause as amended passed.

Clauses 50 and 51 passed.

Clause 52—'Issue of investment shares.'

The Hon. M.K. MAYES: I move:

Page 30—

Line 14—After 'penalty' insert—

—

(c).

After line 15—Insert—

(d) order the convicted person to undertake, in accordance with the terms of the order, specified work for the benefit of the cooperative.

Amendments carried; clause as amended passed.

Clause 53 passed.

Clause 54—'Cooperative financing dealings in its shares, etc.' **The Hon. M.K. MAYES:** I move:

Page 31—

Line 10—After 'not' insert ', without the approval of the Minister'.

Page 31—

Line 39—After 'penalty' insert—

—

(c).

After line 40—Insert—

(d) order the convicted person to undertake, in accordance with the terms of the order, specified work for the benefit of the cooperative.

Amendments carried; clause as amended passed.

Clauses 55 to 59 passed.

Clause 60—'Restriction on offering shares, etc., for public subscription.'

The Hon. M.K. MAYES: I move:

Page 34, lines 33 to 36—Leave out this clause and substitute:

60. Division 6 of Part 7.12 of the Corporations Law applies, with such modifications, additions or exclusions as may be necessary for the purpose, or as may be prescribed, to registered housing cooperatives.

Amendment carried; clause as amended passed.

Clauses 61 to 71 passed.

Clause 72—'Grounds for intervention.'

The Hon. M.K. MAYES: I move:

Page 42, after line 22—Insert new paragraphs as follows:

(fa) that the cooperative has insufficient members to operate efficiently and effectively;

(fb) that there are insufficient committee members to form a quorum of the committee of management;

(fc) that the by-laws of the cooperative contain an unreasonable provision that affects the rights of members of the cooperative;

(fd) that an irregularity has occurred in relation to the issue, redemption or cancellation of any shares in the cooperative;

(fe) that the cooperative has contravened or failed to comply with a condition imposed in relation to the cooperative by the authority or the Minister under this Act;

(ff) that the cooperative has failed to comply with a term of an agreement between the authority and the cooperative under Part VII;.

Amendment carried; clause as amended passed.

Clause 73 passed.

Clause 74—'Power to compromise with creditors.'

The Hon. M.K. MAYES: I move:

Page 44, lines 33 to 35—Leave out subclause (1) and substitute:

(1) Part 5.1 of the Corporations Law applies, with such modifications, additions or exclusions as may be necessary for the purpose, or as may be prescribed, as if a registered housing cooperative were a Part 5.1 body and as if that Part were incorporated into this Act.

Mr LEWIS: This clause deals with compromises, winding up, transfers of activity and dissolutions. The Opposition wants to ensure that, as has been the case in terms of previous amendments, the Corporations Law will apply and any changes to that law will be applicable in the circumstances. That then leaves the power of the person charged with the responsibility of winding up the means by which they can negotiate and make arrangements with any member of the cooperative in the process. I think that is important, otherwise the whole thing would fall in a heap; it would end up in an endless round of court cases attempting

to break the ring of litigation that could otherwise result. What the clause does, albeit in amended form, is to ensure that that round robin of endless court cases cannot occur as it has in the past where aggrieved creditors have sought to wind up cooperatives of other kinds.

Amendment carried; clause as amended passed.

Clause 75—'Winding up.'

The Hon. M.K. MAYES: I move:

Page 45, lines 2 to 5—Leave out subclause (2) and substitute:

(2) Parts 5.4 to 5.6 of the Corporations Law apply with such modifications, additions or exclusions as may be necessary for the purpose, or as may be prescribed, as if a registered housing cooperative were a company and as if those parts were incorporated into this Act.

Page 46, lines 3 and 4—Leave out 'applying the Companies (South Australia) Code in relation to this section' and substitute 'this Act'.

Amendments carried; clause as amended passed.

Clauses 76 to 82 passed.

Clause 83—'Offences.'

The Hon. M.K. MAYES: I move:

Page 48, lines 40 to 43—Leave out this clause and substitute:

83. Sections 589 to 596 and section 1307 of the Corporations Law apply, with such modifications, additions or exclusions as may be necessary for the purpose, or as may be prescribed, as if a registered housing cooperative were a company and as if those sections were incorporated into this Act.

Amendment carried; clause as amended passed.

Clause 84 passed.

Clause 85—'Reviews.'

The Hon. M.K. MAYES: I move:

Page 47—Leave out this clause and substitute:

Reviews

85. (1) An application for relief under this section may be made by—

(a) a member of a registered housing cooperative—

(i) who is a party to a dispute between the member and another member of the cooperative, or between the member and the cooperative;

(ii) who believes that a decision of the cooperative is unreasonable, oppressive or unjust;

or

(iii) who is the subject of any action of a prescribed kind taken by the cooperative against the member;

(b) a person whose application for membership of a registered housing cooperative has been rejected;

or

(c) subject to the regulations, a housing cooperative that is directly affected by an act or decision of the authority under this Act.

(2) The application must be made in the prescribed manner and form.

(3) An application under this section must be referred at first instance to a review officer appointed by the Minister for the purposes of this section.

(4) The review officer must endeavour to resolve the matter in issue by conciliation and agreement.

(5) If the review officer fails to resolve the matter within a reasonable time, the review officer must refer the matter to—

(a) in the case of an application under subsection (1) *(a)* or *(b)*—the authority;

(b) in the case of an application under subsection (1) *(c)*—the Minister.

(6) The following provisions apply in relation to a matter referred to the authority under subsection (5):

(a) the authority may require a party—

(i) to furnish such information in relation to the matter as the authority thinks necessary;

and

(ii) to verify any information by statutory declaration;

(b) the authority, in investigating and determining the matter, is not bound by the rules of evidence but may obtain information in any manner the authority thinks fit;

(c) the authority may invite any person to appear before the authority (either personally or through a representative) and to make submissions relating to the matter;

and

(d) the authority may, after considering the matter and any submissions made to the authority—

(i) dismiss the application;

(ii) in the case of a dispute, order that a party to the dispute take such action as is in the opinion of the authority necessary to resolve the dispute and is specified in the order;

(iii) vary or reverse any decision of the cooperative (including a decision of the cooperative to make, vary or revoke a rule of the cooperative);

(iv) substitute its own decision for a decision of the cooperative;

(v) make incidental and ancillary orders.

(7) The following provisions apply in relation to a matter referred to the Minister under subsection (5):

(a) the Minister may require the housing cooperative to furnish such information in relation to the matter as the Minister thinks fit;

(b) the Minister, in investigating and determining the matter, is not bound by the rules of evidence but may obtain information in any manner the Minister thinks fit;

(c) the Minister may (but is not obliged to) permit a representative of the housing cooperative to appear before the Minister and to make submissions relating to the matter;

and

(d) the Minister may, after considering the matter and any submissions made to the Minister—

(i) confirm, vary or rescind the relevant act or decision;

(ii) refer the matter back to the authority, with such suggestions as the Minister thinks fit;

(iii) make incidental and ancillary orders.

(8) Where an application is made under this section and the review officer to whom it is referred is satisfied that an interim order is justified by the urgent circumstances of the case, the review officer may make an interim order to safeguard the position of any person pending the final resolution of the matter.

(9) An interim order—

(a) has effect for such period, not exceeding two months, as the review officer may determine and specifies in the order, and may be renewed by the review officer, the authority or the Minister for a further period of up to two months;

and

(b) unless sooner revoked, ceases to have effect on the determination or resolution of the matter under this section.

(10) Nothing in this section derogates from the right of any person or registered housing cooperative to take proceedings in a court or tribunal in relation to a matter that may be the subject of an application under this section.

(11) The review officer, the authority and the Minister must—

(a) decline to proceed (or further proceed) with an application under this section if it appears that it would be more appropriate for proceedings to be taken in a court or tribunal constituted by law;

(b) decline to proceed (or further proceed) with an application under this section if proceedings related to the subject matter of the application have been commenced in a court or tribunal constituted by law.

(12) A person who fails to comply with an order under this section is guilty of an offence.

Penalty: Division 6 fine.

(13) The power to make an order under this section includes the power to vary or revoke the order.

Amendment carried; clause as amended passed.

Clauses 86 to 95 passed.

Clause 96—'Ability of authority to convene special meetings of cooperatives.'

The Hon. M.K. MAYES: I move:

Page 53, lines 39 to 42—Leave out subclauses (5) and (6).

Amendment carried; clause as amended passed.
Clauses 97 to 102 passed.
Clause 103—'Proceedings for offences.'
The Hon. M.K. MAYES: I move:
Page 56—
Line 23—Leave out 'Minister' and substitute 'Attorney-General'.
Line 25—After 'Minister' insert 'or the Attorney-General'.
Page 55—
Line 28—Leave out 'Minister' and substitute 'Attorney-General'.
Amendments carried; clause as amended passed.
Remaining clauses (104 to 112) passed.
Schedule.
The Hon. M.K. MAYES: I move:
Page 58—Leave out 'three' and substitute 'two'.
Amendment carried; schedule passed.

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

Title passed.
Bill read a third time and passed.

RESIDENTIAL TENANCIES ACT AMENDMENT BILL

In Committee.
Clauses 1 to 6 passed.
Clause 7—'Right of tenant to assign or sub-let.'
The Hon. M.K. MAYES: I move:
Page 2—
Lines 41 and 42—Leave out all words in these lines and substitute:
Where the landlord under a residential tenancy agreement is a registered housing cooperative—
Amendment carried; clause as amended passed.
Clause 8—'Notice of termination by a housing cooperative.'
The Hon. M.K. MAYES: I move:
Page 3—
Lines 17 and 18—Leave out all words in these lines and substitute:
Where the landlord under a residential tenancy agreement is a registered housing cooperative, the landlord.
Line 25—Leave out '14' and substitute '28'.

Mr LEWIS: Will the Minister explain the effect of this clause and the amendments?

The Hon. M.K. MAYES: The committee spent some time deliberating on this. The member for Elizabeth brought up the question. The clause provides that at least 14 days notice of termination be given. The select committee recommended that this be changed to 28 days, as it thought that that length of notice would be more appropriate. It was felt that this was a suitable compromise, given the discussion in the committee as to the 14 days that was proposed and the 60 days that was available under the Residential Tenancies Act.

Mr LEWIS: There are two subsections, (1) and (2), under section 64a of the principal Act. I am asking this question simply because the Bill in my file is not the Bill to which the amendment relates, and I do not understand to which of the two subsections the amendment applies. I do not, therefore, understand its impact. Is it section 64a (1) or 64a (2)?

The CHAIRMAN: In the new printed version, which is before the honourable member, the amendment would relate to line 17 on page 3.

The Hon. M.K. MAYES: We will enhance this provision with this amendment to line 20; it refers to the situation where the tenant has ceased to be a member of the cooperative.

The CHAIRMAN: It is line 25 in the new version.

Mr LEWIS: I am more confused now. Will you, Mr Chairman, read new clause 64a as it will read subject to the effect of this amendment?

The Hon. M.K. MAYES: I was working on line 20, but it is pointed out to me that this deals with line 25. The original wording of the Residential Tenancies Act deals with 14 days and we are now proposing 28. It also deals with the guidelines or the criteria that might be set by the cooperative. A guideline set by the cooperative might provide that, if a person has certain personal wealth, he or she will not be eligible. Of course, we propose that there will be, in some sense, a test for people who apply in order to achieve equity between the Housing Trust waiting list and a cooperative. That could well be incorporated as part of a criterion to be met by a cooperative tenant in accordance with the rules set down by the cooperative.

The CHAIRMAN: The amendment relates to clause 8, which inserts new section 64a. The first two lines of the clause are to be deleted, and the new phrase that appears in the amendment is proposed to be, 'Where the landlord under a residential tenancy agreement is a registered housing cooperative, the landlord . . .'; the rest of new section 64a follows. In line 25 in the new printed Bill, '14 days' is deleted and '28 days' is substituted.

Mr BRINDAL: I remember distinctly the select committee arguing that 14 days was not adequate notice to evict someone and that that would not be allowed under any other Act. We agreed that it was much more appropriate, if someone were to be evicted, that 28 days would be a minimum time in which to allow them to make arrangements to leave the premises and to find other premises.

