HOUSE OF ASSEMBLY

Wednesday 12 February 1992

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

PETITION: ABORIGINAL HERITAGE

A petition signed by 88 residents of South Australia requesting that the House urge the Government to seek an inquiry into the protection by copyright of the cultural heritage of the Adnyamathanha people was presented by the Hon. M.D. Rann.

Petition received.

PETITIONS: JUVENILE OFFENDERS

Petitions signed by 125 residents of South Australia requesting that the House urge the Government to increase penalties for juvenile offenders were presented by Mr M.J. Evans and Mrs Kotz.

Petitions received.

PETITION: HEALTH SERVICES

A petition signed by 118 residents of South Australia requesting that the House urge the Government not to relocate Modbury Domiciliary Care to the Lyell McEwin Health Service was presented by Mrs Kotz.

Petition received.

PETITION: CHILD ABUSE

A petition signed by 351 residents of South Australia requesting that the House urge the Government to increase penalties for offenders convicted of child abuse was presented by Mrs Kotz.

Petition received.

MINISTERIAL STATEMENT: SOUTH AUSTRALIAN EGG INDUSTRY

The Hon. LYNN ARNOLD (Minister of Agriculture): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: In September last year I announced a timetable for the proposed deregulation of the South Australian egg industry. I can now announce that the State Government intends to deregulate the industry by the end of March, and legislation will be introduced to the House later today. I can also announce that the Government has successfully negotiated to transfer the South Australian Egg Board grading and pulping facilities to an industry cooperative. Consumers will also benefit from lower prices resulting from increased competition and from more efficient marketing.

There has in fact been a recent entry of interstate eggs to South Australia. Coupled with the adoption of uniform national food standards, it has meant the need for rapid change. The flood of interstate eggs is mainly from New South Wales. This follows the decision by the Greiner Government to compensate growers $61 million as part of that State's deregulation package. The sale of interstate eggs resulted in lower prices for South Australian egg producers and made it difficult for the South Australian Egg Board to operate in the changed environment, while being restricted by the current legislation.

In 1990, the Government agreed to refinance the South Australian Egg Board after it experienced cash flow problems. The transfer of the South Australian Egg Board assets to industry and the cost to the State Government of deregulating the sector is likely to be between a minimum of $1.35 million and a maximum of $3.1 million. An industry cooperative will take over the grading and pulping facilities. It will operate on a fully commercial basis unfettered by current egg industry legislation.

Under the legislation, which was established in 1941, the South Australian Egg Board had to accept eggs from commercial farms whether or not it had a market for the eggs. The transfer to an industry cooperative is a good result for producers and consumers. It is an important reform for the egg industry, which is now facing its critical stages.

The steps taken by the Government will help the industry consolidate and give it reason to look to the future with confidence. Egg quality standards will continue to be protected by regulations administered by the South Australian Health Commission. These regulations contain provisions prohibiting the sale of dirty, contaminated or cracked eggs. Egg quality will remain an important matter for producers, who will be competing for markets with producers in other States.

Deregulation means there are no restrictions on the number of hens kept on farms and producers will be able to develop their farms to take advantage of market opportunities. I can also inform the House that the Government will ensure an appropriate resolution for all staff members at the South Australian Egg Board. I would like to take this opportunity to thank the staff and board members of the South Australian Egg Board for their efforts over the years. Since the board was created in 1941 it has made a useful contribution and played an important role in the rural sector. But recent events have prompted the need for dramatic change, to ensure the egg industry can adapt and prosper in the future.

PUBLIC ACCOUNTS COMMITTEE REPORTS

The SPEAKER: Yesterday a number of committee reports were tabled in the House and ordered to be printed. One, the final report of the Public Accounts Committee, concerns me, as it contains two appendices, which are respectively a copy of the Parliamentary Committees Act and the parliamentary debate leading to the establishment of the Public Accounts Committee in 1972.

These appendices more than double the size of the report and would add an estimated cost of $3 500 to the printing of the report. As both sets of material are immediately available to members in another printed form, I have instructed the Clerk not to include them in the printed version of the report.

QUESTION TIME

LABOUR MARKET

Mr D.S. BAKER (Leader of the Opposition): Will the Premier follow the lead of the Western Australian Labour Premier and bring down a major economic statement to

free up the labour market to ease unemployment and boost private sector investment and confidence? This morning Premier Lawrence in Western Australia delivered a major economic statement in which, among other things, she said that she will sell the State Government Insurance Office, privatise the State Rural and Industries Bank by at least 40 per cent, amend the State Industrial Relations Act to allow enterprise bargaining, cut business regulations and red tape, and eliminate delays on major industrial and resource projects. Members will be aware that unemployment in South Australia is 11.5 per cent of the work force, higher than the 10.4 per cent in Western Australia and the $2 200 million losses of the State Bank of South Australia and the problems of SGIC—

The SPEAKER: Order! The honourable Leader must not debate the explanation.

Mr D.S. BAKER: —are an indication, Mr Speaker, of even greater need for change in South Australia.

The Hon. J.C. BANNON: In relation to most of the matters that the Leader mentions, I have indeed made statements and, obviously, there will also be further statements. I would refer the Leader of the Opposition to the very full and comprehensive submission made by this State Government to the Prime Minister, which has been followed up with contacts with various Ministers and which has set out in considerable detail what we propose in relation to activity to get some employment cracking here in South Australia.

In addition, I believe that following each of those major Federal statements, such as the 31 March industry statement, we have indicated where we believe we should be going. Indeed, the Leader of the Opposition might recall that when I first made those proposals there was a deafening silence from him. I note that he is now sort of surfing in behind on some of those things, and I am delighted that he is, but it is overdue. That is the first point to be made.

Secondly, I certainly intend to make a major response to the Prime Minister's economic statement. I think that that is the appropriate time, and we need to take that into consideration before we provide the way in which South Australia should react and capitalise on anything that is involved there and, more importantly, drive our own agenda for the future.

Of course, a number of things need not wait for that: one of them is the MFP project. I was aghast when members of the Opposition said that they would seek to exploit what they saw as instability in the Government to use it as an excuse to delay that project. So, in other words, a number of elements are already in place for which I believe we should get the full and wholehearted support of members of the Opposition, if they are fair dinkum.

As a final point, the Leader of the Opposition quotes the selling of the State Bank or the State Government Insurance Commission, I presume with some approval, because this is something he has been peddling quite mischievously, I suggest, in the way he did, causing a clash with the Chairman of the State Bank last year. These are issues that need to be kept under consideration, but we keep coming back to the point that to get maximum value from any action that should be taken we need a financial institution in an environment, and a condition, that allows its proper value to be assessed. In the current climate—

Members interjecting:

The Hon. J.C. BANNON: Is Carmen Lawrence wrong? I am not suggesting that she is necessarily wrong as far as Western Australia is concerned, but I sound this warning: a time of recession very often is not the time to jump into these things. The Leader of the Opposition chortles. Let me read this quote and see whether the Leader thinks this is appropriate:

It is in times like these—

times I have just described—

that Governments sell off parts of the Commonwealth Bank when normally they would never contemplate it. It is the wrong reason to privatise. The right time to sell is when the best result for the taxpayer is gained.

Those are not my words; they are the words of Mr Ian McLachlan, the close confrere of the Leader of the Opposition in the South-East—a Federal industry spokesman. I suggest that, just as the Leader subscribes to a number of Mr McLachlan's precepts in some areas, he does not pick and choose but has regard to that one as well.

TORRENS RIVER

Mr HERON (Peake): Can the Minister for Environment and Planning advise the House how the Government intends handling the problem of pollution in the Torrens River?

The Hon. S.M. LENEHAN: Members on this side, and in particular the member for Peake, through whose electorate the Torrens River flows, take the matter seriously, as indeed do I. I would have hoped that particularly the shadow Minister, who I believe does take the matter seriously, might have a word to other members of his backbench to indicate that this is a very serious problem. I might remind the House that this issue will require a cooperative approach not only from the State Government but from all levels of local government—all councils along the Torrens River—and, indeed, from individuals within the community. There has been recognition that this problem must be attacked in a cooperative and constructive way. I am very happy to share with the honourable member some of the things that we will be doing to advance that approach to cleaning up not only the Torrens River but all other waterways in Adelaide.

The sources of pollution are numerous. They include both soluble and particulate matter, including general litter within the urban stormwater system. Also, the effect of effluent disposal and pollutants relating to both urban and rural activities undertaken in the Mount Lofty Ranges watershed are responsible. Individuals who throw down litter in the streets, gutters and footpaths of the areas around the Torrens River are also directly responsible for some of this pollution.

On 24 October 1991 the discussion paper 'Metropolitan Adelaide Stormwater—Options for Management' was jointly released by David Plumridge, on behalf of the Local Government Association, and me.

The State Government, on 5 February this year, announced a $2 million investigation into pollution control at 12 of the State's sewage treatment works. Funding for the study comes from the environmental enhancement levy on sewerage rates introduced in 1990.

Dr Armitage interjecting:

The Hon. S.M. LENEHAN: That is one of the plants. I am delighted for that little help. I can assure the honourable member that the Gumeracha situation is one area which has been actively addressed by the E&WS and is one of the sites referred to in this study. It is important for members to note that we are ahead of every other State in this country in terms of looking at the tertiary treatment—

Members interjecting:

The Hon. S.M. LENEHAN: No, we are not just looking, I can assure members. I remind those members of the sludge pipe that will be taking sludge from Glenelg and Port Adelaide and the fact that we have now progressed studies into

looking at the tertiary treatment of our effluent, that is, the removal of phosphorus and nitrogen. I remind members opposite that their own Party in New South Wales has done nothing more than extend the pipeline which takes the primary treated sewage into the marine environment. I think members opposite should take note of that. On 22 January the Government announced a $2.9 million Torrens River project to cover a two kilometre stretch near Gorge Road at Athelstone, and this included stormwater retention ponds, landscaping—

Mr S.J. BAKER: On a point of order, Mr Speaker, this is an abuse of Question Time. The Minister should have made a ministerial statement.

The SPEAKER: There is no point of order. I would ask the Minister to draw her response to a close.

The Hon. S.M. LENEHAN: Thank you, Mr Speaker. That part of the project will bring the amount already spent by the Government on the River Torrens Linear Park to something like $25 million. To conclude, it is vitally important not only that we have community education programs but also that we look at implementing the already existing litter laws. Also, we must adopt a bipartisan approach to the management of stormwater in Adelaide and work with local government and the community to clean up not only the Torrens River, which runs through the honourable member's electorate, but all the waterways, creeks and streams within metropolitan Adelaide.

MINISTERS' PERFORMANCE

Mr S.J. BAKER (Deputy Leader of the Opposition): I direct my question to the Premier. What protocol has the Premier announced he will follow should any of his Ministers fail to maintain the confidence of their respective House?

The Hon. J.C. BANNON: As far as I am aware, the Ministers do hold the confidence of the House. Until such time as that is demonstrated not to be so, I think the question is irrelevant.

WEST LAKES REVETMENT WORK

Mr HAMILTON (Albert Park): My question is directed to the Minister of Marine. Following completion of the repairs at Nareeda Way, West Lakes to a section of the deteriorating stepped edge protection of the lake, can the Minister inform the House of the outcome of the repairs and what plans the Department of Marine and Harbors has for other areas where the lake walls and stepped revetment are damaged? I know that you, Sir, will be particularly interested in this matter. Over many years I have raised constantly, on behalf of my constituents, the matter of the repairs that are required to the stepped revetment around the West Lakes waterway: hence, my question.

The Hon. R.J. GREGORY: In late 1990 agreement was reached with residents of Nareeda Way over a form of construction of a section of the bank adjacent to their properties. I inspected that work during its progress, and it was being carried out while the lake was being maintained at its normal level. I instructed the Department of Marine and Harbors supervisors to lower the level of the lake, because I considered that the work was being done in an uncomfortable and dangerous way. About 130 metres of repairs has been completed, and that has cost just over $300 000. I am satisfied that the completed revetment is attractive, and I have been advised that it will last a lot longer than the present revetment. About eight kilometres of stepped revetment still needs to be replaced, and another seven kilometres of revetment has deteriorated. We have advised the residents that where it is absolutely necessary we will undertake work to ensure that nobody is endangered because of the deteriorating revetment. We will have to negotiate and discuss with the residents ways and means of continuing the work. However, a considerable amount of money will need to be expended in the forthcoming years, and we will have to work out how we can do that within our budgetary constraints.

MINISTERIAL POSITION

Mr BRINDAL (Hayward): Has the Premier or anyone acting on his behalf made any recent offer to the member for Elizabeth of a place in the Ministry in return for that member's agreement to rejoin the Australian Labor Party?

The SPEAKER: Order! The responsibility for selecting the Ministry is not one for this Parliament as such, and I rule the question out of order.

Mr Brindal: Outrageous!

The SPEAKER: Does the member for Hayward wish to dissent from my ruling?

Mr BRINDAL: No, Sir.

PINES HOCKEY STADIUM

Mr QUIRKE (Playford): Can the Minister of Recreation and Sport inform the House of progress being made on the replacement surface at the Pines hockey stadium in my electorate?