Amendments carried; clause as amended passed.
Clause 9 passed.
Title passed.
Bill read a third time and passed.

MOTOR VEHICLES (REGISTRATION-ADMINISTRATION FEES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 11 September. Page 754.)

The Hon. D.C. WOTTON (Heysen): The Opposition finds that a number of aspects of this Bill are unsatisfactory. We will support the legislation through the second reading stage to provide the opportunity for an amendment to be put before the Committee at a later stage. I hope that members will support that amendment at the appropriate time.

The Bill provides for an administration fee to be charged for motor vehicles registered without fee. At present, there is no provision for recovering costs associated with recording vehicles to be registered without fee, preparing and issuing registration labels and certificates, and forwarding notices of renewal when registration is due. The shadow Minister of Transport in another place has sought to consult with a number of individuals and organisations regarding this legislation. I must admit that much of the representation that has been received would suggest that there is a concern within the community about this measure. I suggest that at least some of that concern—and it may be quite a considerable part of that concern—comes from a lack of consultation with some of the organisations to which I will refer at a later stage.

We are told that the administration fee is estimated to be $16 per transaction and is forecast to recover $234 000 annually from 3 400 of the 13 500 vehicles registered with-

out fee. As I said earlier, at first sight the Bill seems quite reasonable in relation to the user pays principle, especially as the vehicles concerned attract no registration fee. As I also said earlier, however, the Opposition finds quite unsatisfactory a number of aspects of the Bill. I refer, first, to the fact that Government-plated vehicles and vehicles owned by accredited diplomats are to be exempt from the fee.

Apparently, the Government considers that it is not appropriate to charge a fee in respect of Government-plated vehicles because no individual renewals of registrations or any individual registration labels are issued. I hope that the Minister, in his reply to the second reading, will clarify that situation but, as I understand it, that is the case. However, if the Government were really anxious to proceed in this way, the difficulty could be addressed easily by respective departments or statutory authorities paying a lump sum fee for vehicles assigned to their responsibility. That is something that has come by way of a request in correspondence from some of the organisations to which I will refer a little later.

Secondly, the Local Government Association is opposed to the Bill, and I have received representations to the same effect from a number of country councils as well. I understand that a letter was sent to the Minister in September this year. The relevant passage states:

> We are opposed to this impost as it has been introduced after councils have set their budgets for the current financial year and without consultation. The new fee should be considered as part of the overall negotiations with regard to the transfer of costs between State and local government pursuant to the memorandum of agreement.

Subsequent discussions indicate that the Local Government Association is quite convinced that no consultation occurred on this matter and, unless the Minister can indicate otherwise, I would have to take that matter on board.

Also, we have received correspondence from a number of councils, and I will refer to two of them. For example, the District Council of Loxton is making representation to oppose the administration fee of $16. It says that vehicles to which this administration fee applies range from road construction machinery to emergency vehicles, such as those belonging to the State Emergency Service and the Country Fire Service. The council points out that this administration fee is a new tax imposed on the community that will increase the cost of provision of essential community services.

The Clerk of the District Council of Loxton makes this representation: on behalf of the council, he wishes to register an objection to this fee, and he seeks the assistance of the Opposition in having this impost reviewed. At a recent meeting of the District Council of Mount Pleasant, members discussed the new Bill. That council urged the Opposition to ensure that local government retain total exemption from registration costs. I could refer to other correspondence but I will not.

Essentially, local government—and I understand why—is finding that it has struck a bad bargain with the Government in agreeing to accept transfer of responsibilities at a time when its rate base is vulnerable to the recession and rural problems. I would be surprised if Government members had not received some form of representation on this matter.

Members interjecting:

The Hon. D.C. WOTTON: The members for Napier and Henley Beach shake their head and say, 'No, not one.' I just wonder how much time they spend with their councils. I wonder how much time they spend discussing such matters as funding. Certainly, the councils with which I work very closely have, on a number of occasions, expressed their concerns about the additional funding that is required of those councils as a result of the transfer of responsibilities from State to local government. The councils that have made representation to me feel very strongly about that. I do not know why the two members from the other side of the House who have indicated that they received no representation would not be aware of this concern; I find that interesting. However, as I have said before, the two members involved may not find it necessary to spend a lot of time with their councils.

When they respond during the second reading—as I am sure they will—they will be able to clarify the situation in relation to their own councils. I will not speak for the two members opposite: far be it from me to become involved in representation on behalf of those two gentlemen. As I said earlier, the advice I have received from councils clearly suggests that they are finding it difficult because of the vulnerability of their rate base—and that has come about as a result of the recession and rural problems. These councils object to the fact that the Bill was introduced without consultation, and that it was introduced after councils had set their budgets for the financial year—and that objection is understandable.

Once a council has determined what its budget will be and the Government admits that it forgot to consult with it about some extra charges, it is understandable that the council would be pretty rotten about it, and that is certainly the message that has come through to us. I believe that, particularly these days, where any legislation proceeds through the House without consultation, the responsible Minister is looking for trouble, and that is the case as far as this legislation is concerned.

The councils also argue that the new fee should be considered as part of the overall regulations pursuant to the memorandum of agreement. I cannot argue with that and I would find it difficult for the Minister to argue with that, too. In addition, the fee in respect of CFS and SES vehicles will have to be paid through either additional local government rates or by additional fundraising by local units. Alternatively, local units will have to do without essential equipment. I am sure that members opposite would be most interested to hear what the State Emergency Service has to say about this particular piece of legislation. The Deputy Director of the SES writes:

> The State Emergency Service, throughout the State of South Australia, possesses some 110 rescue vehicles and 100 trailers. At the present time these vehicles and trailers are exempt from registration fees under the Road Traffic Act. If the proposed Bill is successful all units, through their local government authorities, will be required to pay registration fees annually for their emergency vehicles and trailers.
>
> Local government authorities receive an annual subsidy on a dollar for dollar basis, up to a maximum of $5 000 per council for expenditure on their SES units. Some councils pay well in excess of the $10 000 subsidisable amount each year on the State Emergency Service units they sponsor. Should a registration fee for rescue vehicles and trailers be imposed, local government will be entitled to claim 50 per cent of that expenditure from the State Government subsidy scheme. This would mean that the Government would end up paying out 50 per cent on that registration fee.
>
> It is pointed out that the Government will probably expect the State Emergency Service to absorb the fees from their annual budget allocation, rather than provide extra fees to meet those costs. It is further pointed out that much of the council proportion of expenditure on State Emergency Service is provided through fundraising efforts of State Emergency Service members themselves, through activities such as raffles, charitable functions, etc. Although not exorbitant, this administration fee will add to the erosion of the meagre funds available for rescue equipment and vehicles, which this service needs in order to provide a rescue service to the community.

One could hardly argue with that, either. I do not know how much contact members opposite have with the emergency services in their own area but I know that a number

of my colleagues on this side of the House have received representation which suggests that those who have responsibility for rescue service vehicles are in dire straits in many cases, and that is particularly true for rural areas and cities outside the metropolitan area. Madam Acting Speaker, you may find your district in that position. In a lot of small towns the State Emergency Service is finding it extremely difficult to raise money and the local authorities are finding it nigh on impossible to fund the services that are being provided.

We all recognise the excellent service that is provided by the State Emergency Service, particularly in rural areas. The Deputy Director concluded his letter by saying that a once off registration fee similar to that applied to Government vehicles would be a reasonable alternative to annual registration costs. As I pointed out at the outset, that suggestion has been made by a number of organisations. The South Australian branch of the St John Ambulance considers that the recovery of administration costs is a reasonable measure for the Government to take. It has not expressed a lot of concern about this move. However, it is worth noting that late last year a Government Bill to amend the Motor Vehicles Act proposed full registration fees for all vehicles registered by councils. The Opposition moved amendments to provide for a 50 per cent concession fee, and we all know that the Bill lapsed in conference.

The Opposition expresses concern on behalf of the people who have made representation to it. I indicate that much of the concern has come about as a result of a lack of consultation on the part of the Minister or his department. I look forward to the Minister's indicating just what form consultation took with respect to this legislation. At the appropriate time, the Opposition will move an amendment to overcome the problems to which I have referred. I am not allowed to refer to that amendment at this stage but I indicate that the Opposition supports the legislation through its second reading to enable that amendment to be moved.

Mr BRINDAL (Hayward): I support my colleague in the remarks that he has made and in doing so record my disappointment at the flippant manner in which certain elements of the Government backbench seem to treat serious pieces of Government legislation. The Opposition takes the program with which the Government provides it on a weekly basis and spends a lot of time analysing it and attempts in this place to make constructive suggestions for change. No-one is better in that process than my colleague the member for Heysen. He is a respected senior member of our Party and always contributes thoughtfully to the debate. I find it very disappointing that such a hardworking and dedicated representative of his electorate should be denigrated in this way by fractious members of the Government backbench. I believe that his speech was statesmanlike and that he made a valuable contribution. I refute utterly on his behalf the comment that he is a running dog of local government. He was making serious suggestions to the Minister.

In reinforcing the honourable member's comments, I commend one point to the Minister. I believe that it is appropriate for the Government to make fee-for-service type charges, and that is what this legislation appears to be. However, if it is fair enough for the Government to charge local government the $16 cost of adminstration, it would also be fair to charge Government departments a similar cost. That way the Government would avoid the criticism that there is one rule for itself and another rule for local government. If the Government does not want to charge itself the cost of administration of its own number plates for its own car fleet, I do not believe it is appropriate to charge local government. This seems to be an inconsistency in the legislation, which is the point that my colleague was making.

Mr VENNING (Custance): I am interested in this Bill because, as members know, various registration permits are already in vogue in respect of farming. When I first saw the Bill I was curious about what it would do. Certainly, I support the comments of my colleague the member for Heysen because there is apprehension about this Bill. Why are diplomats to be exempt from its provisions? As soon as we start giving anyone exemptions, there will certainly be problems.

I support the view that every vehicle should be registered. No vehicles should be singled out to be exempt and all should be subject to a registration payment, whether it be the Government or the smallest car pool. Everyone should be tarred with the same brush. The member for Henley Beach knows that, if there is a loophole, someone will try to abuse it.

I am particularly concerned about this Bill because, after having made inquiries, I realise that farmers are already paying the so-called $16 fee in respect of vehicles formerly not registered at all which were used on farms as fire units, spray wagons, motor cycles and vehicles supplied by the employer for farm use.

As a result of litigation, attempts have been made through the UF&S to get farmers to bring their vehicles nearer to the mark in order to be included under farm registration at a cost of $5. With the introduction of third party compulsory insurance, that sum increased to $40, and now it is $43, plus the $16 already levied. When I investigated the matter this morning, I was concerned that there would be an additional $16 impost and I was worried that the situation could get out of control, especially in respect of farmers. I have been assured that that is not the case, although farmers have again led the way and I cannot see why, if farmers have to pay, everyone else should not pay as well. It is difficult to understand why that should not apply.

I wonder why such changes were not introduced many years ago in order to obtain cost recovery. The Government should be consistent about it so that, if farmers pay, everyone should pay. If we make the fees too high, people will not register vehicles at all and we will encourage people to break the law, which is not what we want to do.

Mr Brindal interjecting:

Mr VENNING: My colleague agrees. I have been considering an amendment to provide for three year licensing where applicable.

The Hon. D.C. Wotton interjecting:

Mr VENNING: Yes. I have spoken to my colleague in another place and a three year licensing period, especially involving farm permit vehicles, would be beneficial. That way the $16 fee plus the third party fee would be levied only once every three years. Why should a $16 administration fee be levied each year?

The Hon. Frank Blevins interjecting:

Mr VENNING: A renewal notice should be sent to owners for that fee but, instead, it is up to permit holders to take responsibility for their renewal. The Minister assures me that that does not apply to permit holders—

The Hon. Frank Blevins: That is right.

Mr VENNING: The Minister is on record as saying that it will not apply to them and it will be interesting to see the position as we go through the Bill. Drivers licences are issued for five years and I cannot see why registrations cannot be issued for at least three years in those cases that

the department considers workable. True, three years would not apply for Government departments because they do not have their vehicles long enough, but for the SES and local government—apart from the CEO's vehicle—it could mean a big saving, particularly if such a cost as this is to be levied every year. There could be up-front savings if this was done over three years and I urge the Minister to consider these points.

Mr S.G. EVANS (Davenport): I was thrilled to see the Minister was so pleased to see me rise with his sigh of great relief. I have some doubts and I hope that the Minister will refer to them later. We are now exempting, as we have done in the past, certain vehicles from a registration fee. Only an administration fee is paid. By this process we hope to have continuous registration; once the fee is paid, vehicles will be registered continuously, and there will not be an annual application involving the $16—

The Hon. Frank Blevins interjecting:

Mr S.G. EVANS: I am amazed—

The Hon. Frank Blevins interjecting:

Mr S.G. EVANS: I will come to that in a moment. I am amazed that we have to worry about registration every year, even though it involves an adminstration fee. The Third party component, which is the other side of the argument, continues for 14 days after registration has run out, and I intend here to refer to a problem encountered by a constituent.

Continuous insurance applies only in respect of the administration fee for the CFS or local council, and the only reason it appears we will not have general continuous registration and, with it, continuous insurance is that the insurance costs might vary from year to year. Surely there is not a problem in the department's letting an authority or organisation know that there is a change in the third party fee. That happens with other forms of insurance in respect of private citizens, companies and organisations. If the Minister is saying that the third party is only $16 (I hope he is not, because I am sure it is not)—I do not believe that that is the case.

The Hon. Frank Blevins: It is a $16 administration fee.

Mr S.G. EVANS: I understand that. I want to refer to a matter of concern and, although I do not know whether it will end up in court, I want to raise it while we are discussing this matter. A young couple went to Marion Shopping Centre and, while the husband went into a shop, the wife sat on the bonnet of the vehicle, because there was some small difficulty with it. She was challenged about why they had parked the vehicle where it was.

In doing that, the officers also picked up the fact that the vehicle was not displaying a registration disc. The point I raise is that we are giving a concession to certain people. The lady was asked whether she had driven to that point in that vehicle and, when she said 'Yes', she was booked for it. Subsequently her husband came out, got in the vehicle and drove it away, and was booked also. The wife did not drive the vehicle to that spot—it was the husband—so they face the problem of not having a registered vehicle. However, they were within the 14 day period of the expired registration, and insurance covered it.

I would like to know from the Minister whether we are talking about vehicles, such as CFS and council vehicles, that only have an administration fee. Does that also include other Government vehicles such as those of the Police Department? My other concern is that a considerable number of people are now virtually given motor cars at the taxpayers' expense, and drive around not on Government numberplates but on ordinary numberplates. It suits them to be not identified by the people who pay for that vehicle—the taxpayer. I take it that that group will not come under this scheme. With reference to other organisations such as SGIC or Government bodies—

Mr FERGUSON: On a point of order, Madam Acting Speaker. I refer to Standing Order 128. I cannot see the relevance to the Bill before the House of what the honourable member is debating.

The ACTING SPEAKER (Mrs Hutchison): I hope that all members will link their remarks to the Bill.

Mr S.G. EVANS: My remarks may not have been relevant about four minutes ago but, if the honourable member listens, I believe they are now. Will vehicles with Government numberplates—police vehicles and so on—pay only the administration fee or the full tote odds? Other Government vehicles with ordinary numberplates are made available to certain people who pay the running costs and such things as RAA membership, insurance and registration. Will those vehicles also be eligible for this reduced fee—in other words, the administration fee for registration purposes?

The Hon. FRANK BLEVINS (Minister of Transport): I do not think I have ever been happier to close a debate! This has not been one of the greatest debates I have ever heard. Nevertheless, I pay members the courtesy of thanking them for their contributions, and I refer to not only the relevant ones but also the irrelevant ones. I thank all members who support the second reading, those who read the second reading explanation and those who did not. I also thank very much those who restrained themselves and did not speak—they probably contributed most of all to the debate. It is a very simple measure. There are vehicles that the State in its wisdom or otherwise registers at no fee, but it is not at no cost. There is a cost, and it is a cost to all taxpayers.

We are attempting to put the cost of that very significant concession on those who receive it. At the moment not only do these people receive a concession but, because of the work that has to be undertaken, the taxpayer is actually paying to give them that concession over and above the value of the concession. There is nothing complicated, terribly oppressive or officious in what we are trying to do. It is a very simple measure. The member for Heysen stated that the Loxton council said that this was a new tax. It is not a new tax at all.

The Hon. D.C. Wotton: Why didn't you consult with it?

The Hon. FRANK BLEVINS: I will come to that in a moment. It is not a new tax at all, because somebody already pays for the work that is done in registering the vehicles for the Loxton council which, at the moment, is done without fee to the Loxton council. All we are doing is shifting the burden (if we can call $16 per vehicle a burden) from the taxpayers in general to the Loxton council and, after all it is the Loxton council that receives the benefit of the concession. The measure seems to me to be eminently reasonable. It does not apply to permit vehicles. Quite clearly, it applies only to those vehicles that are at present registered without fee. It has nothing to do with permit vehicles whatsoever.

The question of consultation is always a difficult one when it is a budget measure. We have never—and neither has any other Government to my knowledge—consulted about our budget. In fact, if details of any consequence of the budget ever leaked out, there would be calls for the resignation of the Treasurer—not the Minister of Finance, of course. We do not consult with anyone on our budget: it is as simple as that. There are a lot of screams after the budget is released—there always has been. That has occurred

since time immemorial—that is the system. There is nothing particularly different in the handling of this measure from the handling of all budget measures.

Mr D.S. Baker: A $2 billion difference!

The Hon. FRANK BLEVINS: I am sorry, Madam Acting Speaker, I just do not understand the relevance of what the Leader is on about. As I said, this debate has been absolutely atrocious. I know it is not a very large measure, but I would have thought that it would be treated with a little more respect than has been the case. The Leader has even devalued what was already a very low quality debate. Anyway, it is a very simple measure. It seems to me that we favour either taxpayers in general giving a further subsidy to people who have the privilege of having their vehicles registered without fee, or that impost, however slight, is put on the recipients of the concession. I believe that the latter is the proper way to go and that it is petty for the Loxton council or anyone else to complain that it costs them $16 to do this as opposed to its being paid by the taxpayers. The principle is very sound, and I would urge the House to support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—'Registration without registration fee.'

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

Page 2, lines 13 and 14—Leave out all the words appearing after 'amended by' and insert as follows:

(a) by striking out from subsection (1) 'without fee' and substituting 'without payment of a registration fee but on payment of an administration fee of the prescribed amount';

(b) by striking out paragraph *(j)* of subsection (1) and substituting the following paragraph:

(j) any motor vehicle to be registered under the scheme established for the registration of motor vehicles used for or in connection with Government or Government sponsored services and known as 'the Continuous Government Registration Scheme';;

and

(c) by inserting after subclause (1) the following subsection:

(1a) The Registrar must register without fee any motor vehicle owned by an accredited diplomatic officer or accredited consular officer *de carriere*, who is a national of the country which he or she represents and who resides in the State.

The Hon. Frank Blevins: Why don't you just say, 'as circulated'?

The Hon. D.C. WOTTON: Well, I do not know how many members of the Government have read it. I doubt from what the Minister gabbled on about in summing up in the second reading debate whether he even listened to that debate.

The ACTING CHAIRPERSON: Order!

The Hon. D.C. WOTTON: The Minister had his back to members most of the time, talking to other people, and he then has the audacity to denigrate the debate. He did not even have the courtesy to listen to the debate. If the Minister can give me an assurance that he is able to read and that the other members on the Government benches have read it, I am quite happy to move the amendment standing in my name. However, I will explain what the amendment is all about. It is all very well for the Minister to carry on and say that it is a very simple Bill and that everyone should be happy with it.

The Minister referred to the Loxton council. That is one of the councils to which I referred, but I also mentioned the Local Government Association, which represents all councils in this State. That association is not happy about the Bill and has complained about the lack of consultation. In fact, the association has pointed out that this extra charge is being brought forward after councils have already put down their budgets. I have also referred to the concern expressed by the State Emergency Service. I would have thought that even the Minister of Transport would be concerned about the State Emergency Service in this State. I would have thought that he would support the service and would understand the concerns that have been expressed in the representations that I have put to the House. However, as I said earlier, most of the time the Minister was having a chat on the other side of the Chamber.

Section 31 of the Motor Vehicles Act requires the Registrar to register specified classes of motor vehicle without fee. Clause 9 of the Bill provides that the Registrar is required to register such vehicles without payment of a registration fee. My amendment makes the following changes: paragraph *(a)* requires the Registrar to register such vehicles without payment of a registration fee but on payment of an administration fee of the prescribed amount; paragraph *(b)* prescribes vehicles to be registered under the Continuous Government Registration Scheme as vehicles in respect of which an administration fee must be paid on an application for registration; and paragraph *(c)* requires the Registrar to register without fee vehicles owned by accredited diplomats and consular officers.

The Opposition's amendment, which is quite feasible, is legitimate and satisfies local government, the State Emergency Service and the Opposition. If the Minister is not prepared the accept the amendment, the Opposition will have no alternative but to oppose the legislation. I urge all members to support the amendment.

The Hon. FRANK BLEVINS: The Government opposes the amendment as it serves absolutely no worthwhile purpose; it is merely a rewording of what is in the Bill.

The Hon. D.C. Wotton: Rubbish!

The Hon. FRANK BLEVINS: The member for Heysen yells out 'Rubbish.' All I can say is that the people who advise me are legally qualified and very experienced in drafting. That is the advice that they give me.

The Hon. D.C. Wotton: Are you saying that the people who advise the Opposition are not?

The Hon. FRANK BLEVINS: I am telling the honourable member only what I have been advised, and he can check that by walking across the Chamber.

The Hon. D.C. WOTTON: I think it is most inappropriate for the Minister to refer to staff. As far as members of the Opposition are concerned, we have total confidence in those who have advised us in this matter. I think it is pathetic that the Minister is not able to support this amendment. I know the Minister was not listening earlier but I have already indicated the reasons why the Opposition believes the amendment is important. I can only request that the Committee ignores what the Minister says and supports the amendment.

The Hon. FRANK BLEVINS: I do not want to prolong the debate. As I said, it is one of the worst debates that I have heard in my 16½ years in this Parliament. Even a plain reading of the amendment shows that it does not contribute anything to the Bill. It is purely a rewording of what is already in the Bill.

An honourable member: It's already covered.

The Hon. FRANK BLEVINS: That is how it appears to me. The amendment means nothing. As I said, I am advised that the amendment has no meaning other than what is already in the Bill. There is no reason at all why anyone ought to support it, unless one prefers the wording of the amendment to the wording of the Bill. As I have said, I am advised that the effect of the amendment is the same as the Bill.

The Committee divided on the amendment:

Ayes (22)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton (teller).

Noes (23)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins (teller), Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes, Peterson, Quirke, Rann and Trainer.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Clauses 10 to 12 passed.

Mr VENNING: I move:

That clause 7 be reconsidered.

The Hon. FRANK BLEVINS: I oppose that. There has been something of the order of a week in which to consider this Bill, yet it is treated with contempt by the Opposition. That is unfortunate. The member for Custance comes in after the clause is passed, presents an amendment after the clause is passed and expects us to deal with it. Quite frankly, I do not think that that is treating the Committee or the Bill with the seriousness warranted. If the Opposition wishes to have this matter considered, the Bill will be before another place in due course, and the matter can be considered then. We will look at the amendment between now and when the matter is dealt with in the other place.

The Hon. D.C. WOTTON: I regret that the Minister is not prepared to show some flexibility in this matter. The member for Custance indicated earlier in the debate that he was concerned about this legislation and wished to amend it, and it is appropriate that he should attempt to do so. If the Minister and the Government are refusing to allow him to do that, it is arrogance on their part, and the honourable member will have no alternative but to have the amendment moved in the other place. I can assure the Minister and the Government that that will happen. Again, I regret that the Minister is not able to show flexibility to enable the member for Custance to bring forward this amendment at this time.

The Hon. FRANK BLEVINS: It has nothing to do with arrogance: it has to do with the absolute incompetence of the Opposition. These Bills have been before this House for at least 10 days. There is absolutely no reason, other than utter incompetence, why this amendment was not drafted and circulated long before we reached clause 7, let alone after we had dealt with clause 7.