The Hon. M.K. MAYES: I am sure that the honourable member is aware that the Pines has been recognised as one of the premium hockey facilities in the world, as was reported to me by the coach of the Netherlands team when visiting here 18 months ago. Unfortunately, the replacement had to be undertaken because Supergrasse 10 did not meet the international standards under a series of tests. It was but a few degrees out of the acceptable standard for the direction of the ball when it was hit on the surface. As a consequence of that, we have negotiated with Hockey SA to replace the existing synthetic surface with a new Astroturf system 5. That surface is now on the Pines and has been tested and, from all reports from the South Australian hockey players, it is very successful and looks like meeting all international standards.

That replacement involved a $524 000 reinvestment cost, which has been shared with Hockey SA. I am sure that the member for Mount Gambier will join with me in celebrating the fact that the replacement surface has been very successful, because the surface that has been lifted has been moved to Mount Gambier and early in March will be commissioned for the Mount Gambier hockey stadium. I am sure that will be of tremendous value to hockey in the South-East and Statewide, because it will actually focus as the most up-to-date facility for hockey in the southern region of the State and western Victoria. I know it is intended to hold the national championships in the near future at that stadium.

The Astroturf system 5 has been laid at the Pines and is about to be used professionally for the first time, on 16 February. It has been a combined effort between Hockey SA and the Government, and many of the players have actually been of great assistance with the final grooming of the surface in preparation for this weekend's match. I am

delighted to be able to advise the member for Playford that the new surface has been laid at the Pines stadium which, combined with the new velodrome which is starting to take shape, will be one of the best sporting facilities, if not the best, in terms of international standards within Australia. I am sure that the honourable member's constituents will enjoy having that facility in their electorate.

PUBLIC HOSPITAL SYSTEM

Dr ARMITAGE (Adelaide): How does the Minister of Health reconcile the Government's repeated claims that South Australia has the best public hospital system in the nation with the conditions at the Queen Elizabeth Hospital exposed in a report sent to the Health Commission last week showing patients at serious risk of cross infections and ineffective fire prevention facilities—conditions the Health Commission has known about for up to six years; and what assurances will he give that other South Australian public hospitals do not have similar hazards for patients and the public caused by reduced maintenance funding as a result of this Government's financial mismanagement?

The Hon. D.J. HOPGOOD: Here is the spokesperson for the political Party that spent $10 million in its capital works for hospitals in its last year of office—a measly $10 million in capital works. This year, despite all the financial stringencies on this Government, we are spending $42 million on capital works in the hospital system. We spent considerably more than that in the previous financial year.

I have checked with the Administrator of the Queen Elizabeth Hospital and I know where the honourable member got his information from. I also know that he has been down at the hospital and has managed to embarrass many people. This is part of the normal process whereby hospitals put together their wish list for the forthcoming budget, and we could expect that similar sorts of reports are being prepared in other hospitals.

Dr Armitage interjecting:

The SPEAKER: Order! The member for Adelaide is out of order.

The Hon. D.J. HOPGOOD: And mischievous, Sir, but never mind. I, through my staff, have spoken to the administration of the hospital and have asked whether there are any areas that they are not able to use because of any shortcoming in capital provision, and the answer is 'No'. We need to do a number of things in the hospital system and we are doing them immediately. It would be nice to do a number of other things and we will do them as we are able to. What is important is that we are able to use the facilities in a way that would be appropriate to the very high level of health care of which this State can be very proud. I have checked that and there is no suggestion of any danger to patients or staff in relation to capital facilities at the Queen Elizabeth Hospital.

DISABLED PERSONS PARKING PERMITS

Mr DE LAINE (Price): Will the Minister of Transport investigate the possibility of abolishing the $4 per annum fee that disabled people must pay in order to receive a disabled parking sticker? It has been put to me that while $4 per year is not a great deal of money, there is not a great number of disabled people who qualify, and these unfortunate people already have enough to bear with their disabilities.

The Hon. FRANK BLEVINS: I thank the member for Price for his question. The disabled persons parking permits were first introduced in 1979 on the recommendation of the Bright Committee on the rights of people with handicaps. One of the recommendations of the committee was that permit holders should contribute to the administration of the scheme by paying an administrative fee for the issue of the permits, the argument of course being that that somehow affords dignity to the people who get the benefit. Since their inception the permits have been issued on an annual basis on the payment of a small fee. Until recently a fee of $4 per annum applied. However, this fee fell considerably short of the actual cost of administering the scheme, which was recently estimated to be $16 per permit. Rather than increase the cost of the permits to achieve cost recovery, the period of the permits was recently increased from one year to five years, at a fee of $16 for a five year period. This, in effect, reduced the cost of the permit from $4 per annum to $3.20 per annum.

The benefits provided to permit holders include an additional 90 minutes in metered and unmetered parking spaces, exclusive use of parking spaces set aside for the disabled, two hours parking at no cost in Adelaide City Council car parks and special on street parking rights from councils. Given the benefits provided to permit holders, and the fact that the Bright committee itself argued cogently and recommended that a fee should apply, I am sure that, if one believes the arguments of the Bright Committee, the fee of $3.20 per annum is not unreasonable.

OPERATION HYGIENE

Mrs KOTZ (Newland): My question is directed to the Premier. Following the Police Commissioner's report on Operation Hygiene, revealing that a number of police officers remain under suspicion, will the Premier take action to find out how many officers are still under suspicion and, in the public interest, will he tell the House the number? If he has not acted to establish this information, will he immediately do so and also say whether the Government intends to give the Commissioner the additional powers he is seeking to deal with this problem?

The Hon. J.C. BANNON: I understand that is the area which the honourable member will now be shadowing for the Opposition, and I would suggest that, as an initial offer in relation to this question—it is obviously not the area of my direct ministerial responsibility—she would be quite welcome to seek a briefing from the Commissioner on Operation Hygiene and its details.

The Hon. Frank Blevins interjecting:

The Hon. J.C. BANNON: My colleague the Minister of Transport interjects that such an offer has been made. So, the answer to some of those questions and probably some more information that would be useful to the honourable member could be so supplied. In relation to the policy arising from that, that is a matter for recommendation of the appropriate Ministers, in the sense that both the Attorney-General and Minister of Emergency Services have some role in that.

ABORIGINAL EDUCATION

The Hon. T.H. HEMMINGS (Napier): Can the Minister of Aboriginal Affairs inform the House of any developments made in ensuring that universities in South Australia are meeting the needs of Aboriginal people? The House would

be aware that the University of South Australia Act, passed in this House in 1990, has a unique legislative charter which establishes a special role for the university in reaching out and being relevant to Aboriginal people. It has been put to me that this commitment to Aboriginal people is long overdue.

The Hon. M.D. RANN: I thank the former Minister of Aboriginal Affairs for his continued, passionate interest in this area. As the honourable member mentioned, when we debated legislation to establish the three university structure and when we debated the legislation to set up the University of South Australia, special provision was placed in that legislation in terms of the charter and principles of the university, which were to have a special role in reaching out to Aboriginal people. I am certainly delighted that the new university has not wasted time; indeed, the University of South Australia is to be congratulated for responding quickly to the educational needs of Aboriginal people by establishing Australia's first faculty for Aboriginal and Torres Strait Islander studies.

One of the most important elements in the establishment of the new university was the grouping of its academic schools and departments into faculties. The University Council, at its meeting in December, agreed that a Faculty of Aboriginal and Islander Studies should be established from the School of Aboriginal and Islander Administration, which was part of the former South Australian Institute of Technology, and the Aboriginal Studies and Teacher Education Centre (ASTEC) in the former Underdale Campus of the South Australian College of Advanced Education. Associated with the new faculty is a proposal for a new Aboriginal Research Institute to be deveoloped from two of the university's research institutions in this field. With some 400 students from all over Australia—and I want to add that, because when I have been down to both of those facilities I have been meeting Aboriginal people from around Australia—and an academic staff of around 45, this faculty will be unique in Australian tertiary education.

Graduates from its component schools are already playing key roles in the management of communities in many parts of Australia. The head of SAIA is Professor Colin Bourke, whose long experience in Aboriginal education was recognised in 1978 by the award of the MBE. Dr Mary Ann Bin-Sallik heads ASTEC at the university's Underdale campus. She is one of two Aboriginal people in this country who have been awarded a doctorate from Harvard University.

These schools have played a notable part in the development of Aboriginal education throughout Australia, contributing significantly to the development of policies in education suited to the special requirements of Aboriginal and Islander people. I think all of us applaud the university's major step forward. We hope that it will stimulate other universities around the country to consider establishing faculties which concentrate on indigenous people, and I think it recognises a coming of age for Aboriginal education and Aboriginal studies in this nation.

ENVIRONMENTAL IMPACT STATEMENTS

The Hon. D.C. WOTTON (Heysen): Does the Premier support the environmental impact assessment process for major projects in South Australia and, if so, why is he so intent on turning the EIS process into a sham in wishing to proceed with the MFP Development Bill prior to the environmental impact statements being released, let alone assessed, as would be the normal practice with any private development? In a statement released yesterday, the President of the Conservation Council stated:

> It is entirely appropriate that the Bill be shelved until the environmental impact statement is available and all comments about the EIS have been duly received, considered and responded to.... With the Government having stated its intention to proceed with the MFP anyway, it is not surprising that the Government is moving this way. However, it does turn the forthcoming EIS process into a sham.

The Hon. J.C. BANNON: Yes, certainly, I support the EIS process for this project and many others. We try to ensure that that process and its integrity are maintained in any major project. The EIS and the MFP Development Bill are not interdependent. I do not know if it is in order to canvass it, but the honourable member has raised it. The MFP Development Bill is an enabling piece of legislation, which will provide the framework for the project to go ahead if the EIS and the supplementary development plan are acceptable. So, the two are not mutually contradictory.

All I would say is that this is a great signal, during a recession, at a time when we are attempting to say to the Federal Government, to interstate business interests and to international investors that South Australia is committed to a twenty-first century project of remarkable opportunity. However, this pettifogging member of the Opposition tries to throw up objections to it.

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat. The member for Heysen, the Deputy Leader and the Leader are all out of order. The honourable Premier.

The Hon. J.C. BANNON: Time and again we have seen members opposite on the one hand saying they support a project, talking to their business friends and others who might be a little agitated about it and, on the other, trying to ensure that some sort of doubt is thrown on these things. Look across the road, Mr Speaker, at the ASER project, the Casino, the hotel, the Convention Centre and the Exhibition Hall and at the Entertainment Centre: all these things have had exactly the same treatment—on the one hand and on the other, this nitpicking, pettifogging nonsense.

It is about time that there was some full-blooded support for development and activity in South Australia, and the attitude of the Opposition, this trying to have it both ways, is quite disgraceful. I would have thought that to send out those sort of signals at this time, to allow this to happen, was just unacceptable to the Leader of the Opposition. I think that it is quite disgraceful that it is happening. I repeat that there is no problem with the integrity of the EIS process in this or any other project, nor is there any excuse to delay the consideration of the enabling legislation to allow those matters to be considered.

Members interjecting:

The SPEAKER: Order! The member for Heysen knows the result if he carries on with interjections in the way he is.

YOUTH CONSERVATION CORPS

Mrs HUTCHISON (Stuart): Will the Minister of Youth Affairs give details of the employment and training outcomes of the South Australian Government's Youth Conservation Corps and what new projects will be operating this year? I have had representations from Port Augusta constituents to be considered for a Youth Conservation Corps after hearing of the success of the Port Pirie and South-East groups.

The Hon. M.D. RANN: I thank the honourable member for her interest in this area. Members will know that the Youth Conservation Corps combines conservation projects with structured study at TAFE colleges. Each project involves about 15 unemployed people on 20-week projects, and about

half the time spent on those projects is devoted to studying in TAFE. The TAFE college component offers participants courses in many areas, such as literacy and numeracy, horticulture or farm practice, carpentry and a range of other skills which will give them a much better chance of going on to further studies and ultimately jobs. These studies are accredited in terms of the components in future TAFE courses.

I am pleased to report that over 50 per cent of young participants have gone on to employment or to formal structured education and training. Considering that these are long-term unemployed people with generally little experience or desire to go on to TAFE or other educational institutions, I believe that these are excellent results. I am not surprised that other States, and Parties of other political complexions, are talking about initiating similar schemes. We believe it is time for the scheme to go national.

I have just announced another four projects to be run in the first half of this year, with another seven later in the year. I think that members will be interested to know about the Wanilla Forest: projects involving the Port Lincoln Aboriginal Organisation and the Eyre College of TAFE, Port Lincoln campus. The project, aimed principally at Aboriginal youth, will be based at Wanilla Forest, and members will recall that they voted for the return of that forest to Aboriginal ownership late last year. That project will incorporate the restoration and development of a section of native scrub. Walking trails and a bird hide will be constructed. The participants will also be trained to develop skills in tourist guiding and customer relations.

There is one in Clare. I am sure that the member for Custance—and long may he remain up there, defending that seat against internal preselection battles—will know about the Neagles Rock project including the Clare District Council and the Light College of TAFE, Clare campus. That project involves the rehabilitation and development of the Neagles Rock reserve, an area of remnant native vegetation in Clare. Work to be carried out will include pest eradication, fencing, plant propagation and the construction of interpretive walking trails.