If it were only a case of the member for Custance not being quick enough on his feet to move the amendment, that would be one thing, but that is not what we are dealing with here. The member for Custance did not even have the decency to circulate the amendment prior to the clause being passed.

The Hon. D.C. Wotton: Is this a leadership speech?

The Hon. FRANK BLEVINS: It may well be. To me, that is arrogance and incompetence on the part of the member for Custance. Despite the incompetence of members opposite, if I lose this on the voices I will not be too upset.

Mr GUNN: It is unfortunate that the Minister has taken this rather uncharitable attitude. From time to time, members bring up amendments at fairly short notice. The member for Custance is not the most experienced member of this place, and I think that the Minister has been not only uncharitable but unwise to label him as arrogant, because all the honourable member is attempting to do is to rectify problems he believes exist in the legislation. If we do not move the amendment at the time, we lose the opportunity.

We normally get on fairly sensibly in this House, and I do not really think that there is much point in the Minister's adopting a heavy-handed attitude, because there are plenty of opportunities for the Opposition to make life particularly difficult for the Government if it wants to. We can stay here for a long time tonight. If the Government wants to be foolish about some of these things, we will also play that game. This matter will take only a few minutes. I suggest that the Minister let commonsense prevail.

Mr BRINDAL: In fairness, I remind the Minister that in the last session I introduced a similar amendment and the Minister chided me for the same thing but was gracious enough to accept that amendment on the decision of the House. I see no difference in this case.

The Hon. FRANK BLEVINS: I have been here a long time—

The Hon. D.C. Wotton: Too long.

The Hon. FRANK BLEVINS: That may be true, but I have not been here as long as the member for Heysen, and he has been here too long. This debate has been unfortunate, because from the moment the member for Heysen stood up it was clear that the Opposition was treating this legislation and the Parliament as an absolute joke. I do not know why. I concede that this is not a major measure: this is a very small, very clear measure that required no great debate. It is a very simple principle: you either agreeed to it or you did not. There was nothing terribly complex about it. But it has been treated throughout as a joke, and that is unfortunate. It is suggested that what the member for Custance is attempting to do is something that is done normally.

If the Government does not bow to what the honourable member wants, the member for Eyre has threatened that he will make life difficult for the Government, for the simple reason that, for the first time in my memory, an honourable member has circulated an amendment and wanted it debated after the clause to which it relates has passed. I know that from time to time amendments are circulated at short notice, but I have always seen them prior to the clause being passed. As I said, I would like the House, at least at this late stage in the Bill's passage, to treat the Bill with some dignity. The Leader is not assisting: he is perpetuating the attitude of the Opposition to this measure, which at all times—

Mr D.S. Baker interjecting:

The Hon. FRANK BLEVINS: You're very welcome. I have no home to go to here, so it makes no difference to me. The hysteria on the opposite side is unfortunate. It is a great pity that we did not deal with this measure before dinner, when I believe it would have been dealt with in a different and a quicker way. As I said, if I were to lose on the voices, it would not bother me. However, it is wrong; it is contemptuous of Parliament; and it is incompetent of any member to circulate an amendment after a clause has been passed.

The Hon. D.C. WOTTON: The Minister has been carrying on about the fact that the Opposition should treat the Bill with dignity. As I pointed out before, the Minister, almost throughout the second reading stage, did not even have the courtesy to be in his seat to listen to the debate. He did not have a clue what was going on. Most of the time he was away from his place and talking to other people. Then he has the audacity to say that the debate has been poor and that we should have been dealing with the Bill with some dignity. It is totally inappropriate for the Minister to carry on like that.

The Minister has suggested that the member for Custance has been quite incompetent in the way he has handled this

situation. The Minister realises that the member for Custance is a relatively new member in this House. However, apart from all that, the amendment that the member for Custance wishes to bring before this House has become necessary only because the Minister and the Government have refused the previous amendment put forward by the Opposition. That being the case, because the Government and the Minister have made clear that they will not support the previous amendment, it is quite appropriate that the member for Custance should bring forward another amendment. It is totally unacceptable that the Minister is showing a lack of flexibility and a lack of understanding to enable this matter to be brought before the House at this time.

The Hon. FRANK BLEVINS: The two matters are unrelated. The fact is—and the member for Custance, being an honest but incompetent man, will agree—that what happened is that he missed the boat and did not circulate his amendment until the clause had been passed.

The Hon. D.C. Wotton: Because I've told you why.

The CHAIRMAN: Order! The member for Heysen is out of order.

The Hon. FRANK BLEVINS: Don't carry on: there's no need to carry on like that.

The CHAIRMAN: Order! The Minister of Transport will address the Chair.

The Hon. FRANK BLEVINS: The behaviour of the member for Heysen since he stood on his feet, as I said earlier, has been appalling. There is no reason for that kind of behaviour.

The CHAIRMAN: The question before the Chair is the reconsideration of clause 7.

Mr LEWIS: I think the Minister plays to the gallery too much. I well remember that, when he had not been here for too many days there were occasions—more than one instance—on which he took liberties without knowing and then sought the indulgence of the House to correct his mistaken impression. The House did not make anything like the fuss he is making.

The Hon. Frank Blevins: Tell me when.

Mr LEWIS: The very night you brought that fellow in here to sit on the floor of the House and set a precedent in more than 140 years of parliamentary procedure. That is the kind of behaviour I am talking about.

The CHAIRMAN: Order! The member for Murray-Mallee will address the Chair and the Minister will not interject.

Mr LEWIS: It was not only upon the occasion that the Minister chose to bring a personal adviser and a friend onto the floor of the House without there being any provision or precedent for that: there have been other examples. For example, he eats in the Chamber now. That is outside Standing Orders. If he wants this sort of thing put on the record, I will dress him up and sort him out. It ill behoves him to treat the place with such contempt and to be so uncharitable to the member for Custance.

Mr FERGUSON: There is some levity in the Chamber, but I treat this matter as very serious.

Members interjecting:

The CHAIRMAN: Order!

Mr FERGUSON: I am sorry that this has upset the Opposition, because I did not intend to set out to upset anybody. A very serious matter is before the Committee involving an amendment which would involve hundreds of thousands of dollars.

The CHAIRMAN: Order! The nature of the amendment which may or may not be considered is not before the Chair: the only question before the Chair is whether or not the clause should be reconsidered.

Mr FERGUSON: That is the point I am making: there is a very serious amendment, an amendment that would—

The CHAIRMAN: Order! That is not the question before the Chair: the only question before the Chair is the reconsideration of clause 7. The member for Custance may or may not then choose to move any amendment which may or may not have been circulated.

Mr FERGUSON: Yes, but whatever amendment the member for Custance might want to introduce—

The Hon. D.C. Wotton interjecting:

The CHAIRMAN: Order! The Chair will deal with this matter without assistance from the member for Heysen. The question of any potential amendment is not before the Chair. The honourable member must restrict his comments to the question of whether or not the clause should be reconsidered.

Mr FERGUSON: I am sorry, Sir, I thought I heard Opposition members go on for a long time about various matters, but I accept your proposition.

The CHAIRMAN: Order! The honourable member did not hear them discuss the amendment.

Mr FERGUSON: We are faced with accepting or not accepting whether a clause should be considered. The reconsideration of that clause is dependent upon an amendment that the honourable member wishes to move. I believe that Parliament should not be run like a Sunday school. We have a proposition—

Members interjecting:

The CHAIRMAN: Order! The member for Henley Beach has the floor.

Mr FERGUSON: I thank you for your protection, Sir. I do not think that we should reconsider a clause that has already been passed by this place in order that an amendment be introduced, which has not been—

The CHAIRMAN: Order! No discussion of the amendment is possible at this stage.

Mr FERGUSON: No, but as I understand it the honourable member wants to have a provision reconsidered in order to change legislation to which we have already agreed. This is a very serious proposition. Any member of Parliament who wants a matter reconsidered should have the decency to circulate the changes that he would like to make to that provision.

We are not dealing with a branch meeting of the Liberal Party. We are in Parliament and Parliament is responsible to the people of South Australia. If members opposite are not prepared to conduct their affairs in an efficient and proper way, Parliament should not be subjected to the circus or carnival that is now being presented here. If there had been proper consultation between the member for Custance and the member for Heysen, who is responsible for this legislation for the Opposition, we would not be faced with this situation.

For whatever reason, the member for Custance wants clause 7 reconsidered, and he has not taken the opportunity to consult with his own shadow Minister about that. Had he done so, we would not be in this position because the shadow Minister would have advised him about the best way to present an amendment. I will not support the motion that is before the Committee. I believe that if the honourable member's reason for seeking reconsideration of clause 7 is to attempt to amend it, every member should have the opportunity to peruse that amendment properly and give due consideration to it without its being rushed through Parliament without consultation. For that reason, there is no reason for the Committee to support the motion for reconsideration.

If something is to be done, it should be done properly—not in this circus-like way presented by the Opposition. The Minister is quite correct. I refute the member for Heysen's comment that the Government is not prepared to give due consideration to measures put to it by the Opposition. We on this side of the Chamber have always been prepared to examine such matters and his suggestion is nothing short of nonsense. The Opposition is attempting to ram through an amendment without its being given due consideration. This measure, to which I am not allowed to refer, may cost the State hundreds of thousands of dollars, so we ought to give it serious consideration.

I know that the member for Custance is a new member of Parliament: he has been here only two years. However, I would have thought that two years is long enough to understand the customs and Standing Orders of this place. I do not see why this Committee should give special consideration to a member who has been here 24 months but who has not taken the opportunity to study and learn the Standing Orders in that time. There has been a real song and dance from members opposite about this but I believe that this is a serious matter, so I support the Minister in opposing the motion.

Motion carried.

Clause 7—'Duty to grant registration'—reconsidered.

Mr VENNING: I move:

Page 2—
Line 2—After 'amended' insert—
(a)
After line 3—Insert as follows:
and
(b) by inserting after paragraph *(b)* of subsection (1) the following paragraph:
(ba) in the case of an application to register a vehicle in respect of which an administration fee is payable—for a period of 3 years;.

This is all about saving administration costs for the Government and, where applicable, I think that the three year provision should be invoked. I would have thought that the Minister would agree to it. It gives the Minister flexibility to provide where applicable for three years registration without cost.

The Hon. FRANK BLEVINS: I oppose the amendment.

Mr Lewis: Because you haven't had time to think about it.

The Hon. FRANK BLEVINS: The member for Murray-Mallee is behaving in his usual fashion. I do not want to deviate from the amendment before the Committee. However, I cannot resist saying that when I first came into this place what I did was not inadvertent but quite deliberate. One of the problems that I have with the amendment—there may be others—is that, as I said by way of interjection during the second reading debate, trying to short circuit what was obviously a very low quality debate, there are problems with the insurance. The response from the member for Davenport to that comment was that it would be a simple matter to notify people if the insurance changes. Again, that is a simple matter that costs about $16 a time. That is the problem—leaving aside the attitude of the SGIC, which we do not know at this stage.

At some stage every member opposite has had an amendment accepted by me when the numbers have been with the Government to knock off that amendment. The member for Hayward can confirm that. In all fairness to the Committee, these things ought to be done in time so that members can consider them, even if it is only 10 minutes or 20 minutes, before the clause is before the Committee. That at least gives members a little time to consider amendments. If it is a reasonable amendment, it is accepted. I have accepted amendments moved by the member for Custance before but, after the clause has passed, that is really cutting it too fine.

It may well be that some arrangements can be made with SGIC. It may well be that, if a notification had to be given of an increase or a change to compulsory third party insurance, that notification would be accompanied by a fee because somebody has to pay for it. Ought it to be the general taxpayer or the person who is getting the benefit of the concession? It gets back to the same argument. With five year licences, there is no requirement for an alteration any time during that five years. That is the point that I am making.

As always, I will give this amendment further consideration. If it is a sensible measure, at some stage the Government will accept it. If it is not, the Government will reject it and see what the Committee does with it. That is how the Government treats all amendments. I assure the honourable member that this amendment, whether carried or not carried, will not make the front page of tomorrow morning's *Advertiser*. It will not affect one iota the term of this Government or any Government to follow. I do not see these issues in those terms but I concede that some members have in the past, that the Bill is carved in stone not to be touched. I think that is nonsense and I always have.

The honourable member should attempt to do these things in a proper manner and he will get proper consideration. I oppose the amendment but I will give it further consideration. On reflection, should the member for Custance's Party think it is worthwhile and want to move it in another place, as I said at least half an hour ago it is entitled to do that and it will get serious consideration from the Government.

The Hon. D.C. WOTTON: I do not want to prolong the debate. I support the amendment moved by the member for Custance. In his second reading speech, the honourable member indicated his concern for a number of his constituents—people in rural areas—who are experiencing considerable hardship as a result of the difficult economic circumstances in this country. He has genuinely put forward a suggestion. It is not a matter of what may or may not appear on the front page of the *Advertiser* tomorrow, but it is the right of the member for Custance to represent his constituents. I suggest it is more than representing his constituents in that this move is something that would be welcomed by service organisations, by all those to whom I referred and by those whose representations I raised in my second reading speech. I support the member for Custance and it would be appropriate for consideration to be given to this or a similar amendment being moved in another place. I hope that the Minister will have his Government give serious consideration to that move.

Amendments negatived; clause passed.

Title passed.

Bill read a third time and passed.

MARALINGA TJARUTJA LAND RIGHTS (ADDITIONAL LANDS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 August. Page 384.)

Mr GUNN (Eyre): The Opposition supports this measure, which has come to the House following lengthy discussions with the Government, particularly discussions involving the committee to which this Parliament has given responsibility for oversight of this legislation. The area in question is a

narrow stretch of land along the railway line and another narrow stretch along the eastern side of what currently constitutes the Maralinga lands. It also includes areas of considerable interest and significance to the Aboriginal communities in this State, that is, the Ooldea soak, where the famous South Australian, Daisy Bates, conducted an Aboriginal settlement for many years. That matter has a long history.

Unfortunately, some unwise activities occurred in that area and the soaks no longer exist, which is a rather sad indictment of those people who administered the area. I hope that in future action can be taken to ensure that the soaks can be cleaned out and flow as they did in the past. Many South Australian citizens would take an interest in that part of the State. Also, there are some interesting relics in that area and I know that the heritage people have a particular interest in it.

In the debate on this legislation a number of people have expressed their interest, and concerns have been expressed to me that the legislation could in some way impede tourist operators who want to travel along the railway line. We have a small but important tourist industry operating out of Ceduna. Concern has also been expressed to me that no impediments should be placed in the way of Australian National employees required to carry out repair work along the railway line when it is necessary to go into areas that will constitute the lands once the Bill is passed. I am sure the Minister will address those matters in his response.

Since this legislation was introduced some amendments have been found necessary and the Opposition has no problem with them. It is important that people now involved in rabbit trapping in the area be permitted to carry on their business. That matter was debated at great length when the original legislation was considered, and obviously commonsense dictates that their rights will in no way be impeded. Similarly, for people who currently hold mining leases in the area, those leases should continue as if this legislation had not been passed.

It is important that we recognise the need to maintain the road system, which is incorporated in the schedules of the Bill. If there is an impediment to the Pitjantjatjara lands legislation, it is the restricted access of the general public to those lands. This matter has caused much concern to many citizens. Of course, this legislation is more enlightened and provides the public with limited access to the areas that many people are interested in visiting.

It is also interesting that, at the time we are debating this legislation, a delegation is making arrangements to visit the United Kingdom to have discussions with the British Government and members of the British Parliament. I have been only too happy during the past few hours to assist that delegation in making arrangements to meet people in the United Kingdom, because I do not believe that Australian or South Australian taxpayers should be required to spend large amounts of money in respect of damage for which we were not responsible, as well as in respect of other ongoing activities which have made it impossible for the Maralinga people or anyone else to have access to the lands.

That is a responsibility the British Government should honour, and the only way that that will happen is if there is a large enough body of opinion within the British Parliament to pressure the Government of the day to make a reasonable and sensible compensation payment and other payments to those people. I hope that the delegation that is leaving in the near future has a successful trip to the United Kingdom.

Certainly, I do not want to delay the legislation and I believe that the Bill as drafted will not cause any undue problems to South Australian citizens. I hope the Minister can reassure the House that those matters I have raised have been taken care of. The Maralinga lands comprise a large portion of South Australia. Obviously, the communities are keen to maintain their traditional links with the land. A number of roads and shed tanks have been established since the original legislation was passed and I hope that those activities can be expanded. I hope the roads can be improved. I hope a road is put through to Western Australia to make it easier for people to visit friends and relatives in that State.

Further, it is important that the parliamentary committee continue to play a monitoring role in respect of the Maralinga Pitjantjatjara lands. If such committees were established in all Australian Parliaments, we would have better legislation and a better understanding of the problems and difficulties that traditional people face in their own lands.

One of the interesting aspects that has come out of land rights legislation in South Australia is a bipartisan approach, and we have been able to avoid a great deal of the unnecessary conflict and hostility which has been generated in other parts of Australia and which has not been of any value to any section of the community.

I sincerely hope that these parliamentary committees can continue to play the important role which they have already played, because I am of the view that they are beneficial to all South Australians. It is unfortunate that people in other parts of Australia have not seen the wisdom of the South Australian suggestions. Some of us have received invitations to go to the North-West in November to the opening of the headquarters on the Pitjantjatjara lands. I sincerely hope that much of the administration of the Pitjantjatjara Maralinga lands can take place on the lands. It would be most unfortunate if large settlements were established in the vicinity of Maralinga and if large numbers of Europeans installed themselves in that part of the State. It would not be beneficial to the Aboriginal people; nor would it be beneficial to South Australia.

I have no difficulty in supporting the legislation. I look forward to the parliamentary committee's continuing to play an important role in going to the lands on a regular basis to meet and discuss matters with the people who have an interest in the lands, so that we can make constructive and sensible decisions in relation to those lands and continue to maintain a sound and sensible relationship with their traditional owners. I believe it is important that further amendments are made to other legislation dealing with Aboriginal lands, particularly the Aboriginal Lands Trust Act. I look forward to those debates because I believe that that legislation urgently needs radical amendment. I have much pleasure in supporting the Bill.

Mrs HUTCHISON (Stuart): As a member of the parliamentary committee, I will make a few remarks in support of this legislation, which is very sensible and something that the committee has negotiated with the Aboriginal people. I support the remarks of the member for Eyre because I know he has worked very diligently in this area as well, as it is part of his electorate. Together with the Minister and other members of the committee, since I have been a member over the past two years we have had ongoing negotiations with the Aboriginal people to find out exactly what they need. As the member for Eyre has said, the area is of much significance to the Aboriginal people, particularly the area of the Ooldea soak which has been mentioned quite adequately by the member for Eyre. We are not looking at a large area of land, but it is very important to round out the

portion of the land that the Aboriginal Maralinga Tjarutja people already have. I wholeheartedly support the Bill.

Mr LEWIS (Murray-Mallee): Quite obviously the House sees this Bill as being the desirable consequence of appropriate consultations. It is not my place to question that or in any way debate it. I merely wish to place on record, in the spirit of the discussions I have had with the Minister, that the mining industry, in so far as it has a concern about the effect of the amendment to the existing legislation by extending the area, would want to be given the legislative assurance that there will be a preservation of mining tenements which existed prior to the commencement of this legislation and also that the status of areas under application for mining tenement at the time of its proclamation and, in particular, normal Mining Act procedures are preserved rather than requiring the applicant to follow those provisions specified in the body of the Maralinga Tjarutja land rights legislation.

I understand from the Minister that the sensible thing to do in this instance is not to attempt to amend it here but to allow that to occur in the other place, since the amendments which the Minister has circulated in this place do not go quite that distance. They go some way towards it, but I eagerly await his commitment to ensure that those matters under application are addressed in the other place.

The Hon. T.H. HEMMINGS (Napier): I, too, support the Bill, but I will make a few points with respect to the historic legislation that gave the Maralinga people that land back in 1984. The fact that seven years later we are now having to debate an amendment which picks up one of the most historic parts of the Maralinga lands and returns it to the people can be described only as a stuff-up, a mistake. I am not criticising the Minister on the front bench.

The Minister should be congratulated because, as a result of the parliamentary committee on Aboriginal lands, of which I am very proud to be a member, since we went and spoke to the Maralinga people some time back and had the historic nature of the Ooldea soak area pointed out, we are now putting the matter right in this House and returning a very important area under that legislation. However, it does say something about the laxity of the surveys made back in 1983 prior to the 1984 legislation. In his second reading explanation, the Minister outlined to the House the boundaries that had been used. In effect, white man presumed to know best. Did anyone then go to talk with the people of the Maralinga Tjarutja and ask, 'What is important to you?'? Maybe they did, I do not know, but it seems that we have had to wait seven years for this Minister to correct what went wrong in 1984.

Mr Lewis interjecting:

The Hon. T.H. HEMMINGS: It rather surprises me also that we should have to wait a further nine months for survey work to be carried out before we can officially hand over that piece of land. The member for Murray-Mallee asked whom I was blaming. I am not blaming any particular person. I am just blaming the system that does not take into account the wishes of the Maralinga people, and I am sure that the Minister has no problem with my standing up and saying that. It is not a question of apportioning blame: it is a question of saying that we, the Parliament, did it wrong in 1984, and we are now having to come back here and put it right.

I echo the comments of the member for Eyre. When we went and spoke with the Maralinga people and heard first-hand from them about the significance of the Ooldea soak area, we showed a complete bipartisan approach to the whole situation, to echo the words of the member for Eyre. If I recall correctly, the Minister and the committee members sat down there and then and decided that this would be the ultimate solution to the problem. Again, I give credit to the Minister for making sure that the wishes of the Maralinga people and the parliamentary committee will now come to fruition.

When one talks to the Maralinga people—and the Minister quite adequately covered this in his second reading explanation—one hears that for thousands of years the Ooldea soak was a very significant part of the life of not only the Maralinga people but people in areas stretching into Western Australia, parts of Victoria and all through that part of South Australia that is relevant to this legislation. So, it was not some small area that had been tacked on and, after thinking about it, the Maralinga people said to the Minister and the parliamentary committee that they should have that piece of land because of its significance.

In fact, one can argue that that area of significance to the Maralinga people had been desecrated many years ago. When one reads some of the publications about the Ooldea soak area—mainly relating to that great South Australian, Daisy Bates—one reads that as a result of conscious acts—although not in the sense that they were deliberate, knowing that it would ultimately ruin that area—white people actually ensured that, from the day they brought in the first camel to take water to the rail sidings, the significance of the Ooldea soak area was lost for ever.

It is very interesting to talk to the Maralinga people about how far the water that came up through the Ooldea soak had to travel and how many thousands of years it took before it gave sustenance to the Aboriginal people who were using that area as a trading post and an area to which they could return at times of extreme drought. It makes one feel quite insignificant because one is talking about water that has travelled for thousands and thousands of years before it actually rises to the surface. However, the day on which the people building the railway first used camels to take water to the people working on the line—in just that one act—they ruined the whole area.

One has only to read the historical and ethnographic sources that document the great importance of the Ooldea soak area to understand that it was used as a meeting place and a trading centre for Aboriginal people in contact times. The never-failing supply of Ooldea soak water made the area a major refuge for people inhabiting the southern part of the Great Victoria Desert as well as those from Fowlers Bay and the southern fringe of the Nullabor Plain. At that time that area took in nearly a third of the Aboriginal people inhabiting Australia—I may be a little wrong, but I would say that it was a significant number of people.

As the Minister said in his second reading explanation, it was a trade route. We hear about the great Middle Eastern trade routes that existed in early civilisation, but they were nothing compared to what was happening in that part of this great continent of ours. We are not talking about people who were using beasts of burden to transport goods and people throughout the length and breadth of the country; they were people who were using their feet. They set up some of the most sophisticated trade routes to transport goods manufactured—and I use the word 'goods' not in the western sense—in the western part of the continent and from Victoria and other parts, including the Riverland here in South Australia. In effect, the Ooldea soak area was a metropolis where all this bartering took place.

Of course, we are talking about only 3 500 square kilometres and, apart from some of the comments made by the member for Murray-Mallee in respect of mining, and I have

no problem with that, no member objects to the measure. However, I would just like to place on the record my view that if we had done this correctly in 1984 we would not have had this problem. Granted, the soak would have been destroyed, but it was destroyed many years ago. There are Maralinga Tjarutja people currently living in the area who can actually remember some of their relations who have been buried in that area; there are some people who still remember Daisy Bates; and there are some people who still remember the significance of that area.