There is also the Monarto Zoo project, involving the Murray Bridge District Council and the Barker College of TAFE, Murraylands campus. Participants will be involved in the construction of an African savannah plain habitat at the Monarto Open Range Zoo for herds of giraffe, zebra, ostrich and rhino. I am happy to invite the member for Murray-Mallee to join me at the opening of this area. Perhaps, with the Minister for Environment and Planning, we can meet some wildlife first-hand. Of course, I am sure that the Speaker was delighted to be involved in the launch of the restoration of the old Semaphore Time Ball tower, a beachside landmark. The heritage listed Time Ball tower at Semaphore will get a facelift as part of a project sponsored by the Port Adelaide council. I know that the member for Price is also an enthusiastic supporter of this project. Young unemployed people will learn stone work and will clean off the paint covering the original stone work and will replace old mortar joints and preserve the stone against the weather. Importantly, they will spend 50 per cent of their time in TAFE studies. I hope that members opposite, in a bipartisan way, will support this very important pilot, which the rest of the country wants to emulate.

VIDEO GAMING MACHINES

Mr INGERSON (Bragg): Was the Premier's order to the Lotteries Commission to rewrite its report an attempt to cover up the potential for corruption by organised crime resulting from the installation of video gaming machines in hotels and clubs?

The Hon. J.C. BANNON: Not at all. The reason was to ensure that the debate is conducted in a constructive and positive way rather than in a fear and loathing type of campaign. In fact, I think it was the member for Bragg who on one occasion asked me a question about the possible role of the Lotteries Commission in this area, and I have responded before. The Lotteries Commission has a legitimate right to state its case and present its options so that members of this House and of another place can consider those arguments, but I do not think it is appropriate for a statutory authority, in expressing its own positive values that it can introduce, in a sense, to categorise all those which are not of its own making as in some way corrupt.

I think that is wrong. I do not think it helps the debate very much. I have asked the Lotteries Commission to put its case strongly but to do it in a positive way and not to indulge in a negative approach. I think that that is quite a legitimate and responsible way, and I would have thought that members would welcome that approach. If as Minister I condoned the sending out of highly coloured material, I suspect it would be the selfsame honourable member who would be rising in his place asking, 'As the responsible Minister for the Lotteries Commission, did you authorise, and under what terms, this inflammatory propaganda?'

I happen to believe that that is not how this debate will be advanced. All members will have a chance to have a say when the Minister of Finance introduces the Bill. They can oppose it outright, as no doubt the member for Coles will as she opposed the casino (and she has a consistent line); other members would seek to do the same, and others would want to amend the Bill in whatever appropriate way. That is the right of members. They should have information on which to do that. The Lotteries Commission is a legitimate party to the provision of information and I support its doing so, but not in an unduly combative way.

INTRAVENOUS FLUIDS

Mr M.J. EVANS (Elizabeth): Will the Minister of Health undertake to further examine all possible means of ensuring that effective competition is retained in the supply of intravenous fluids to hospitals, and will he undertake to raise the issue at a national level with his interstate colleagues? As the Minister would be aware, there are only two major suppliers of intravenous fluids to hospitals in Australia. As a result of a winner-take-all tendering system in this country, one of those suppliers now finds itself without a viable market. Given the strategic need for long-term competition between suppliers and the high barriers to entry into this market, it is essential that State Governments find a means of retaining a minimum of two suppliers for this vital commodity.

The Hon. D.J. HOPGOOD: The answer is 'Yes' and 'Yes'. I assume that the honourable member's question in part arises from those matters which he discussed with me when he brought a deputation to see me about this matter some time ago, when it was discovered that at that time a contract had been let, and had been let quite properly, following consideration of the competitive position of the tenderers, and there was not much people could do about it. However, I share the honourable member's concern about a monopoly or quasi-monopoly situation arising. I also believe that probably it can be effectively tackled only on a national level because of the enormous market for this

which exists on the eastern seaboard. I guess that the only forum in which I can properly address it would be with the other Ministers of Health. Hence my answer to the question.

AFTER HOURS PUBLIC TRANSPORT

Mr MATTHEW (Bright): I ask the Minister of Transport how many people on an average night use STA public transport after 10 p.m. between Sunday and Thursday? The Minister quoted a figure of 400 people who use transport after 10 p.m. as justification for abandoning services after that time. However, I am advised that this conflicts with STA figures, which quote about 1 400 people using public transport after 10 p.m.

The Hon. FRANK BLEVINS: I have a considerable amount of material here—almost as much as I had on the day I gave the news conference when I distributed that material—highlighting the number of people who used our buses on a Wednesday night apparently plucked at random, so I am advised, for the purposes of illustration. I held that chart aloft to the media, by so doing demonstrating that at 10 o'clock there were 400 people on the buses. Rather than trying to hide anything, I attempted to highlight it. I have to admit that it turns out subsequently that the chart could have been written better and that I could have expressed it better.

I concede that with no difficulty whatsoever. We said that the nights that public transport would finish after 10 p.m. would be Sunday to Thursday. Had I wanted to be quite specific, and had I thumped the table earlier, as I have done subsequently, I could have pointed out that there were far fewer than 200 on the buses on a Sunday night, for example, but I did not want to do that. I did not want to take the extremes of either side. I did not want to understate it or overstate it. Now, in an abundance of caution, I am not interested in understating or overstating the position.

Members interjecting:

The Hon. FRANK BLEVINS: I have almost all the names of these hordes of people who will be disadvantaged apparently by some curtailments of public transport. What I have done, and will promise to do for the member for Bright on a daily basis, if necessary, is supply the statistics of every boarding of an STA vehicle, any time of the night or day when that vehicle is running, and it will be only seven days in arrears. So, the statistics are here and they have been distributed.

The point of the graph and what everyone was trying to achieve was to demonstrate quite clearly how few people—only one and a half per cent of our passengers—travel after 10 p.m. There is a real problem with that. In a number of areas of this State—Liberal, Labor, it makes no difference—

Members interjecting:

The Hon. FRANK BLEVINS: I think the electorate of the member for Newland is a classic case, where there are new, developing areas, and those people, quite properly in my view, require a public transport system. I have no difficulty in supplying one for them, provided I am not being compelled to run trains, buses and trams when there are very few people on them and, on some occasions, no people at all. I have had a much closer look at this over the intervening few days where we have pinned down these statistics, as I say, to the day.

Mr Matthew: Are they right this time?

The Hon. FRANK BLEVINS: The member for Bright asks, 'Are they right this time?' Again I have another confession: I did not personally go aboard the trams, trains, and buses at night and count them myself, but I can only assume that the technology is correct. Just allow me to enlarge the problem for one minute only, because we have to debate this much more, and I look forward to the debate with all members opposite because they are in a bind, and I like that. After 10 p.m. Monday to Thursday, there are 346 scheduled bus trips (from terminus to terminus), eight tram trips and 28 train trips—a total of 382 services after 10 p.m. These trips are carried out by 105 buses, three tram consists and 11 train consists. On each trip, from the city to the suburban terminus or vice versa, on average only three people get on any of the 346 bus trips after 10 p.m. On average, only eight people get on any of the eight tram trips after 10 p.m.; and, on average, only nine people get on any of the 28 train trips after 10 p.m. These are the statistics that the STA has given me.

That highlights a real problem. I will not debate that problem here and members would not want me to. However, before that debate takes place (and we will ensure that it does) I want everybody to look at those statistics, in particular every member opposite who has written to me demanding an expansion of transport services in their area, as well as those who have demanded other Government services in their areas because I keep a note of all requests.

SHADOW MINISTERS

Mr ATKINSON (Spence): Does the Minister of Agriculture intend to continue his practice of permitting shadow Ministers in his areas of responsibility to receive briefings from heads of agencies under his direction?

The Hon. LYNN ARNOLD: I thank the honourable member for his question and, broadly, the answer is 'Yes', I will maintain a practice, unlike what happened to me when I was shadow Minister under the then Liberal Government. I have always maintained a practice of allowing shadow spokespeople to have access—access more than an ordinary member of Parliament would expect to get—and most members opposite would agree that that is the case. As Minister of Industry, Trade and Technology, I am happy for that to continue. As Minister of Fisheries I am very happy for that to occur. As Minister of Ethnic Affairs I am even prepared to be especially generous and recognise that the Leader, in his capacity as shadow Minister of Ethnic Affairs, is receiving support from the Hon. Julian Stefani in another place and it would be quite reasonable for that to be extended accordingly.

Now, I come to the problem area, namely, the area of agriculture. Since the member for Goyder was scalped in the reshuffle and the Hon. Jamie Irwin in another place was appointed, we automatically had a problem because the Hon. Jamie Irwin himself conceded that he was unlikely to be a Minister of Agriculture. In other words, he was the shadow when he was not a shadow. Therefore, it makes it very difficult to consider to what extent we could usefully provide information to him when he himself acknowledges, as do farmers in the community, that he was not going to be the Minister of Agriculture. The situation now becomes even more complex because yesterday's *Murray Pioneer* contained a very interesting article. It is a front page article headed 'Peter Arnold faces preselection battle'. In the process the member for Chaffey indicates that he will stand at the next election.

The SPEAKER: Order! I ask the Minister to take notice of the question asked and not debate the response. The honourable Minister.

The Hon. LYNN ARNOLD: I take your direction, Mr Speaker. The point I make is that in the article the member

for Chaffey says that his decision to seek another term was based on an indication by the Leader of the Opposition, Mr Dale Baker, that he would be appointed Minister of Agriculture if the Liberals were to win Government. The article states:

> Mr Arnold said the opportunity to serve in the ministry, especially in an area so relevant to his electorate, was a great incentive to continue. He said a new Liberal member for Chaffey would have no chance of becoming a Minister in their first term. However, Mr Arnold said he would not contest pre-selection if assurances of a seat in the ministry were withdrawn. 'If Mr Baker was to change his mind, then I would happily step aside for someone else to contest the seat of Chaffey.'

I now have a shadow Minister of Agriculture in one place and a *quasi* shadow Minister of Agriculture who claims the seat and claims he has been told that he will have the seat if the Liberals ever become a Government. What am I to do in that situation in terms of honouring the tradition I have followed, I think to the great utility of the Opposition in fulfilling its legitimate role? I do not want to be accused of inciting division within the Liberal Party. It would be quite improper for me to play off the member for Chaffey against the Hon. Jamie Irwin in another place.

Mr BRINDAL: Mr Speaker, I seek your ruling on a point of order. This afternoon, as is your right, you ruled a question out of order. The nature of this answer is very similar to the question that I asked, and I therefore ask you to rule on the grounds of relevance.

The SPEAKER: This House had the opportunity recently to put more stringent rules upon responses to questions and refused to do so. I am bound by the Standing Orders as they are and the relevant rule, No. 98, states that no debate is allowed. I again draw the Minister's attention to that matter. The response is not to be debated and must be pertinent to the question.

The Hon. LYNN ARNOLD: I certainly take note of that, and all I ask is that the Leader of the Opposition help me by providing me with information as to who really holds the shadow portfolio and who would be Minister of Agriculture if ever the Liberals were elected to Government, in view of this preselection battle that the member for Chaffey is obviously facing.

APPRENTICESHIPS

The Hon. JENNIFER CASHMORE (Coles): My question is directed to the Minister of Employment and Further Education. Given the statement in the annual report of the Industrial and Commercial Training Commission tabled yesterday that there was a drop of 31 per cent in apprenticeship commencements last year and that there were 300 out of trade cancellations and suspensions, will the Minister advise the House how many apprenticeships and traineeships have been suspended or cancelled for economic reasons in the current financial year, and will the Minister further advise the House what his department and the commission are doing to overcome the extreme difficulties faced by apprentices and trainees who, through no fault of their own, are left in limbo through lack of work?

I have been contacted by a number of apprentices whose apprenticeships have been either suspended or cancelled, and I have also been contacted by their families expressing concern that these young people are left in a state of limbo when this occurs. There appears to be no satisfactory manner in which the Government can guide and advise these young people when what they are seeking, according to their parents, is written information as to their options. I have helped two or three through a round of phone calls that I think would have defeated a young person if they had had to be undertaken on the young person's sole initiative. I ask the Minister what he can do about this serious problem.

The Hon. M.D. RANN: I thank the honourable member for her question in terms of out of trade apprentices and the decline in apprenticeship and traineeship commencements. I was told that the honourable member intended to ask me this question today and I am surprised, because, if she had listened to the debate yesterday in this House in which I revealed a number of actions being taken in this regard, she would be better informed. However, it is a very serious question and I believe she could be sincere in asking it. Certainly, nationwide economic pressures have continued to have an adverse influence on formal training in the current financial year. The latest formal training statistics show—and I have mentioned this a number of times publicly—that in the financial year to June 1991 apprenticeship commencements in South Australia suffered a drop of 31 per cent over the previous year. This corresponds to a drop of 29.5 per cent nationally in the number of apprenticeship commencements.