I can assure members of the House that, when we were visiting the area some three months ago, in response to a question from Archie Barton the Minister said that this legislation was due to come before the Parliament. It was a pleasure to see those people around the campsite who were obviously showing their joy that what we were doing was, in effect, something more than handing over 3 500 square kilometres—we were handing back a piece of their heritage that rightly belongs to the Maralinga people. I support the Bill and urge all members to do likewise.

Mr FERGUSON (Henley Beach): I will not take the full time allotted to me. I support the Bill. I feel that I should do so because this Parliament is, in a small way, redressing some of the wrongs that occurred under its name in the early 1950s by way of the fact that this Parliament agreed, together with the Federal Government, that nuclear testing should take place in this area. Vast areas of land have been destroyed in that they are no longer able to be inhabited. I believe that this Government, the Federal Government and, above all, the British Government, should be brought to book because of what has happened as far as the Maralinga lands are concerned. The British Government should either decontaminate this land, which it used for the testing of weapons of mass destruction, or, if it finds that impossible, it should compensate these people for the damage that it has caused.

I venture to say that the British Government has not been prepared to compensate these people because they are black, they are poor and they are without resources to challenge the system. The British Government has known that, and has treated them in a very immoral way. Had the British Government undertaken these nuclear tests in a land in which it had rich and powerful allies—

The SPEAKER: Order! I ask the honourable member to link his remarks to the Bill as it stands.

Mr FERGUSON: I accept your ruling, Sir. I was merely adding to the comments made on this subject by the member for Eyre. I accept that I should be talking about the Bill. I was just suggesting that the Maralinga people deserve a better go than they have had so far. By presenting this Bill to the Parliament, we are trying to redress in some small way the problems that have arisen for the Maralinga people and the fact that the problems caused to them by a rich and powerful Government, namely the British, have never been redressed. I hope that the British Government will consider assisting these people.

I agreed with the member for Eyre when he suggested that compensation should be paid to these people by the British Government, and I was suggesting—although I know I was diverging a bit—that, had the British Government been dealing with an ally such as the United States, by now it would well and truly have provided the compensation we would like to see. This land was closed to the Maralinga people in 1953 by a combination of conservative Governments in this country. Sir Thomas Playford agreed, on behalf of the South Australian Government, and Sir Robert Menzies readily agreed that there should be nuclear testing on the Maralinga lands.

What we achieve with this Bill compensates, in small measure, for the wrongs that have been perpetrated. Canada, for example, refers to the problems of its indigenous people at Wounded Knee. I believe that we have our own disgrace in what happened to the indigenous people on the Maralinga lands. I hope that the Bill will go in some small way towards redressing the problem. I cannot understand why successive Australian Governments have been so tardy in trying to have the Maralinga lands decontaminated or to have compensation provided to these people.

The member for Napier has already referred to the special significance of the Ooldea soak area and to the fact that it was Daisy Bates' camp. It is important, and historic as the first contact site between the white people and the indigenous people of this area. Even if we were merely trying to preserve Daisy Bates' camps in this area, the proposition before us would be worthwhile, because certain archaeological sites should be maintained whatever one might think about Daisy Bates. On the one hand, people praise her as a great South Australian but, on the other hand, there is disagreement with the actions she took so many years ago.

Whether or not one agrees with the actions of Daisy Bates, there are great archaeological sites yet to be properly explored which should be and will be preserved with the passage of this legislation. I should like to finish on this note: South Australia has a great record so far as land rights are concerned. Every Government of every political shade, including the Liberal Government that was in power from 1979 to 1982, took the opportunity to do something about land rights for Aborigines.

The SPEAKER: Order! Will the member for Elizabeth and the Deputy Leader of the Opposition decide whether they are coming into the Chamber or leaving it. The honourable member for Henley Beach.

Mr FERGUSON: I should like to wind up with this thought: it is a pity that, when demonstrations take place throughout Australia—and we well remember the demonstrations that took place during the bicentennial celebrations, particularly in Sydney—no recognition is given to what both sides of this House have been able to do for Aboriginal land rights. The member for Eyre was quite right when he stated during his second reading speech that South Australia has led the rest of the Commonwealth in respect of land rights, and it would be wrong of me and not within the ambit of this measure to refer to what has happened in Queensland so far as Aboriginal rights are concerned.

However, not pointing the finger at any other State, both sides of this House have a great record as far as Aboriginal land rights are concerned. It is something that should be remembered by the rest of Australia and by the people of South Australia. I believe that passing the measure now before us is to the credit of every person in this Chamber. I support the Bill.

The Hon. M.D. RANN (Minister of Aboriginal Affairs): I should like to thank all members for their contributions to what I regard as an historic piece of legislation. People have mentioned the anthropological studies that led to this Bill. In fact, those studies show that the Ooldea area was the site of an ancient Aboriginal metropolis that had existed for many thousands of years. It is interesting that, whilst Aboriginal people have spoken at great length in terms of dreaming stories and other stories about the area, the anthropologists found artefacts from the Northern Territory, from the Darwin area, from the Kimberleys, from Queensland, from Victoria and from Western Australia.

It is quite clear that this was a place in which hundreds of Aboriginal people over thousands of years met to exchange artefacts, to trade, to talk and to hold ceremonies. It is also an area that is very rich culturally. I was advised only this evening that the Ooldea soak area has the densest collection of artefacts of any historical site in the world. I will need to check that, but it has been claimed by experts.

Of course, it also has enormous significance to the Maralinga Tjarutja people in terms of being a ceremonial and burial site. Obviously, there are sacred site matters that do not come under the ambit of this Parliament to discuss. I am delighted at the bipartisan support for this measure. The parliamentary committee on Maralinga Tjarutja, as with the parliamentary committee on the Pitjantjatjara lands (and I hope soon to introduce legislation to extend the purview of that committee to cover the Aboriginal Lands Trust) is a shining example to our community of what we can do when we act in a bipartisan way and put our heads together on difficult and sensitive issues and when we put our partisan baggage at the door and look to assisting people who have been done a great injustice over the years.

The soak itself, as was mentioned by the member for Napier, was destroyed by a well that had been sunk to provide water for steam engines. That cannot be repaired. However, the significance of the land goes beyond the water source. Certainly, the members for Eyre and Henley Beach have referred to the Maralinga compensation issue. I can concur with the member for Eyre: I understand that a delegation from Maralinga Tjarutja, including traditional owners and legal representatives, will soon fly to London for talks with the British Government and with the Opposition. Along with Archie Barton, I took part in a BBC television program which I understand will be aired next week at peak time on the BBC and which discusses the whole issue of Maralinga and compensation and contamination issues.

I can assure members opposite that traditional road lines and access for the people at Cook will be preserved. We are not only bringing in the Ooldea area but also regulating, bringing some commonsense into the southern boundary by moving it down to 100 metres above the railway line and taking the eastern boundary to the fence line, rather than having the ridiculous no-man's land that currently exists.

In terms of the points raised by the member for Murray-Mallee, there are three mining tenements and I understand that one application is currently in. We understand from discussions with the Department of Mines and Energy today that the mining company concerned is relaxed about the matter and does not foresee any problems. However, we will continue to have talks with the Maralinga Tjarutja and, if there is any need for amendment, we will amend the Bill in another place. I thank members for their support. I thank the committee members for their hard work, and I commend this Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

New clause 2a—'Unauthorised entry upon the lands.'

The Hon. M.D. RANN: I move:

Page 1, after line 15—Insert new clause as follows:

2a. Section 18 of the principal Act is amended by striking out paragraph *(f)* of subsection (11) and substituting the following paragraphs:

(f) a person who proves to the satisfaction of the Minister that he or she carried on the business of taking rabbits on a part of the lands before it became subject to the application of this Act;.

New clause inserted.

New clause 2b—'Mining operations on the lands.'

The Hon. M.D. RANN: I move:

2b. Section 21 of the principal Act is amended by striking out from subsection (23) 'the commencement of this Act' and substituting 'it became subject to the application of this Act'.

By way of explanation, this new clause amends the section of the principal Act which makes a transitional provision preserving mining rights under mining tenements in force in respect of a part of the Maralinga lands immediately before the commencement of the principal Act. It amends this provision so that it also preserves mining rights under tenements in force in respect of any part of the proposed additional lands immediately before those lands become subject to the application of the Act. In fact, it deals directly with the concerns raised by the member for Murray-Mallee and the Minister of Mines and Energy.

New clause inserted.

New clause 2c—'Application for mining tenements and sacred sites.'

The Hon. M.D. RANN: I move:

2c. Section 22 of the principal Act is amended by striking out from subsection (3) 'after the commencement of this Act' and substituting 'in respect of the land after it became subject to the application of this Act'.

Essentially, we are doing the same as we have done under the previous new clause: we are bringing this into line with the 1984 Act in terms of the additional lands being added.

New clause inserted.

Clause 3, schedules and title passed.

Bill read a third time and passed.

EVIDENCE AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

The Hon. M.D. RANN (Minister of Employment and Further Education): I move:

That the House do now adjourn.

Mr HAMILTON (Albert Park): The recent bout of hot weather reminds me that summer is fast approaching, when many people in the community will enjoy themselves—at parties.

Mr Ferguson: On the beach.

Mr HAMILTON: As my colleague the member for Henley Beach says, on the beach. Along with that comes problems. For example, problems associated with alcohol, noisy parties, disruption to the community and, inevitably, considerable antagonism and dispute between neighbours about noise. As a consequence of those problems, it is not unusual for the police to be called to resolve the problems associated with rowdy and noisy parties and disruption to the local community. The *Police Law Digest*, volume 2 (page 121) in relation to noise states:

Where the noise is of a kind specified in section 8 (2) *(a)*, it is necessary for the complainant police to prove that there was an actual interference with the peace, comfort or convenience of some person in other premises. It is not sufficient merely to prove that the noise was such as to be likely—

and I emphasise likely—

to cause such an interference.

It gives a case reference, *Maddison v Coombe*, Supreme Court of South Australia, Jacobs J. (1981) 26 SASR 523.

That is an important reference because over the years many constituents have come to me complaining about problems with noise—noisy parties and people getting drunk,

particularly over Christmas and New Year. Unfortunately, some people choose to go beyond the limits and that is when the police are called. However, it is not unusual for a complainant to refuse to lodge a complaint, despite having called the police, and their hands are tied.

Unless the neighbour or person complaining is prepared to lodge a complaint, the police have great difficulty in trying to redress the problem. I am informed that in some cases by way of bluff the police ask offenders to tone down and take into account the feelings of their neighbours and others. In some instances the neighbour may ask, 'Who has complained?' If there is no complaint, it is a case of 'on your bike', so to speak.

I have raised this matter because I have received correspondence from a constituent who lives in Marlee Court, West Lakes, but I will not identify him any further. He writes in the following terms:

Dear Kevin, I have read with interest the extracts from *Hansard* which you distributed recently and congratulate you on your efforts for what are vital community issues. Of considerable interest to me was your comments regarding noisy parties, etc., and your desire to see changes to the current Noise Control Act.

I would like to relate a situation with which I am continuously faced (and your office has been previously contacted about) which you may choose to quote by way of example as part of any submissions you may make in regard to changes to the Act. The basis of my noise-related problems concerns my current neighbour and the use of his swimming pool. The original owner, through existing regulations, was permitted to build a swimming pool and associated filter pump 600 millimetres from the side boundary fence, a distance of two metres from my master and children's bedrooms. Whilst the distance from the boundary may be appropriate for back fences it is unsuitable for side fences as is obvious by my problem. My communication with both the Woodville council and local government has not influenced any changes to this regulation, both institutions placing responsibility on the other.

My constituent goes on in his letter to describe the associated noise/dispute problems which have arisen. He continues:

My children are early-school age and retire at 7.30 p.m. In the summer months they are unsettled by the above on at least three occasions throughout the week and most weekends. I have been in contact with the Woodville council, local government, Noise Abatement Branch and the Neighbourhood Disputes Service and have exhausted my influence on changes to regulations.