We must also point out that the previous year was a record year for many years in terms of the number of apprenticeships, so, despite the sharp downward trend, formal training statistics show that overall the total apprenticeship numbers in training were somewhat maintained to June 1991, suffering a drop of about 5 per cent overall. There is a 5 per cent drop in terms of the numbers, but we are talking about this very drastic 31 per cent drop in terms of commencements. Of course, one of the points that we have been trying to make—one of the points that I made in the 12 point plan last year in our calls for a national employment summit—is in terms of maintaining our training momentum. The simple fact is that over the years Australia has shown a great deal of immaturity because, during previous cyclical recessions, we have turned off the tap on training and, when the recovery comes, we have found ourselves short of skilled labour and there has been a demand to import labour from overseas. I guess in a modest way I have been leading the charge around the country for maintaining the training effort.

This would also have been of interest to the honourable member if she had listened to what I said yesterday, namely that, in meetings last year, time and again I called upon the Federal Government to bring in some apprenticeship supports so that, if a company was in danger of cutting out apprenticeships because it was in a perilous financial situation or if people found themselves out of trade, support could be given.

I am very pleased to say that I have had a much more sympathetic response from Kim Beazley than I had from his predecessor. Indeed, I hope the honourable member would have noticed that only last week Mr Beazley announced an injection of $33 million nationally for apprenticeship supports, because previously the apprenticeship supports had applied only to year 3 and year 4 apprenticeships and we wanted to bring it down to years one and two.

So, we have made some headway with this $33 million from the Federal Government. Certainly, the impact of the nationwide downturn is also reflected in the number of out-of-trade apprentices. During the six months from July to December 1991, some 131 apprentices were cancelled out of trade compared to 69 for the same period in the previous year. Training supervision staff and other officers of the Industrial and Commercial Training Commission have, quite differently from what the honourable member is purporting, been very active in the field, pursuing a range of strategies

aimed at maintaining formal training activity and minimising the loss of training investment.

Of the 123 out of trade apprentices listed as at 30 November 1991, records show that, as of mid January, 18 had obtained new indentures. Of 19 apprentices registered out of trade during that period, four had already been placed in other employment and training under contract. However, further apprentices have been added to that list during the period. What we have done is fought hard for changes in the eligibility for the Commonwealth special assistance program, and I am pleased that, without the support of the Opposition and other Liberal Governments around Australia, we have achieved a change in the SAP allowances and gone some way down the track in terms of providing some apprenticeship support.

It is something that deserves bipartisan support. Certainly, it has the support of the Industrial and Commercial Training Commission, which includes employers and unions. When I announced that to them the other day, there was a very pleasing response from the people there.

PERSONAL EXPLANATION: INFORMATION SOURCE

Dr ARMITAGE (Adelaide): I seek leave to make a personal explanation.

Leave granted.

Dr ARMITAGE: Earlier in Question Time today, in response to a question about maintenance of the Queen Elizabeth Hospital, the Minister of Health indicated that he knew the source of my information. By way of explanation I wish to make quite clear to the Minister of Health and to the House that I did not get my information from either of the signatories of the letter, despite their concern about the matter, although many people involved in the administration of health today are giving me facts. Further, if the person who informed me has told the Minister in order to emphasise his or her concern, so be it. If the Minister has gone on a fishing exercise, he has been left with rotting bait on his hooks. I make clear to the House that I have never divulged the source of any information, and I never shall.

PERSONAL EXPLANATION: ELECTORATE RESPONSIBILITIES

Mrs KOTZ (Newland): I seek leave to make a personal explanation.

Leave granted.

Mrs KOTZ: The Minister of Transport, in answer to a question about STA passenger numbers, alluded to the point that the member for Newland would be interested in the new service being allocated to Golden Grove, it being part of my electorate. I wish to correct the Minister's incorrect assumption, which reflects on my electorate responsibilities. Golden Grove is not part of the electorate of Newland, although I have represented residents in that area. The electorate responsibility for that area lies with the member for Florey and the member for Briggs—which probably explains why those people have come to me for representation.

The SPEAKER: Order! The member for Mount Gambier is out of order.

Mr BECKER: I rise on a point of order. How can you, Sir, as Speaker, delete portion of the publication of a report of a committee of this Parliament, namely the parliamentary Public Accounts Committee? Even though the contents may be available elsewhere, could this not be construed as censorship of the committee?

The SPEAKER: The point of order should have been made at the time, as all points of order should be made. However, all decisions of the Chair are subject to the will of the House. If the House disagrees with the decision of the Chair, it has the right to dissent in the accepted manner.

GRIEVANCE DEBATE

The SPEAKER: I pose the question that the House note grievances.

The Hon. T.H. HEMMINGS (Napier): I rise today to defend a parliamentary colleague, someone whom I have known for many years and whom I admire—the Leader of the Opposition. Today the Leader has been under constant attack both in the printed media and on radio over his contribution to yesterday's no-confidence motion debate.

I think it is pretty well known that the Leader, over the Christmas period, had an image transplant, with which I did not necessarily agree. He had new glasses, a new hair cut and, I suspect, a new set of false teeth. Whilst it can be said that this transplant has destroyed his rough and tumble, you beaut, Aussie larrikin style—which I must confess my wife prefers to what we have now from the Leader of the Opposition—it certainly does not warrant the attacks that have been mounted against him in regard to yesterday's performance. As far as I am concerned, the Leader stood up on behalf of his Party and made an inspired attack on this Government's performance. That is the way I saw it. But let us look at what others have said. I should like to quote from this morning's *Advertiser*. Under the by-line of John Ferguson, it states:

> Mr Baker, who should have been spending his finest hour, was aiming for substance over spectacle. He certainly created a spectacle. While he spoke and spoke and spoke about the Government's economic record, the Premier took notes, as did Bannon offsider Don Hopgood, and there was a collective cringe on the Opposition benches.

I saw no-one on the other side cringing. They might have been asleep, but they were not cringing. Rex Jory, not known to be a friend of this side of politics, said:

> The Opposition Leader, Mr Dale Baker, was the chief offender. His speech, the rallying point of the Opposition's thrust, was jumbled and uninspiring. Mr Baker not only failed to address the key issues of the no-confidence motion but he also failed to provide a semblance of vision for the future.

That is not the way I saw it. I did see that vision; I did see that future. It is a pity that Mr Jory did not see it the same way as I did. It was bad enough this morning, but look at what was said in today's *News* under the by-line of Peter Haynes, who is usually an accomplished writer. He said:

> The Opposition yesterday sabotaged its chances of forcing the Government on to the back foot with an inept performance during a no-confidence debate. The Opposition Leader, Mr Dale Baker, struggled with his speech, his delivery doing nothing to indicate he would cause Independents to vote for him.
>
> By contrast, the Premier, Mr Bannon, cut holes in Mr Baker's arguments [like a surgeon] and looked in control, despite the multitude of issues the Opposition had.

Again, that is not the way I saw it. But it did not end there. The radio, from 8 o'clock this morning, has been carrying out a constant attack on the Leader. Susan Mitchell said about the Leader, 'His performance was poor.' Susan Mitchell was not even here yesterday. Sir, you might have thought it was poor, but I did not.

The SPEAKER: Order! The honourable member will not imply anything regarding the Chair.

The Hon. T.H. HEMMINGS: She also said that the Leader should take acting lessons. That is an insult not only to the Leader but to every member of Parliament. We do not have to be members of Equity to be in this Chamber. As far as I am concerned, what Susan Mitchell said was very far from the truth. Finally, Keith Conlon demanded and got from the Leader an apology both to the media and to the citizens of South Australia. If that is not an intrusion into the rights and privilege of this Parliament, I do not know what is.

I understand that there was a bit of a fracas in the gallery yesterday at the start of proceedings and you, Sir, quite rightly informed those outlets that they had to obey the rules. I suggest that this Parliament should write to Keith Conlon, Susan Mitchell, Rex Jory and Peter Haynes and ask them to get their act together and not attack the Leader of the Opposition. If we want to attack the Leader of the Opposition, that is our right and our privilege, and we do it all the time because we think he is hopeless. But, it is not the job of the media to do that kind of attacking. There are enough members on both sides doing a good job of it.

The SPEAKER: Order! The honourable member's time has expired. The honourable Leader of the Opposition.

Mr D.S. BAKER (Leader of the Opposition): In answer to a question today, the Premier, in trying to rebuff that question, said that his Government has made constant representations to and had endless meetings with his Federal colleagues about the future of South Australia.

Mr S.J. Baker: And done nothing.

Mr D.S. BAKER: As the Deputy Leader says, he has done nothing. Not one bit of action has been taken in South Australia that will help the unemployed; not one bit of hope has been given to business in South Australia in the form of any incentive whatsoever so that they might be able to get through the recession—thousands will not get through—and employ people again. I received a press release by the Premier of Western Australia, and when I started to read it I thought that here is someone with a bit of vision; here is someone who is prepared to stand up and do something for her State; here is someone who cares about the unemployed and who has the guts to take some action.

The press release starts by stating that the decisions are aimed at attracting investment, increasing exports and creating jobs. One would have thought that the Liberal Party had written it. Not 1c was promised yesterday by the Premier, there was not one bit of vision for South Australia, just the same old rhetoric—that another committee will be formed and representations will be made to Federal colleagues. I found some parts of the statement very interesting. It was stated that there would be no increase in energy tariffs next financial year. That is an incentive for business in Western Australia. What is happening here? Ninety million dollars is being dragged out of those people who use electricity, thereby making their electricity tariffs higher. The next point of interest is that there will be a 50 per cent boost in assistance to industry established in regional areas. What about decentralisation in South Australia? Nothing is mentioned; nothing is being done.

Further, financial incentives to encourage business to invest in strategic export oriented industries will be trebled to $30 million. What was done about that yesterday? Nothing was mentioned; the Government is not interested in export industries. Further, guidelines have been established to encourage private sector participation in public infrastructure. That is what the shadow Minister of Health, soon to be the Minister of Health, has been saying regarding the public hospital system in South Australia—that $40 million can be saved by tendering out. But nothing was mentioned yesterday. The Government is not prepared to take the tough decisions.

The Western Australian Government will publish a three-year forward program of capital works to assist the private sector to identify projects in which it can invest. That is a bit of forward planning with the economy, but nothing was mentioned about that yesterday. We have been advocating this in each budget reply speech. We have spoken about it in the Parliament, because the only way for private investors to understand where they can invest in a State and the only way anyone can run a State is by forward planning. But, no, Mr Timidity over there will not do anything about that either.

The Western Australian Government will open a business licensing and information centre to provide a single point of contact for licensing and regulating matters affecting business. For seven years we have been promising something in South Australia; for seven years and two elections we have been promising something will be done—but nothing has been done. The Premier of Western Australia is going straight on and doing something, making decisions and leading the State—all the things that a Premier should do. Further, enterprise agreement provisions will be included in amendments to the State Industrial Act. We have been advocating for quite a while that something should be done about it to help industry prosper and make a profit.

The State Government Insurance Office will be sold. Well, I never! Decisions—doing something to lower the State's debt! At least 40 per cent of the R & I Bank will be offered to the public shareholders when the bank's profitability guarantees an appropriate return. Action—get the State's debt down; relieve the burden on the taxpayers and businesses in Western Australia.

The Hon. H. Allison: Copy the Liberals!

Mr D.S. BAKER: Yes, it is a copy of the Liberals' package. Inclusive packages will be offered to international corporations to locate their South-East Asian headquarters in Perth—something to get people to go to Western Australia. What has the Premier done in South Australia for South Australians? Absolutely nothing. He stood up here yesterday, refused to answer questions, refused to take up the challenge to have a vote of confidence in his Government, and hid behind it.

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

Mr QUIRKE (Playford): The recession being experienced out in the community, and particularly in my electorate, has over the past couple of months shown its face in my office in repeated calls from people needing assistance in social security and a whole range of other matters, whose circumstances have changed, and in many instances from people who were gainfully employed before but now find themselves in the market looking for employment. In many instances, people, particularly those 55 years of age and older, find employment increasingly harder to get. In fact, at the other end of the scale, a number of young people have come into my electorate office with problems, particularly in obtaining tertiary placements.

I raise that matter here today because it is something that State and Federal Governments will have to address seriously and address very quickly. Young constituents have come into my office and have made clear, in terms of their academic performance, that they are quite capable of doing courses which, until three, four or five years ago, they would

have had no trouble getting into. On the one hand, we have a recession which is driving people out of the work force and, on the other hand, we have a training system that desperately needs large capital injections, involving support and the fostering of training programs by Government at all levels. In particular, it needs Canberra to honour the promises that it made about three years ago with respect to the HECS charges.

The reality is that, when those charges were introduced, the Federal Government made it quite clear that approximately 50 per cent expansion, in financial terms, in tertiary places would be evident by the middle 1990s. I must say that I was always a sceptic with respect to those programs. Further, as a person who in the 1960s and 1970s paid the university fees prescribed by Tory Governments in this country—and I know the level of fees and the impact they had on my family, having had to work to put myself through university at that time—I felt very sympathetic towards the young people out there who would be facing mountainous bills as a result of those Canberra changes. Well, many of those kids today will not be facing those bills because they cannot obtain tertiary places and they cannot obtain jobs either.

The other issue currently affecting my electorate is the question of bank charges, especially for those people whose circumstances have changed. Unless some of the banks do not realise it, social security cheques rarely amount to more than $300 in most instances. In fact, that is the level that I was advised today by a constituent who showed me documentation indicating the figure below which an account charge of $2 will be made by the ANZ Bank. I am not singling out that bank because a number of other banks, including Government banks, do the same thing. They are taxing the poor, the unemployed and all the victims of the current recession. They are taxing the kids out there who cannot obtain university places and who are getting a pittance through the job search allowance. They are taxing people at the very end of our community who can least afford to pay those bank charges. I refrain from saying that the banks are recouping money that has been lost by the corporate cowboys and friends of people opposite.

Mr GUNN (Eyre): I raise in this place today the matter of the disturbing acts that have been taking place in the community by those who are terrorising elderly people living in their homes. The latest escapade today involved villains attacking an elderly lady and terrorising an 81 year old gentleman. These are the sorts of things that a decent society should not tolerate. The time has come when this Parliament should have the courage to take gutsy decisions to deal with these people in an appropriate manner. When people are attacked with baseball bats in their own homes, the Parliament should act. There is only one way of dealing with these scoundrels.

An honourable member interjecting:

Mr GUNN: It is all right for the honourable member: he has been a supporter of this weak kneed approach since the Labor Government has been in office. That is why we have this sort of nonsense. The time has come for the courts to order a caning for these people so that they get back a bit of their own medicine. The courts should have the power to give them 10 strokes of the cane for each offence. We would not then have elderly people terrorised, locked in their homes or too frightened to go out in the evenings. Whilst we have these villains lurking in the streets and attacking elderly defenceless people, the Government should act. If a member of one of the victim's family was to catch up with these people and give them a good thumping, as they deserve, that person would be charged with assault. The courts have been too lenient with these people. Police spend much of their time pinging people for the most minor misdemeanors on the roads because it is a great revenue collector for the Government, which is getting millions of dollars out of it. People living in their homes are being subjected to this behaviour.

Today's paper carries the headline 'Aged lobby angry at Government leniency' and states that an 81 year old man narrowly escaped a beating. What can we do? There is a lengthy article in the *News* today. We were all disturbed to see the photograph of the 81 year old man who had been accosted with a baseball bat. The traditional ways of dealing with the people concerned have been tried and have failed. They have no respect for people's property or safety—they are thugs. If they act like animals, they should be treated accordingly. If the birch were applied on one or two occasions, the message would soon get around.

A few years ago when I made inquiries on the Isle of Man, the Chief Commissioner of Police told me that when they had the birch at their disposal they had very few people in gaol and had a very low crime rate. We are now spending millions of dollars building new gaols and the cost of keeping these people in gaol is astronomical. The time has come to deal with them. If the Government does not have the guts to do this, some of us will take the appropriate steps in the not too distant future and introduce a Bill into the Parliament. We will then see who those members are with the courage to protect the community.

I call on the Attorney-General to amend the necessary legislation and give the senior courts the power to order a caning for people involved in serious assaults such as bashing or raping elderly people in their homes. I refer also to the delinquents who steal motor cars, race with the police, and endanger the community and whose actions result in increasing the cost of insurance, generally causing disruption to the community. Decent South Australian citizens are sick and tired of this sort of behaviour and should not have to tolerate any more of it because it is indefensible and the Parliament is the place where the matter should be raised and action taken. I am most disturbed at what has been going on. Constituents of mine are sick and tired of having their cars vandalised and their houses broken into. We must take strong action.

I was appalled that the Human Rights Commissioner, a public official, had the audacity to criticise the Western Australian Government. The Federal Attorney-General was so weak as to let him continue. That person should be publicly reprimanded for his disgraceful public exhibition in supporting people who break the law and endanger the lives of ordinary citizens. Yet, he is on the payroll and publicly condemning elected officials. Fortunately, the Western Australian Parliament ignored his nonsense and proceeded to pass appropriate legislation to deal with the people who have no regard for the safety of the community or for the value of other people's property. It is about time this Parliament showed courage and took appropriate steps.

Mr GROOM (Hartley): I wish to place on record a few remarks about my role in the House of Assembly since my resignation from the Australian Labor Party on 3 February and my subsequent automatic resignation from the Parliamentary Labor Party. I have indicated my support, albeit conditional, for the Government in relation to no-confidence motions, the condition being that the Government must continue to act in the best interests of South Australians, and I believe that is the proper position for all members of Parliament to take at any time.

My view of the performance and commitment of individual ministers will be dealt with in the context of the Westminster doctrine of ministerial responsibility and accountability to Parliament. In relation to no-confidence motions against the Government, it would have to be a very serious and reprehensible occurrence for the Government to incur my wrath in relation to its own position as a Government. In relation to individual Ministers, the Westminster doctrine does not often appear to be applied in Australian Parliaments (much to my concern, as a lawyer I have been brought up and trained in the British principles of ministerial responsibility and accountability). The breach would have to be something substantial and not trivial, again, to incur my disfavour.

In relation to the next State election, I have already indicated that I will not be standing in the new seat of Hartley, for reasons which I have also made public and which are well known: the electorate was substantially altered, and I did what a number of my other then parliamentary colleagues did in relation to a very serious dislocation in this House and sought preselection for another seat. In seeking preselection for that seat of Napier, I believed I was applying the proper principles that had been the convention in the Australian Labor Party in dealing with sitting members. That decision of mine to seek preselection for the seat of Napier did not involve me in a clash or a dislocation or disturbance of an existing sitting member. I believe that as a consequence of the support I received during that preselection ballot, from branch members of the Australian Labor Party rank and file, local community groups and organisations and, bearing in mind the support I have received since my resignation, the principled position was always for me to seek to represent the seat of Napier as an Independent Labor member after the next State election.

Members interjecting:

Mr GROOM: Just be patient. As a consequence, during the remainder of this parliamentary term, I will be raising issues dealing with the new electorate of Napier, as well as maintaining my responsibility towards the old Hartley electorate.

Members interjecting:

Mr GROOM: Just be patient. As a result of the redistribution, many members in this Chamber have been dislocated and they are required to look after areas of far greater extent than a normal electorate would be—in some cases, two electorates—so I am in no different position from that of other members of this Chamber. I have been in this Parliament for a substantial period and I believe I will have no difficulty in discharging my responsibilities towards the old electorate of Hartley and raising issues of concern in relation to the new electorate of Napier.

I also want to put on record that I have not received any hostility from branch members—rank and file members—of the Australian Labor Party as a result of the actions I have taken. In fact, I believe that rank and file members of the Australian Labor Party know what I did and understand what I did. Since my resignation, I have received no less than half a dozen invitations to speak at ALP branch meetings in metropolitan and country electorates, which invitations I have accepted.

Members interjecting:

Mr GROOM: Just be patient! In relation to my role, I come from the Labor side of politics; my philosophies are Labor; I support the principles, causes and issues of the Australian Labor Party, but I do not support that handful of people who led to my loss of preselection.

The Hon. JENNIFER CASHMORE (Coles): I want to pursue the matters that I raised during Question Time when asking the Minister of Employment and Further Education what the Government is doing to provide some kind of support and protection for apprentices whose apprenticeships are either suspended or cancelled. Although the Minister criticised me for allegedly not listening to his speech yesterday in which he claimed he had dealt with that question, the fact is that he did not deal with the question, nor do his programs deal with the question of support for apprentices whose apprenticeship is suspended or cancelled.

It is true that there are programs, but I do not believe, on the evidence presented to me, that those programs are being implemented effectively and in the best interests of the apprentices. As an example, to prove my point, I refer to a constituent of mine, a young man aged 19, a fourth year apprentice, who was retrenched on 16 January this year. He had an apprenticeship in reconditioning. He approached the Motor Traders Association, which said that it would take over his indenture if he could find three to four employers who would each employ him for a period of three to four months, thus enabling him to complete his final year whilst he continued his TAFE studies.

That young man rang 22 firms—that being, I understand, the total number of firms engaged in reconditioning in the metropolitan area—and not one of them could offer him even a short period of employment. He is at Regency Park College of TAFE for one day a week, and he was told that it was in his best interests to take a two month suspension, otherwise he would not qualify for unemployment benefits. Since then, he and his parents have made numerous phone calls, I must have made at least a dozen phone calls on his behalf, and it was only today, after the twelfth phone call, that I managed to find what I hope will be a solution for that young man.

If he had not had supportive parents and if they had not come to their member of Parliament, that family would still be struggling with a problem that I believe existing structures should have dealt with the moment his suspension was made official, and it has not happened. It is no use the Minister proclaiming that the systems are in place, because it is demonstrably clear that they are not. One indication that they are not was a statement to me this morning from an officer of the Department of Education, Employment and Training that by no means are all apprentices aware that they must apply to the Commonwealth Employment Service if they want to be kept informed of the training programs for which they are eligible.

This young woman pointed out that there is a training program, in this case in fitting and turning, which may suit the young man, but the department is finding it difficult to get sufficient apprentices to participate in the program, because it cannot track them down. How can it be, when there are 300 apprentices in limbo, so to speak, that the system does not have their names, their addresses or the nature of their trades and is not actively working to assist them with off the job training if they are unable to find employers?

Another cause of criticism is the Special Assistance Program and the criteria for it. I have a letter from the Department of Employment, Education and Training addressed to my constituent, which reads:

> You have recently submitted an application . . . to assist you while attending trade school . . . For approval under the SAP program, an apprentice must attend college for more than one week. As you are attending college one day per week, you are ineligible for assistance under the SAP program, but you will be eligible, however, for the continuation of unemployment benefits.

What use is that? These are the questions that the Minister must address. It is no use his coming into the House and defending his Federal counterpart and himself: he has to address the problems of informing these young people at the very point of their cancellation and suspension about their rights and options. If he fails to do that, all the programs and training in the world will not assist these apprentices whose apprenticeships are cancelled or suspended. Commencements are one thing: suspensions are another.

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISION) AMENDMENT BILL

Received from the Legislative Council and read a first time.

SUPPLY BILL (No. 1)

The Hon. J.C. BANNON (Treasurer) obtained leave and introduced a Bill for an Act for the appropriation of money from the Consolidated Account for the financial year ending on 30 June 1993. Read a first time.

The Hon. J.C. BANNON: I move:

That this Bill be now read a second time.

Its purpose is to grant supply for the early months of next financial year. Present indications are that appropriation authority already granted by Parliament in respect of 1991-92 will be adequate to meet the financial requirements of the Government through to the end of the financial year. The Government will, of course, contiue to monitor the situation very closely, but it is unlikely that additional appropriation authority will prove to be necessary.

Members may be aware of recent media comment on this year's budget and the likely outcome for this year. While it is too early in the year to be precise about the prospective budget outcome for 1991-92, I can advise the House, in broad terms, of budget developments.

In introducing the 1991-92 budget, I outlined to the House the economic context in which the Government had made its decisions. In the early months of this financial year available data suggested that the economic slowdown was intensifying. The assumptions made, particularly with respect to estimated budget receipts, took this into account.

The national recession has deepened during 1991-92 and signs of the effects of this on the prospective budget outcome have emerged. In particular, at this stage of the year it is possible that we will have a sizeable shortfall on taxation receipts in addition to which the falling inflation figure may mean a reduction in the State's financial assistance grant when compared with budget estimates. These are similar problems to those which confront most other State budgets and, indeed, the Federal budget. On the other hand, there are areas for potential improvement, including the effects of reduced interest rates and the contribution to the budget from the SAFA surplus.

On the expenditure side of the budget, the Government is maintaining its policy of restraint. At this stage of the year there is no evidence to suggest that total expenditure, both recurrent and capital, will be significantly different from estimated levels included in the budget. The Government is thus confident of ending the financial year with an acceptable result in terms of the level of borrowing.

The outlook for the national and South Australian economy will, however, clearly be affected by the initiatives which will be announced in the Federal Government's Economic Statement on 26 February. As members are aware, the South Australian Government has presented the Federal Government with an extensive submission addressing the particular problem and priorities of this State. This submission was well received by the Prime Minister during his visit on 30 January and specific issues in our submission have since been followed up with visits from Senator Richardson and yesterday's visit by the Federal Treasurer, Mr Dawkins, and the Minister for Industry, Technology and Commerce, Senator Button, and Minister Brown. The State Government will, therefore, provide a response to the Federal Government's Economic Statement shortly after its release on 26 February, and at that stage the Government will be in a better position to provide a more detailed report on the State's financial position.

Turning to the legislation now before us, the Bill provides for the appropration of $860 million to enable the Government to continue to provide public services during the early months of 1992-93. In the absence of special arrangement in the form of the Supply Acts, there would be no parliamentary authority for expenditure between the commencement of the new financial year and the date on which assent is given to the main Appropriation Bill.

It is customary for the Government to present two Supply Bills each year, the first covering the estimated expenditure during July and August and the second covering the remainder of the period prior to the Appropriation Bill becoming law. This practice will be followed again this year.