The nub of the issue is as follows:

It has been necessary on several occasions to contact the police in their capacity of enforcing noise control regulations but they are limited in their influence and are reluctant to keep attending considering their required availability to combat the increasing crime situation of late.

I have a great deal of sympathy for my constituent and for the police. It must be particularly frustrating for the police to attend these disturbances. I am advised by members of the Police Force that they believe it is important that they be given the power to act on their own volition. For example, when they are driving past a property from which the noise is excessive, particularly late in the evening or in the early hours of the morning, the police want the power to advise a person or persons that the noise is excessive and that if it is not turned down the police will prosecute. It should not be necessary for them to have to ask a neighbour to complain.

I believe strongly that the police should have the power to say to a person who is disrupting a community that they believe the noise to be excessive, and I am sure that at some time every member of Parliament has had a constituent complain about a neighbour or a person in the street making excessive noise. When you inquire whether they have lodged a complaint with the police the response often is, 'I do not want to get involved.' I notice that you, Sir, are nodding in agreement, as is the member for Spence, and it happens all the time as he would agree. I know that the Minister is looking at this issue and having it reviewed.

Members interjecting:

Mr HAMILTON: The member for Bragg, who is interjecting out of his seat, is giving support for this proposition, and I thank him for that. It is important to have a bipartisan approach to this problem, and I will circulate that information to members of the Police Force and to people in my community. If and when the Minister does bring that measure before Parliament, I hope that it has bipartisan support. I know that the Minister's assistants read *Hansard*, particularly the grievance debate, and I hope that this measure can be brought before Parliament as quickly as possible and certainly before the festive season is upon us.

Members interjecting:

The SPEAKER: Order! The member for Bragg is out of his seat and he is interjecting, both of which are out of order.

Mr GUNN (Eyre): I am pleased to have the opportunity to speak in this debate tonight because this morning I read with some interest about an exercise that is taking place within the ranks of the AWU. It was interesting to read the *Advertiser* headlines, 'Secret bid to shore up Bannon', 'Election promises, brawling, intrigue', and 'Tapes expose union power play'. The AWU turned the system of gerrymander in Queensland into a fine art. I have to take my hat off to it because it organised the most brilliant gerrymander in any Parliament in the world. It allowed the Labor Party to govern on 40 per cent of the vote. It would appear in South Australia that the AWU and Mr Birch are trying to take the union down the same line. He wants to control the AWU with a minority of votes. These documents are intriguing.

I am interested in this because in my early days I was a member of the AWU for a short time. I have always taken an interest in it because that union has played a significant role in the pastoral industry. The direction that it has taken has been very important to farming and the pastoral industry. In Government, we were pleased to have AWU support for the Roxby Downs project. When I read these headlines it reminded me of the question that the member for Bragg asked last week to which he did not receive a very good answer. The member for Bragg said:

My question is directed to the Minister of Labour. In veiw of the fact that WorkCover's payments since 1988 to former AWU office secretary . . . are the direct result of alleged actions by a member of the WorkCover Board, can the Minister assure the House that Mr Les Birch disclosed his personal interest to the WorkCover Board at the time compensation began to be paid . . .

Of course, we are aware of the activities of Mr Birch, and I understand that Mr Nifty Thompson, an AWU organiser in the South-East, was also involved. I am not sure what he was organising. I know he played an interesting role in the wide comb dispute. Obviously, these two, and one or two others, have been involved in this extraordinary electioneering.

What members of the community at large do not really understand and what they should be made aware of in relation to Mr Birch and his left wing friends is that, while the WorkCover board was considering his own case, Mr Birch was getting nearly $900 a day for sitting on his own case. That is bad enough, but members will be aware that we had in South Australia an unfortunate rail strike earlier in the year that caused a great deal of inconvenience to the community and nearly brought about the closure of three railway stations. Those closures would have affected the District of Mitcham and other districts.

That rail strike nearly brought about the closure of those stations because the Australian Railways Union took a narrow point of view. It is interesting that, when Mr Birch left the employment of the AWU, it was the Railways Union that took him on, because it wanted to engage in a little poaching. Mr Birch knew which members working in the railways at Port Pirie belonged to the AWU; if he had the list, he might influence more of those members to come over. He was really skilled at gerrymandering, which is something the AWU was so successful with in the past.

It is turning back the wheels of history through being involved in manipulating numbers and drawing lines down railway tracks. That was the hallmark of the AWU in Queensland and it appears that it has now shifted this skill to South Australia. Mr Birch, Mr Thompson and one or two others have now engaged in a course of action attempting to smear Mr Dunnery and others.

Members should read today's paper, which gives an expose of mis-information and character assassination. Parliament should be fully aware of this situation. Obviously, the Premier is fully aware of this little escapade; if Mr Birch and his colleagues get control, his numbers could be affected. Why have other Government members such as the member for Hartley not commented? Where is the member for Hartley? He has had much to say about such matters in the past. Why has he not provided a defence? He is a lawyer with a long industrial background.

The father of another member who has had a lot to say on union matters was a staunch member of the AWU—the Hon. Mr McKee. He was involved in AWU matters and was one of the original miners. He has a long history of involvement. What about the Hon. Mr Roberts in another place, who has had a lot to say in faction deals?

Mr Hamilton: Which one?

Mr GUNN: Both of them. Why have they not had something to say about this? It is a matter of intrigue that we have had many headlines and I gather that we are in line for another instalment tomorrow on this matter. I will be interested to see whether the member for Hartley comments or whether Mr Duncan's legal firm becomes involved by representing some of these people, because members have said nothing in the House today. They have been dead quiet, yet one of the most powerful unions in Australia with a long history of involvement in major construction in the pastoral industry has caused turmoil and could affect the power base of the Premier and destabilise the Government, which is what it is about to do. The Opposition will not mind. Yet we have not heard a whimper. There have been no Dorothy Dix questions. We have Dorothy Dix questions all the time; the member for Stuart is on record as being one of the best at asking Dorothy Dix questions in the House, as the Government is trying to prop her up. The member for Stuart will need more than Mr Birch and his left wing colleagues in Port Pirie to save her. Where is the ALP on this matter?

Gerrymandering is something that the ALP has been successful at. I am concerned that we have a situation about to unfold that could have a detrimental impact upon industry and commerce in this State because, if the left wing group gets control of this important union, it will cause instability. That will effect the South Australian economy and create more unemployment.

Already we have 10 per cent unemployment and that will push it up close to 11 per cent. Where are all the union representatives? When I first came into this Chamber, the AWU was the most powerful group in this Parliament. It was suggested that, if people wanted to get into Parliament, they should become the Secretary or an organiser of the AWU in order to get a sure stepping stone. What has happened now? Where are all those vocal spokesmen for this group?

I will be interested to know which group the member for Hartley will support. Which group will the member for Stuart support? Where does the member for Albert Park stand? He must have a conflict of interest, because he was the Secretary of the Railways Union. Does he agree with the attempt by Mr Birch and others to poach members from the AWU, or will he sit idly by? I will be interested to know where the honourable member stands. Clearly, we will see some interesting results.

I understand that the honourable member is keen to be elevated and whichever group he supports could impact on his future. Therefore, it will be interesting to know whether he supports Mr Dunnery or the other gentleman. It has been particularly interesting reading. The interesting thing is that from time to time we see press secretaries handing out bits of paper but, on this matter, there has been absolute silence.

I will be looking forward to questions about the conduct of this exercise, and I wonder whether the Minister of Labour has had his department make any investigation to see whether union rules have been abided by or whether there have been breaches of the Industrial and Conciliation Act. The Minister has lectured us at length about what employers should do to ensure that the award conditions are complied with.

I will be interested to know whether award and other conditions in relation to this matter have been followed and whether Mr Dunnery or Mr Birch have breached the law. We are still awaiting an answer from the Minister about WorkCover and whether Mr Birch did declare his interest. The Parliament is entitled to know, especially whether he receives about $890 for sitting on the board.

Members interjecting:

Mr GUNN: We are waiting with some interest. I believe he gets nearly $900 a day to sit on the board.

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

Mr FERGUSON (Henley Beach): That was an inspired speech. During this grievance debate I wish to discuss a problem that affects my electorate and refer to the Linear Park cycle track. The linear park cycle track is part and parcel of my electorate and I have seen the development of this park as the years have gone by. I was extremely pleased to see this rather unattractive part of the western suburbs turned into something quite worthwhile, especially as the landscaping has developed over the years.

The introduction of a cycle track for the length of the River Torrens was applauded by most people as being something very far sighted and exciting not only because of the concept itself but because it has been many, many years since a cycle track of this nature has been built in Adelaide. Of course, I remember the cycle tracks along the Anzac Highway and Port Road, and many a time, I used both of those cycle tracks.

But as modern traffic started to impinge on these tracks, with motor cars taking left and right hand turns along both of these highways, it became very dangerous to ride on the cycle tracks and accidents were not unknown. It was with great pleasure that I saw the introduction of a cycle track along the Linear Park.

Unfortunately, the introduction of the track itself has not produced the results that the original concept envisaged. We are now seeing a spate of accidents on this cycle track, with cyclists colliding with cyclists, cyclists colliding with

pedestrians and cyclists running into problems with the track itself. Other problems result from accidents involving dogs.

As the local member of Parliament, I have received complaints about cyclists from pedestrians who use the track, and about pedestrians from cyclists. Along the length of the parkway there have been what one might describe as warfare between the two groups. I did point out to the Minister that there had been a fatal accident on the cycling track. In another incident a cyclist broke his neck while cycling on the track, and in a third accident that I knew of the cyclist smashed his front teeth in a head-on collision with another cyclist who happened to have his head down at the time and the safety helmet was part and parcel of the collision.

There was a problem at that time where there appeared to be not one single authority who had charge of the cycling track. I was pleased to receive correspondence back from the Minister informing me that the Project Manager, Torrens River Engineering and Water Supply Department had engaged consultants to undertake an assessment of the path system. Consultation is to take place with the Department of Recreation and Sport and the State Bicycle Committee to determine a code of conduct for cyclists and pedestrians, with an education program to inform users of requirements for travelling on the system. A line-marking, location and directional sign review will take place, and warning signs for potentially hazardous locations or unusual conditions will be considered.

I was also pleased to note that an assessment will be conducted which will include a survey involving the path designers and user groups who will recommend appropriate action and priority to councils as the responsible authorities. Councils may make application for funding for some of the above works through the State Bicycle Committee. I was extremely pleased to hear this news and the fact that at last some action has been taken regarding bicycle safety on the linear park. I did ask (and I hope that this will be complied with) that the consultant be an independent person who has knowledge of, and something to do with, bicycle safety. Such people are available from time to time and in countries like Holland, where the bicycle is a feature of transport for the general population, people who specialise in bicycle safety are available.

I would also draw to the attention of the House the fact that the consultant will make recommendations to local government and it will depend upon the reactions of local government whether in fact these suggestions will be taken up. Part of the problem is that approximately eight councils control various areas of the linear park, so there is a difficulty where one council may not take up the recommendations and part of the cycle track would still be left in a dangerous situation.

One light at the end of the tunnel, however, would be that it would increase the responsibilities of a council under common law if that council received a report from a consultant and then refused to do something about it. It would seem to be that any council not prepared to take up the matters put to it by a consultant would find itself in a difficult position if it were eventually sued by a cyclist or pedestrian for damage he or she had sustained and the consultant's wishes had not been followed.

I believe that the management of the park would function better if it was under one administration, although I suppose that this ideal situation would be most difficult to achieve. It is a bit like States and the arguments from time to time about States' rights. Where local government has control of a particular area, it is hard to reach agreement as to where it should give up its powers and who should pay for the authority that would be created to look after the park. In any event, I see this as being a problem for the consultants where a mixture of pedestrians and cyclists are to have right of way on the same track.

It has been suggested to me that the situation that occurs on the linear park track breaches certain other South Australian laws. I do not wish to go into that, but I hope that we can help solve the number of accidents occurring on the track. The track itself does present problems with sharp turns, blind spots, misplaced poles and rough surfaces. I hope that, out of this inquiry, we can find a solution that will remove the problem of broken limbs, sprains, smashed teeth, cuts and gashes to the cycling population and pedestrians. Adelaide, indeed, has too few cycle tracks. It would be a pity to see this experiment, which I believe has been a good one, fail because of the lack of safety in this particular area.

Motion carried.