Members will note that the expenditure authority sought this year is approximately 1 per cent, more than the $850 million sought for the first two months of 1991-92. This is broadly in line with increases in costs faced by the Government and should be adequate for the two months in question.

Clause 1 is formal. Clause 2 provides for the appropriation of up to $860 million and imposes limitations on the issue and application of this amount.

Mr S.J. BAKER secured the adjournment of the debate.

STATUTES REPEAL (EGG INDUSTRY) BILL

The Hon. LYNN ARNOLD (Minister of Agriculture) obtained leave and introduced a Bill for an Act to repeal the Marketing of Eggs Act 1941 and the Egg Industry Stabilization Act 1973. 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

This Bill provides for the repeal of the Marketing of Eggs Act 1941 and the Egg Industry Stabilization Act 1973.

In September 1991, I made a statement to Parliament stressing the need for change to the current marketing arrangements for eggs. This need arose following the deregulation of the egg industry in New South Wales and which has resulted in eggs from New South Wales being sold in South Australia.

I also stated I had initiated negotiations with the egg industry regarding the transfer of the South Australian Egg Board's grading and pulping facilities to the industry and that it would be desirable if the transfer could be completed before the industry was deregulated.

Since that statement, the egg marketing situation has developed much as I predicted. The Board is convinced that interstate eggs

are entering the South Australian market on a regular basis and this is disrupting the Board's production planning and rendering the quota legislation ineffective as a means of controlling egg supplies. These developments place the Board and South Australian egg producers in an invidious position. The Board is required by the legislation to maintain hen quotas which are ineffective for controlling egg supplies and also limit the commercial opportunities for producers in South Australia. The Government considers that it is no longer possible to sustain the existing legislation if South Australia is to continue to have a competitive egg industry.

The Egg Board is also facing financial difficulties because its ability to operate in an increasingly competitive market is constrained by the legislation. Under the provisions of the Marketing of Eggs Act 1941 all eggs from commercial farms are vested in the Board which has to accept the eggs whether it has a market for them or not.

The Board currently supplies about 40 per cent of the egg market in South Australia and is the major supplier to the larger retailers. The Government recognises the importance of the central grading and packing facilities run by the Board, particularly for small producers who do not market their eggs direct to retailers. The major supermarkets require large numbers of eggs of uniform quality. This demand is currently being met by the facilities run by the Board with producer agents catering for smaller retail outlets and their local markets. This is an effective marketing arrangement which reduces the interval between the farm and consumers.

Disruption to production controls coupled with the competition from interstate eggs has had two major effects, firstly it has resulted in the Board having to accept surplus eggs which have to be pulped, cold stored and sold at a loss and secondly egg prices have been forced down reducing the Board's income on sales to retail outlets.

Faced with the situation where its costs are rising and its income falling the Board has had to resort to either raising levies or reducing farm gate prices in order to remain viable. Both of these measures increase the financial burden on egg producers. Farmgate prices have already been reduced by 20 cents a dozen since July 1991 and producers are paying higher levies which are now equivalent to 24 cents a dozen compared to about 15 cents a dozen in July of last year.

A number of producers are already in financial difficulties and are not paying their levies. Further moves by the Board to reduce prices or raise levies will simply add to the difficulties faced by these producers. In fact some producers are now questioning whether the continuation of the legislation offers them any advantages at all. Hen quotas place restrictions on the numbers of hens they can keep and production costs are higher as a result, because overheads must be offset against a declining production base. Current quota utilisation rates mean that all producers are now operating their farms at about two-thirds of their productive capacity over the whole year which, by any standards, is an inefficient use of resources.

The Board predicts that the competition from interstate eggs will further erode markets for S.A. eggs and force prices down further.

The Government has made every effort to support the Board and hence the industry through the current difficulties. $2.9 million has been loaned to the Board to support the egg grading, pulping activities but the Board is currently running at a loss and will continue to do so in the future. The only options are for the Government to provide more money or for the Board to increase the burden on producers by raising levies or reducing prices. In view of the fact that the market situation is unlikely to improve, the Government finds both of these options to be unacceptable and has decided that the only course is to deregulate the industry as soon as possible.

Government cannot allow the SAEB and its activities to be a drain on tax payers.

The repeal of both Acts will mean that egg marketing and production will be deregulated and egg packers and producers will be free to market their eggs where they wish and to negotiate prices. Producers will face no restrictions on the numbers of hens they can keep. Producers facing financial difficulties will be able to apply for assistance measures under Part C of the Rural Adjustment Scheme.

Producers will no longer have to pay levies to the Board which means that a farmer with 2 500 hens will benefit from a saving of $500 and a farmer with 30 000 hens $6 000 each fortnight.

The negotiations with industry have resulted in an agreement for the sale of Board assets to the industry's South Australian Egg Co-operative Limited. This will ensure that producers continue to have access to egg grading and pulping facilities and the Co-operative will have the flexibility to operate in a commercial environment unfettered by current egg production and marketing controls. The directors of the South Australian Egg Co-operative Limited have indicated that they wish to take over the Board assets on 27 March 1992 provided the industry is deregulated and Cooperative is not restricted by current regulations. Proclamation of the Act on 27 March 1992 will enable this to occur. Any Board assets not transferred to the industry co-operative at that time will be vested in the Minister and disposed of appropriately.

Egg quality controls are already substantially carried out by industry. This will continue after deregulation but consumer interests will be safeguarded by regulations administered by the South Australian Health Commission which, among other things, prohibit the sale of dirty, contaminated or cracked eggs. In July 1990 a formal agreement was signed at the Special Premiers Conference committing the States to the adoption of national food standards. The National Food Authority, at the request of Australian Agricultural Council, is currently investigating other aspects of egg quality which may need to be covered by regulation. The National Food Authority will make recommendations on these matters and if these recommendations are adopted by the National Food Standards Council the national food standards will be amended and will apply in South Australia.

Egg packaging regulations will be administered by the Department of Public and Consumer Affairs under the Packages Act 1967 and eventually under nationally uniform Trade Measurement legislation.

It is probable that most of the current Board employees will find employment with the new industry co-operative but failing that arrangements have been made to offer all employees either redeployment in the public service or retrenchment packages. This arrangement has been negotiated with the staff and the unions concerned. The staff currently employed by the Board are all anxious that the grading activities continue as a support to the industry and are naturally also concerned about their future employment The transition from regulated to deregulated market as soon as possible is the best course to ensure the concerns are addressed.

The Bill embodies the approach I foreshadowed in September 1991 and is the culmination of a process set in train by the Government in 1986 when, recognising the inevitability of deregulation and the need to provide the industry with the opportunity to move towards deregulation gradually, the Government introduced legislation to partially deregulate the industry. Unfortunately that legislation was defeated in the Parliament.

Given however, the current situation in the industry it is vitally important that this Bill be passed otherwise the initiative in egg marketing will be lost to producers in other States while South Australian producers continue to be restricted by out dated legislation. If this legislation is not passed South Australia could lose its egg industry.

The provisions of the Bill are as follows:

Clause 1 and 2 are formal.

Clause 3 repeals both Acts and provides that the property, rights and liabilities of the Board and SAEG Limited vest in the Minister of Agriculture.

Mr S.J. BAKER secured the adjournment of the debate.

HOUSING LOANS REDEMPTION FUND (USE OF FUND SURPLUSES) AMENDMENT BILL

The Hon. FRANK BLEVINS (Minister of Finance) obtained leave and introduced a Bill for an Act to amend the Housing Loans Redemption Fund Act 1962 and to repeal the Cottage Flats Act 1966. Read a first time.

The Hon. FRANK BLEVINS: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to enable the Government to put to effective use surplus funds previously tied up in the Housing Loans Redemption Fund, and in doing so, rationalise the two Acts concerned.

The Housing Loans Redemption Fund was established in Treasury on 1 November 1962 following the enactment of the Housing Loans Redemption Fund Act 1962. The aim of the fund was to

enable home buyers who were borrowing housing finance from approved authorities to obtain inexpensive State Government guaranteed life insurance cover for the amounts outstanding under their loans.

More recently cheaper and more flexible mortgage protection insurance has become available from SGIC and other insurers.

The proposed closure of the fund to new members is, in effect, a formality given that no new members have joined the fund since 1985, and potential new members are being directed to other sources of mortgage protection insurance. Existing members of the fund will not be affected by the purposal.

There is currently a significant surplus in the fund. The Public Actuary considers that up to $7 million could be transferred immediately from it. However, other than a specific requirement under the Cottage Flats Act, there is no provision in the Housing Loans Redemption Fund Act or elsewhere for the transfer of surpluses from the fund.

The Cottage Flats Act 1966-1976 provides for the payment of sums not exceeding $75 000 per annum from the Housing Loans Redemption Fund to the South Australian Housing Trust, for the purpose of building cottage flats to be let to persons in necessitous circumstances. The titles of flats built under the Cottage Flats Act are held by the trust.

At today's prices, the $75 000 grant is no longer sufficient to fund the building of a group of flats, and the cost of keeping the separate accounts required under the Cottage Flats Act is substantial.

It is proposed that the Cottage Flats Act be repealed, and its function be transferred to the Housing Loans Redemption Fund Act and strengthened by allowing the Treasurer to determine the specific amount to be transferred from the Housing Loans Redemption Fund to the Housing Trust via the Consolidated Account. The Housing Trust will be required to include details of the use of the funds in its annual report.

These amendments to the Cottage Flats Act are intended to:

- free up currently under-utilised funds for the benefit of the State;
- improve accountability and disclosure of the transaction to the Parliament and the public by transferring the funds through the Consolidated Account;
- improve efficiency in accounting for the funds;
- minimise the number of Acts on the statute books.

The proposed changes will have no effect on the Housing Trust's cottage flat tenants.

Clause 1 is formal.

Clause 2 provides for the measure to be brought into operation by proclamation.

Clause 3 inserts new sections 13 and 14 after section 12 of the principal Act.

Proposed new section 13 provides for closure of the fund to new contributors after commencement of the section. Subclause (2) provides for the terms of the Act to continue to apply to existing contributors.

Proposed new section 14 empowers the Treasurer to direct that amounts from the surplus of the fund be paid into the Consolidated Account.

Subsection (2) provides for any such amount paid into the Consolidated Account to be paid to the trust, which must apply the amount to the building of cottage flats or other dwellings, to be let to persons is necessitous circumstances.

Subclause (3) provides for the automatic appropriation of amounts that are to be paid from the Consolidated Account under subclause (2).

Under subclause (4), the trust is required to set out in its annual report to the Minister details of its receipts and expenditure of the money paid from the Consolidated Account, and of building works carried out under the section.

Subclause (5) defines 'the trust' as the South Australian Housing Trust.

Clause 4 provides for the repeal of the Cottage Flats Act 1966.

Mr S.J. BAKER secured the adjournment of the debate.

CASINO (GAMING MACHINES) AMENDMENT BILL

The Hon. FRANK BLEVINS (Minister of Finance) obtained leave and introduced a Bill for an Act to amend the Casino Act 1983. Read a first time.

The Hon. FRANK BLEVINS: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is consequential upon the Gaming Machines Bill 1992 in that if effects the amendments necessary to put the casino on the same footing as the hotels and clubs in respect of coin-operated gaming machines. The present embargo on poker machines in the casino will therefore be lifted.

Clause 1 is formal.

Clause 2 provides for commencement on proclamation.

Clause 3 repeals the definition of poker machine and removes the exclusion of such machines from the definition of 'authorised game'.

Clause 4 amends the functions of the Casino Supervisory Authority to include functions assigned to the Authority by other Acts.

Clause 5 repeals the section that prohibits a person from having possession or control of a poker machine on the premises of the casino.

Mr S.J. BAKER secured the adjournment of the debate.

GAMING MACHINES BILL

The Hon. FRANK BLEVINS (Minister of Finance) obtained leave and introduced a Bill for an Act to provide for and regulate the supply and operation of gaming machines; and for other purposes. Read a first time.

The Hon. FRANK BLEVINS: 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

On 4 April 1991 this House carried a motion that licensed clubs and hotels should be authorised to install coin operated gaming machines.

Two proposals were submitted for consideration, one from the Lotteries Commission advocating public ownership, regulation and control through the Commission, the other a joint submission from the Hotels and Hospitality Industry Association and the Licensed Clubs Association proposing private ownership under government regulation and control.

The joint industry proposal provides for the establishment of an Independent Gaming Authority which would purchase, install and maintain gaming machines as agent for individual licensees and would operate the approved control system.

This Bill provides for private ownership with government regulation and control. The Bill will establish an environment in which gaming machine operations are conducted fairly and free from corrupt practice. It provides for a licensing and regulatory regime in which all participants are subject to close scrutiny and control.

Revenue from the introduction of gaming machines will provide for an element of growth and stability within the club and hotel industry which forms a significant component of the State's tourism industry. In particular, it will allow for clubs and hotels in areas adjacent to States in which gaming machines are to be or are already in operation to compete on an even footing.

The Bill provides for private ownership of machines by the holder of either a hotel licence, a general facility licence, an unrestricted club licence or a restricted club licence. In the case of general facility licences the nature and type of operation will be considered in determining whether or not a licence will be issued.

The Bill vests responsibility for the administration of the Act in the Liquor Licensing Commissioner.

The Commissioner will be responsible for:

- determination of all applications under the Act including applications for a gaming machine licence, a gaming

machine dealers licence or gaming machine technicians licence, and approval of managers and employees, persons in a position of authority, gaming machines, gaming equipment and the computerised monitoring system;
- determining the number of machines per licensed premises and the authorised gaming hours;
- disciplinary action against licensees including the power to reprimand, suspend or cancel a licence;
- review of barrings of persons by licensees;
- inspection, monitoring and scrutiny of gaming machine operations;
- receipt of gaming tax, recovery of unpaid gaming tax and remission of late payment fines.

Vesting responsibility for regulation and control in the Liquor Licensing Commissioner is seen to be a logical extension of the Commissioner's current roles under the Liquor Licensing Act 1985 and the Casino Act 1983.

The Commissioner has extensive regulatory powers in relation to the club and hotel industry and in particular is responsible for granting club licences, for approving all persons required to be licensed under that Act and for the total scrutiny of the casino. In particular his responsibility under the Casino Act encompasses the evaluation and approval of gaming machine suppliers, gaming equipment, computer control systems and security and surveillance systems.

Therefore, making the Commissioner responsible for the control and regulation of the gaming machine industry will avoid duplication and inconsistency of application between the Liquor Licensing Act and gaming machine legislation. Having the one licensing regime responsible for these two aspects of the club and hotel industry will minimise administrative resources in respect of both licensing and monitoring and control.

It will also utilise the considerable knowledge and expertise which exists within the office of the Liquor Licensing Commissioner gained through the administration of the liquor and casino industries.

Because of the necessarily broad powers vested in the Commissioner the Bill provides for the Casino Supervisory Authority which is an independent statutory body comprising as Chair a legal practitioner of ten years standing, a person with qualifications and experience in accounting, and one other person to oversee the broad operation of the gaming machine industry. The Authority will have power either of its own volition or at the request of the Minister to inquire into:

(a) any aspect of the gaming machine industry;

(b) any matter relating to the conduct of gaming operation pursuant to this Act;
or

(c) any aspect of the administration of this Act.

The Authority will also be the appellate body. Again, the Authority is favoured for this role because of its considerable knowledge of the relevant issues through its involvement in regulating the casino (including gaming machines) and its responsibility for hearing similar appeals against a decision of the Commissioner under the Casino Act.

Another fundamental safeguard is the provision that the Commissioner must furnish the Commissioner of Police with a copy of all applications and the Commissioner of police may intervene on the question either of whether a person is a fit and proper person or whether if the gaming machine licence was granted public disorder or disturbance would be likely to result.

The Bill does not impose any restriction on the type and denomination of machines to be introduced provided machines meet the strict security requirements of, and are a type approved by the Commissioner. Nor does it impose a maximum number of machines by class of premises. This will be a commercial decision only limited by the regulatory authority having regard to such factors as size and suitability of premises, approved capacities and membership, and the impact on the amenity of the locality.

The Bill provides for a minimum return to player of 85 per cent but individual licensees may elect to install higher return games as long as the game program has been approved by the Commissioner.

An important aspect of the Bill is that it provides for the Independent Gaming Corporation to be approved to hold a gaming machine monitor licence which authorises the licensee to provide and operate a computer system (approved by the Commissioner) for monitoring the operation of all gaming machines operated under this legislation. The Bill further provides that there will be only one gaming machine monitor licence. Prior to being granted a gaming machine monitor licence the Independent Gaming Corporation must satisfy the Commissioner that it is a fit and proper body to hold such a licence. This will include an analysis of the financial soundness and technical and administrative competence of the Corporation.

An important consideration for any gaming legislation is the control over minors. This Bill contains strict provisions to prevent underage gaming and in fact even prohibits minors from being on machine gaming areas of licensed premises at any time. Severe penalties apply to offences in relation to minors. Further, an applicant for a gaming machine licence must satisfy the Commissioner that the proposed gaming area is not designed or situated so as to attract minors.

This Bill recognises the potential for some people not to be able to control their gambling habits and accordingly, provision has been made for a licensee to be able to barr a person from licensed premises where the licensee is satisfied that the welfare of the person or the person's dependents is seriously at risk because of excessive playing of gaming machines. A person aggrieved by a barring may apply to the Commissioner for a review of a licensee's decision.

Gaming tax will be payable monthly calculated as a percentage of gross monthly turnover. The prescribed percentage will be that fixed from time to time by the Minister, by notice in the *Gazette*.

The Casino Act 1983 will be amended to allow for gaming machines to be introduced into the Adelaide Casino on similar terms to those that will apply to clubs and hotels.

The Commissioner will continue to exercise powers under the Casino Act and the terms and conditions of the licence similar to those covered by this Bill.

Clause 1 is formal.

Clause 2 provides for commencement on proclamation.

Clause 3 supplies necessary definitions.

Clause 4 excludes the casino from the operation of this Act. Subclause (2) provides that gaming and the possession of gaming machines as authorised by this Act are lawful.

Clause 5 vests the responsibility for the administration of this Act in the Liquor Licensing Commissioner.

Clause 6 gives the Commissioner similar procedural powers to those under the Liquor Licensing Act. The Commissioner may require the production of equipment in any proceedings before the Commissioner.

Clause 7 provides that proceedings before the Commissioner must be conducted without undue formality and the rules of evidence do not apply.

Clause 8 sets out who may represent a party to any proceedings before the Commissioner. As under the Liquor Licensing Act, unions and other organisations may represent their members.

Clause 9 empowers the Commissioner to pass on information gathered in the course of the administration of this Act to appropriate interstate authorities and other public authorities.

Clause 10 provides for the appointment of inspectors as Public Service employees.

Clause 11 deals with inquiries into any aspect of the gaming machine industry. The Casino Supervisory Authority may conduct such an inquiry of its own motion and must do so if the Minister so requires.

Clause 12 provides the Authority with the same procedural powers, whether for the purposes of an inquiry or an appeal, as it has under the Casino Act. It too may require the production before it of equipment.

Clause 13 sets out who may represent persons appearing before the Authority.

Clause 14 sets out the four classes of licence under this Act. The main category of licence is the gaming machine licence which will authorise the holders of certain liquor licences to possess gaming machines and conduct gaming on those machines. A gaming machine dealer's licence will authorise the holder to manufacture, sell, supply or install gaming machines, certain components and gaming equipment. A gaming machine technician's licence will authorise the holder to install, service and repair gaming machines. The holder of the gaming machine monitor licence (there will be only one such licence) is authorised to provide and operate an approved computer system for monitoring all gaming machines operated pursuant to the Act.

Clause 15 sets out the special criteria for eligibility for a gaming machine licence. The only persons who may apply for such a licence are persons who already hold (or are an applicant for) a hotel licence, a club licence or a general facility licence. The special matters over which the Commissioner must be satisfied before a gaming machine licence may be issued are set out in subclause (3). The Commissioner must approve the gaming area or areas, the layout of gaming machines within those areas and the security arrangements. He or she must also be satisfied that the conduct of gaming operations on the particular premises would not cause undue offence, annoyance, etc., to the local community, and that, in the case of a general facility licence the character of the premises or the nature of the undertaking carried out on the premises would not be unduly detracted from by the proposed gaming operations. Finally, the Commissioner must be

satisfied that the gaming areas are not so designed or situated that minors would be especially attracted to the premises.

Clause 16 provides that more than one gaming machine may be held in respect of separate parts of the same premises. Where a number of clubs use the same premises, each may hold a gaming machine licence provided that each club has sole control over its own gaming machines.

Clause 17 sets out how applications for all the classes of licence may be made.

Clause 18 sets out the general matters over which the Commissioner must be satisfied before any licence under this Act is granted. The Commissioner must determine whether the person is a fit and proper person to hold the particular licence and, in the case of an applicant that is a body corporate, whether each person who holds a position of authority in the body corporate is a fit and proper person to occupy such a position should a licence be granted. The Commissioner must look at the honesty and integrity of a person's known associates (including relatives) in determining whether the person is a fit and proper person for the purposes of the grant of a licence.

Clause 19 provides that an applicant for a gaming machine technician's licence must also satisfy the Commissioner that he or she has appropriate experience or qualifications.

Clause 20 requires that an applicant for the gaming machine monitor licence must have appropriate management and technical expertise.

Clause 21 prohibits a minor from holding a licence under this Act.

Clause 22 gives the Commissioner an absolute discretion to grant or refuse a licence, and directs that each application must be considered after a proper inquiry into its merits.

Clause 23 provides that the *Independent Gaming Corporation* will be granted the gaming machine monitor licence and a gaming machine dealer's licence provided that it makes due application and satisfies the Commissioner as the matters applicable to all applicants under the Act (see clause 18) and as to its expertise (see clause 20).

Clause 24 deals with the conditions to which licences will be subject.

Schedule 1 sets out the primary conditions for gaming machine licences.

Schedule 2 sets out the primary conditions for the gaming machine monitor licence. Other licences will be subject to such conditions as the Commissioner thinks fit. Conditions may be varied or revoked or added to either on the Commissioner's own initiative or on application by the licensee or the Commissioner of Police. Statutory conditions (that is, those in Schedules 1 and 2) cannot be revoked. The hours during which gaming operations may be conducted cannot be outside the hours during which liquor may be sold.

Clause 25 provides that only a gaming machine licence that is held by a hotel licensee or a general facility licensee may be transfered, with the Commissioner's consent, to the transferee of the hotel or general facility licence. No other licences are transferable. An incoming transferee must be a fit and proper person to hold the licence, and the Commissioner must have regard to the same matters in making that determination as on a grant of a gaming machine licence. A transferee succeeds to the liabilities of the transferor under this Act, except for unpaid gaming tax. The transferee will be jointly and severally liable with the transferor for outstanding tax, except for tax arising out of a deliberate understatement of gross gaming turnover.

Clause 26 provides that certain applications under the Act must be advertised in two newspapers and in the *Gazette* at 28 days before they are to be dealt with by the Commissioner.

Clause 27 provides for objections to advertised applications. Any person can object on the ground that any of the matters as to which the Commissioner must be satisfied would not, in the objector's opinion, be satisfied.

Clause 28 allows the Commissioner of Police to intervene on any application under this Part.

Clause 29 empowers the Commissioner to suspend a licence if the licensee so requests.

Clause 30 deals with surrender of licences. A gaming machine licence cannot be surrendered until all gaming machines have been removed from the premises.

Clause 31 provides that if a liquor licence is surrendered, revoked or suspended, then any gaming machine licence held by the licensee in respect of the same premises will be taken to have been similarly surrendered, revoked or suspended.

Clause 32 provides for the disciplinary action that may be taken against a licensee who contravenes the Act or his or her licence, is convicted of an indictable offence or is no longer a fit or proper person to hold a licence or a position of authority in a body corporate that holds a licence. The licensee may be reprimanded or may have his or her licence suspended or revoked. Licensees must be given at least 21 days notice of any proposed disciplinary action within which time they must show cause why the action should not be taken.

Clause 33 provides for the approval of gaming machine managers and gaming machine employees.

Clause 34 provides for the approval of persons who seek to assume a position of authority in a body corporate that holds a licence under the Act.

Clause 35 provides for the approval of gaming machines and games to be played on gaming machines.

Clause 36 provides for the approval of manufacturers of gaming tokens and for the approval of gaming tokens.

Clause 37 provides the Commissioner with an absolute discretion to grant or refuse an approval.

Clause 38 empowers the Commissioner of Police to intervene on applications for the approval of a person as a gaming machine manager, a gaming machine employee or as a fit and proper person to assume a position of authority in a body corporate that holds a licence.

Clause 39 gives the Commissioner an absolute discretion to revoke any approval, but notice must be given of any such proposed revocation to the person. If an approval is revoked, the Commissioner must notify all persons affected by the revocation.

Clause 40 sets out the requirement for a person to be licensed under this Act if he or she possesses a gaming machine, manufactures, sells or supplies gaming machines or prescribed gaming machine components, sells or supplies gaming equipment, installs, services or repairs gaming machines, prescribed components or gaming equipment or provides a computer-based monitoring system.

Clause 41 creates an offence of breach of licence conditions.

Clause 42 prohibits a person from supervising gaming operations unless he or she is the licensee or an approved gaming machine manager. A person who assumes a position of authority in a licensed body corporate without first being approved by the Commissioner will be guilty of an offence.

Clause 43 makes it an offence to carry out prescribed duties in connection with gaming operations.

Clause 44 requires approved gaming machine managers and employees to wear identification cards.

Clause 45 prohibits gaming machine licence holders, approved gaming machine managers or employees or persons in a position of authority in a body corporate that holds a gaming machine licence from operating the gaming machines on the licensed premises (except as is necessary in the course of their duties). This prohibition extends for a period of 28 days after ceasing to be such a manager, etc. Certain persons (enumerated in subclauses (3) to (5)) are prohibited from playing the machines on any licensed premises—that is, the holders of a gaming machine dealer's licence, a technician's licence or the monitor licence, and their employees and persons in positions of authority if the licensee is a body corporate. The Commissioner and the inspectors are similarly prohibited.