At 10.17 p.m. the House adjourned until Thursday 17 October at 11 a.m.

HOUSE OF ASSEMBLY

Wednesday 16 October 1991

QUESTIONS ON NOTICE

ABORIGINAL HEAD OF SCHOOL

10. **Mr BECKER (Hanson)** asked the Minister of Employment and Further Education:

1. What salary package did the former Head of School of the Aboriginal section of the Adelaide College of TAFE receive?

2. Did the salary package include a motor vehicle and, if so—

(a) on what terms and conditions;

(b) was the person entitled to use the motor vehicle for private family business;

(c) when did the Head of School leave the Adelaide College of TAFE, when was the vehicle returned and was it used for personal use during that period and, if so, why; and

(d) when the vehicle was returned to the Adelaide College of TAFE, to whom or to which section was it returned and reissued?

3. Has the position of the Head of School of the Aboriginal section now been filled and, if so, when and what was the reason for the delay and, if not, why not?

4. Did Vanessa Davies, a senior lecturer at the School of Aboriginal Education, purchase a briefcase on a local purchase order with Government funds and then give the briefcase to an Aboriginal community representative and, if so, why?

The Hon. M.D. RANN: The replies are as follows:

1. The Head of School of Aboriginal Education, Mr Roger Thomas, receives a salary package in accord with Head of School Class 2 in the Department of Employment and TAFE, as stipulated in the Teachers Salaries Board Award.

2. The DETAFE salary package for this position does not include a motor vehicle.

(a) Although a vehicle is not included in the salary package, a vehicle is permanently available to the Head of School, in his capacity of co-ordinator of the Statewide college-based Aboriginal education and training network. This was appproved by the Director of Adelaide College of TAFE, Mr Brian Stanford, in accordance with procedures for delegation.

(b) The Head of School is permitted to garage the vehicle at his home, but it is not used for private family business.

(c) The vehicle is still allocated to Mr Roger Thomas under the conditions as outlined in *(a)* and *(b)* above.

(d) See part *(c)*.

3. The position of present Head of School of Aboriginal Education, Mr Roger Thomas, was confirmed on 30 April 1990. The occupant immediately prior to Mr Roger Thomas was appointed to his new position on or about 22 September 1989. About that time negotiations commenced, in the context of affirmative action, to designate positions in the School of Aboriginal Education as being available only to people of Aboriginal descent. This policy received appropriate ministerial approval in November 1989. The position was advertised in February 1990 and, as previously stated, the current position of Head of School was confirmed in the position on 30 April 1990.

4. On 5 July 1990 the Senior Lecturer, using a requisition form, purchased a black plastic satchel, at a cost of $39, for transporting documents to meetings attended as part of her duties. Subsequently the South Australian representative of the National Employment, Education and Training Committee, who had been (and still is) extensively employed by the Department of Employment and TAFE as a part-time instructor in the Aboriginal program, was offered the satchel to help her maintain her DETAFE business papers. If that PTI work ceases the satchel will be returned to the college.

CHILD ABUSE

42. **Mr BRINDAL (Hayward)** asked the Minister of Education: What is the Education Department's policy in regard to allegations of cases of reported child abuse between—

(a) parent and his/her own child;

(b) teacher and student;

(c) student and student; and

(d) adult and any child;

and what procedures and practices are followed in each of the Education Department areas regarding such allegations?

The Hon. G.J. CRAFTER: The replies are as follows:

(a) Parents and their own child—Under section 91(1) of the Community Welfare Amendment Act 1987 Education Department employees, as mandated notifiers, are obliged by law to notify the Department for Family and Community Services if they suspect on reasonable grounds that a child has been maltreated or neglected.

(b) Teacher and student—as above. In cases where the principal is suspected, the matter must be reported to the appropriate director as well as to FACS. The *Education Gazette* Vol. 19 No. 1. 22 February 1991 publishes extensive procedural detail in relation to alleged abuse against Education Department employees.

(c) Student and student—If reasonable grounds exist to suspect that a child is being abused, the departmental employee is required to report the suspicion to FACS (as above). The fact that the possible perpetrator is a student does not alter this requirement. However, if abuse is known to be by a student of similar age the matter is considered by FACS to be one of school discipline and should be dealt with consistent with the department's school discipline policy. In such situations, the school will take all steps to maintain children's safety and protect them from possible harassment or victimisation.

(d) As for *(a)*.

The procedures and policies are common across all areas of the Education Department.

TRUANCY

47. **Mr BRINDAL (Hayward)** asked the Minister of Education: How many truancy officers were employed by the Education Department in the year 1990-91, where were they based and how do these figures vary from those of the previous five years?

The Hon. G.J. CRAFTER: In 1989 the school attendance function was modified to recognise the broader social and behavioural issues involved in absenteeism. School attendance positions were redesigned and designated as area attendance counsellors. There are currently eight school

attendance counsellors in service across the State, two in each metropolitan and one in each country directorate. The figures have not varied over the past five years.

NEW AND RECLASSIFIED POSITIONS

53. **Mr BECKER (Hanson)** asked the Deputy Premier:

1. For each department or agency under the Minister's control, how many new classified and reclassified positions have been created in the past 12 months and, if any, why?

2. Is there any evidence of 'rorting' being undertaken by created new or reclassified positions prior to the offer of redundancy packages and, if so, what action is being taken to prevent excessive redundancy payments and, if none, why not?

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

Department for Family and Community Services—

From August 1990 to August 1991:

1. (i) There have been four positions reclassified in the past 12 months, all of them from CO-1 to CO-2. These four positions were not reclassified with the previous CO-1 and CO-2 job redesigned positions earlier and as such were assessed at a later date and then gazetted.

(ii) As part of the major reorganisation of FACS, there will be a significant reduction in management positions. In 1991-92 this will include replacement of the following positions:

District Manager	27
Administrative Officer	26
	53
With recently created positions of:	
Manager, District Centre	21
Administrative Manager	19
	40

In the past 12 months prior to August 1991, the above 40 positions were created to replace the above 53. A personnel consultant position was vacant and was created and gazetted in the new structure when advertised (CO-5 to ASO-4).

2. No. All invitations to express interest in the VSP process and all offers made were calculated on the individual's previous 12 months salary as per Commissioner's Circular No. 13.

South Australian Health Commission

1. South Australian Health Commission Central Office (excluding Public Health):

New classified positions	8
New temporary (up to 12 months) positions	2
Reclassified positions	31
Public and Environmental Health:	
New classified positions	1
New temporary (up to 12 months) positions	1
Reclassified positions	11

The new classified positions were the result of new initiatives, with three of these initiatives requiring only temporary appointments. Six personal reclassifications were due to work value changes. However, the remaining reclassifications were generated by management and a number of these were the result of restructuring within the Central Office. These changes in classification need to be viewed in the context of the ongoing reduction of the Central Office workforce, with 37 positions being abolished in the 12 months between 30 June 1990 and 30 June 1991.

2. No.

56. **Mr BECKER (Hanson)** asked the Minister of Education:

1. For each department or agency under the Minister's control, how many new classified and reclassified positions have been created in the past 12 months and, if any, why?

2. Is there any evidence of 'rorting' being undertaken by creating new or reclassified positions prior to the offer of redundancy packages and, if so, what action is being taken to prevent excessive redundancy payments and, if none, why not?

The Hon. G.J. CRAFTER: The replies are as follows:

Education Department

1. Two new classified positions were created. One was to fill a position in the newly created Open Access College and one to replace an existing weekly paid position at the Open Access College. Twenty-one positions were reclassified.

Three were reclassified as a result of increases in responsibility and work value.

Nine were reclassified as a result of an audit of all bursar positions against new criteria provided by the Commissioner for Public Employment.

Nine were reclassified as a result of the introduction of the Senior EL structure to replace the EO (Executive Officer) structure.

2. There is no evidence of 'rorting' being undertaken by creating new or reclassified positions prior to the offer of redundancy packages.

Children's Services Office

1. Fourteen Scheme Manager positions are being replaced by six Regional Manager positions as a result of a significant restructuring of Family Day Care, with a change in classification consistent with new Public Service awards. Six clerical positions have been reclassified as a result of increases in responsibility and work values.

All early childhood work award positions have been translated to the appropriate level in the new award structure without reclassification.

Two executive level positions were reclassified as a result of being reviewed against the newly developed award and benchmark criteria.

2. There is no evidence of 'rorting' prior to the offer of redundancy packages.

Senior Secondary Assessment Board of South Australia

1. One classified position was created on a 12 month contract to work on the board's equal opportunity goals. No positions were reclassified.

2. There is no evidence of 'rorting' and there have been no offers of redundancy packages to staff members.

STATE GOVERNMENT INSURANCE COMMISSION

81. **Mr BECKER (Hanson)** asked the Treasurer:

1. What is the gross and net income of property put options earned since the inception of the State Government Insurance Commission's involvement, and how does this income affect the overall operations of the SGIC?

2. What is the reason for the delay in answering this question since it was first asked on 13 February 1990?

The Hon. J.C. BANNON: The replies are as follows:

1. Information on property put options entered into by the SGIC including the fees or income received on two transactions is contained in the Government Management Board Review of SGIC. It is not appropriate to disclose further information on income received by SGIC as the information is normally confidential as between SGIC and its clients. Disclosure of such information is not helpful to the ongoing business of SGIC.

2. The reason for delay in this response to an earlier question on this matter is that consideration was deferred

until completion and publication of the Government Management Board Review of the SGIC.

HOSPITAL AMALGAMATION

98. **Dr ARMITAGE (Adelaide)** asked the Minister of Health: How many classified employment positions will have to be filled when the amalgamation of the Adelaide Children's Hospital and the Queen Victoria Hospital occurs?

The Hon. D.J. HOPGOOD: In November 1990, a report identifying the operation cost savings of amalgamation indicated that 48.23 FTE (full-time equivalent) positions would be saved from the then 1 937.62 FTE positions, at both the Adelaide Children's Hospital and the Queen Victoria Hospital combined. In July 1991 there were 1 899.67 FTEs, representing a reduction of 37.95 FTE positions since November 1990. The reduction has been achieved through a range of efficiency measures undertaken by the hospital, as well as the introduction of some operational efficiencies resulting from the amalgamation of some departments.

It is anticipated that there will be further staff reductions phased in over the next five years, with some occurring after the physical relocation of the Queen Victoria Hospital to North Adelaide in 1995. The final staffing level will be in the order of 1 860 FTE positions. It should be noted that these figures do not include 'non-employees' (for example, people employed on research grants) and will not correlate with the staffing variation information provided to the member on a regular basis which includes 'non-employees'.

HOUSING TRUST

105. **Mr BECKER (Hanson)** asked the Minister of Housing and Construction: When will a South Australian Housing Trust tenant be appointed on the board, and what is the reason for the delay?

The Hon. M.K. MAYES: Question on Notice No. 105 asked by Mr Becker was answered directly at the Estimates Committee on Thursday 26 September 1991.

STATE GOVERNMENT INSURANCE COMMISSION

117. **Mr BECKER (Hanson)** asked the Premier:

1. What was the price paid by SGIC or a subsidiary for the purchase of Executor Trustee from the State Bank; and did the transaction include $7 000 000 cash reserves held by Executor Trustee and, if not, why not?

2. What was the reason for the delay in settling the purchase?

3. Has SGIC or its subsidiary paid cash or borrowed funds to finance the purchase of Executor Trustee and, if borrowed funds were used, why?

4. What is the expected profit of Executor Trustee for the year ended 30 June 1991 and who receives the profit?

The Hon. J.C. BANNON: The replies are as follows:

1. For reasons of commercial confidentiality it is not appropriate to disclose the price paid by Austrust for Executor Trustee; needless to say the purchase of Executor Trustee by Austrust was done on a purely commercial basis and after extensive discussion with a number of interested parties. The price paid did reflect a negotiated portion of the company's cash reserves and other assets.

2. Austrust's proposal was conditional on a number of factors including approval of Attorneys-General in other States where Executor Trustee operates. The transaction was settled speedily upon fulfilment of the conditions of the offer.

3. Austrust was able to complete the purchase from its own resources and without borrowings.

4. The after tax profit of Executor Trustee for the year to 30 June 1991 was $1.003 million. This profit was included in a dividend paid to State Bank at settlement.