Clause 46 prohibits the lending of money or the extension of credit by gaming machine licensees, managers and employees to players of the gaming machines on the licensed premises.

Clause 47 requires licences to be displayed at the entrance to each gaming area on licensed premises.

Clause 48 prohibits minors from being employed on licensed premises in any capacity connected with the operation of the gaming machines on the premises.

Clause 49 creates various offences prohibiting minors from entering gaming areas. These provisions are modelled on the provisions relating to minors in the Liquor Licensing Act. A minor is not entitled to keep any winnings made on a gaming machine.

Clause 50 requires certain warning notices to be erected on licensed premises advising minors of the provisions of this Act.

Clause 51 enables the removal of minors from licensed premises if the minor does not leave a gaming area or the premises when requested to do so.

Clause 52 empowers the holder of a gaming machine licence to bar any person from the gaming area or areas on the licensed premises if the licensee is satisfied that, as a result of excessive gambling on the machines, the person's welfare, or the welfare of his or her dependants, is seriously at risk. It is an offence for such a person to enter a gaming area from which he or she has been barred.

Clause 53 enables such a person to be removed from the licensed premises if he or she fails to leave the gaming area when requested to do so.

Clause 54 gives the Commissioner the power to review a decision to bar a person from a gaming area. The Commissioners decision on such a review is not appealable.

Clause 55 makes it an offence to interfere in any way with the proper operation of gaming machines, games and gaming equipment with the intent of gaining a benefit.

Clause 56 prohibits the manufacture, sale, supply or possession of devices designed or intended for interfering with the proper operation of gaming machines, etc.

Clause 57 makes it an offence for any person other than an authorised person or the holder of a technician's licence to either place a seal on a gaming machine or to break such a seal.

Clause 58 makes it an offence to remove the cash or tokens from a gaming machine. This does not apply to a person acting in the course of his or her duties.

Clause 59 makes it an offence for a licensee or approved gaming machine manager to permit a gaming machine to be operated if it, or the game played on it, is in any way defective or not operating in the proper manner, or while the monitoring system is not connected to the machine or the door of its computer cabinet is not sealed.

Clause 60 gives the power to remove persons from licensed premises who have damaged or physically abused a machine, or a person who is committing, has committed or is about to commit an offence or who is behaving in an offensive or disorderly manner. It is an offence for such a person to re-enter the premises within 24 hours of having been removed. A person acting in an offensive or disorderly manner may be refused entry to a gaming area, and will be guilty of an offence if he or she enters any of the gaming areas on the licensed premises within the next 24 hours.

Clause 61 creates a similar offence of profit sharing by the holder of a gaming machine licence with unlicensed persons to that in the Liquor Licensing Act.

Clause 62 gives a right of appeal to the Authority against the decisions, orders or directions of the Commissioner under the Act. The only exception is a direction given by the Commissioner while acting as an authorised officer. No further right of appeal lies from a decision or order of the Authority.

Clause 63 provides that a decision, etc., continues in force pending the outcome of an appeal unless the Commissioner or the Authority suspends its operation.

Clause 64 sets out the power for an authorised officer (that is, the Commissioner, an inspector or a member of the police force) to enter and inspect premises. In the case of an offence, or suspected offence, the power may be exercised at any time. In the case of a random inspection, the power may be exercised when the licensed premises are open for business or at any other reasonable time. The power to enter and break into premises that are not premises the subject of a licence can only be exercised on the warrant of a justice. Directions can be given in respect of any gaming machine, game or equipment that is not operating properly or where the monitoring system is not operating correctly. If a direction is not complied with, the authorised officer can do such things as are necessary to ensure compliance, including seizure of any machine, component or equipment.

Clause 65 requires the monthly payment of the prescribed percentage of gross gaming turnover to the Treasurer as a gaming tax. The percentage will be fixed by the Minister from time to time, by notice in the *Gazette*.

Clause 66 requires the holder of a gaming machine licence to keep accounts and furnish returns in relation to the gross gaming turnover for the business and to keep such other accounts as the Commissioner may require. If turnover is deliberately understated and results in reduced tax a court, on convicting a person of an offence of making the false statement, may impose (in addition to any other fine) a fine of twice the amount of the underpayment.

Clause 67 requires both the Authority and the Commissioner to furnish the Minister with an annual report.

Clause 68 provides for the withholding of winnings in situations where a player has received winnings as a result of error. Decisions to withhold are reviewable by the Commissioner but are not further appealable.

Clause 69 renders any agreement between the holder of a gaming machine licence and any other person for the supply of gaming machines null and void unless the agreement has first been approved by the Commissioner. An agreement made between the Commissioner or an inspector and any licensee under this Act, or applicant for a licence, being an agreement of a financial or business nature, is null and void unless is has first been approved by the Minister. A person who enters into an agreement referred to in this clause will be guilty of an offence.

Clause 70 is a general offence of making false or misleading statements in an application, etc., under this Act.

Clause 71 creates an offence of bribery, where a person bribes a licensee or an approved gaming machine manager or employee, or where one of the latter accepts such a bribe.

Clause 72 provides for service of documents.

Clause 73 is the usual immunity provision for persons engaged in the administration of the Act.

Clause 74 provides that offences against the Act are summary offences and that prosecutions may be brought within two years.

Clause 75 extends criminal liability to directors and members of governing bodies where a body corporate is guilty of an offence against the Act. Persons who were gaming managers at the relevant time will also be guilty of an offence in the case of a body corporate that holds a gaming machine licence.

Clause 76 provides some necessary evidentiary aids for prosecutions or disciplinary proceedings.

Clause 77 is the regulation-making power. Provision may be made for the exemption of gaming machines owned by private persons.

Schedule 1 sets out the conditions to which a gaming machine licence will be subject. The Commissioner may add others.

Schedule 2 sets out the conditions to which the gaming machine monitor licence will be subject. The Commissioner may add others.

Schedule 3 is a transitional provision entitling casino technicians to be granted a gaming machine technician's licence.

Mr S.J. BAKER secured the adjournment of the debate.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

Adjourned debate on motion of Hon. D.J. Hopgood:

That on the commencement of the Parliamentary Committees Act, the following members be appointed to the Environment, Resources and Development Committee; Mr De Laine and Hon. T.H. Hemmings; and that a message be sent to the Legislative Council in accordance with the foregoing resolution.

(Continued from 27 November. Page 2402.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I move:

That the motion be amended by the addition of the name 'Hon. P.B. Arnold'.

Amendment carried; motion as amended carried.

LEGISLATIVE REVIEW COMMITTEE

Adjourned debate on motion of Hon. D.J. Hopgood:

That on the commencement of the Parliamentary Committees Act, the following member be appointed to the Legislative Review Committee; Mr McKee; and that a message be sent to the Legislative Council in accordance with the foregoing resolution.

(Continued from 27 November. Page 2402.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I move:

That the motion be amended by the addition of the names 'Messrs Gunn and Meier'.

Amendment carried; motion as amended carried.

SOCIAL DEVELOPMENT COMMITTEE

Adjourned debate on motion of Hon. D.J. Hopgood:

That on the commencement of the Parliamentary Committees Act, the following members be appointed to the Social Development Comittee; Messrs Holloway and Quirke; and that a message be sent to the Legislative Council in accordance with the foregoing resolution.

(Continued from 27 November. Page 2402.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I move:

That the motion be amended by the addition of the name 'Mr Oswald'.

Amendment carried; motion as amended carried.

ECONOMIC AND FINANCE COMMITTEE

Adjourned debate on motion of Hon. D.J. Hopgood:

That on the commencement of the Parliamentary Committees Act, the following members be appointed to the Economic and Finance Committee; Messrs M.J. Evans, Ferguson, Groom and Hamilton.

(Continued from 27 November. Page 2402.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I move:

That the motion be amended by the addition of the names 'Messrs Allison, Becker and Ingerson'.

Mr BLACKER (Flinders): I would like to express an interest in this committee. I draw the attention of members to the debate that occurred previously in this House. I think that this is the only committee of the four new committees that is entirely a House of Assembly committee. When the matter was previously debated it was stated that the membership of the committee was to be extended to accommodate the interests of the Independents in this House. I think that that is a clearly understood arrangement that occurred at that time. It is certainly true that had the Independents not been in this House the committee would only have had five members instead of seven. I think that that arrangement is something I made clear at the time. I spoke with the Leader on the day the motion was moved, and I have also raised this matter with him on three subsequent occasions, the most recent one being last Wednesday.

The other question is whether it is intended that the committee be an all-Party committee, and be truly representative of this House or the Parliament. I believe that every other political Party has been accommodated in one way or another. I think it is not unreasonable that I draw to attention of the House, so that it is on the public record, the fact that the two additional positions that become available by the presence of you, Mr Acting Speaker, and I in this House have have been picked up in some other way. I am conscious of the fact that by expressing my interest in this way I am requesting a ballot of the House, and I hereby so request.

A ballot having been held, Messrs Allison, Becker, M.J. Evans, Ferguson, Groom, Hamilton and Ingerson were declared elected.

SOUTH-EASTERN WATER CONSERVATION AND DRAINAGE BILL

In Committee.

(Continued from 11 February. Page 2637.)

Clause 9—'Membership of the board.'

The Hon. D.C. WOTTON: I understand that we are waiting for the Minister to give a reason for rejecting my amendment.

The Hon. S.M. LENEHAN: I thought that I had already done that, but I am happy to do it again. I realise that we have had a fairly interesting interruption. There are a number of reasons for not accepting the amendment to leave out paragraph *(b)*. The Government sincerely believes that the local government representative should be on the board. As recently as 7 February—just a few days ago—key organisations such as the UF&S and the South-Eastern Local Government Association, at its meeting on 7 February this year, strongly supported an LGA representative on the board.

As I said last night, an officer from my department contacted both the UF&S and the LGA in Adelaide—in other words, the overall parent bodies—and found that both those organisations believed quite strongly that there should be a local government representative on the board. However, I did not at that point share with the Committee the fact that at the local level both the LGA and the UF&S believed strongly that there should be a local government representative. In my view, therefore, it is vitally important that local government not just maintain an interest in what is happening but is a vital player. Therefore, I will be adhering to what is in the Act and certainly asking members to reconsider their position about an LGA representative.

The Hon. D.C. WOTTON: I realise that this is just a test clause for matters that are to be considered at this time, and I understand what the Minister is saying about her desire to have a representative from the Local Government Association as a member of the board. What we on this side have been arguing is that it is important that there be four members elected to office as well—two representing the northern electoral zone, one representing the central electoral zone and one representing the southern electoral zone.

If the Minister is so intent upon having a Local Government Association representative on the board—and I am not personally opposed to that; as I said yesterday in debate, I can see some benefits to be gained in that happening—and if the Minister insists on that (and I understand her reasons), would she be prepared to consider an amendment in another place which would mean that, as well as having a Local Government Association representative on the board, there be four members elected in the way that the amendments stipulate, two being eligible land-holders in the northern electoral zone, one being an eligible land-holder in the central electoral zone and one from the southern electoral zone? I do not see a major difficulty in increasing the board by one, and it is something that Parliament could consider in another place, so, I would ask the Minister whether in another place, she would be prepared to accept an amendment facilitating that need.

The Hon. S.M. LENEHAN: Before giving the answer, I must point out to the honourable member that I have had an opportunity to do a bit of research on that question and, in debate last night, the point was raised by one of the members on the other side that the northern zone was larger. I am not sure; I presume that means larger in terms of land owners or land-holders.

Members interjecting:

The Hon. S.M. LENEHAN: Is it area or land-holders? In terms of land-holders, in the northern electoral zone there are 1 600; in the central zone, 2 220; and in the southern zone, 2 960. I think we must look at that as one aspect of this matter. The second thing is that the three electoral zones are approximately the same size, and there are more land-holders in the southern zone—not quite, but nearly twice as many as there are in the northern zone.

The third factor is that there is little difference in the amount of agricultural diversification between the three zones, the various uses including forestry, dairying, wine-growing and so on. If anything, the central and southern zones have marginally more agricultural diversification than has the northern zone. Therefore, I think it would be inequitable to provide greater representation to the northern zone. Further, the member for Murray-Mallee would remember, as I do, the public meeting that was held at Bordertown at which it was clearly spelt out to the people that there would be equal representation.

That matter was not questioned at the public meeting at that time. Therefore, the only public discussion I have had with respect to all of this was at that very well-attended and

large public meeting, where it was clearly spelt out that there would be one representative from each of the zones. I would like to remind honourable members that, when we come to the advisory committees, we have established an advisory committee for the Tatiara area, I guess in recognition of the fact that there was a drainage trust in that area. Therefore, I must say that, while I am desperately trying to reach agreement and consensus and to work in a sense of goodwill and spirit of cooperation, I do not believe it would facilitate the good working of the board to have two members from one zone and one from each of the others. I think that would create more problems than perhaps are perceived as being solved at this stage.

Perhaps honourable members would consider the option that we proceed with the composition of the board as it is in the Act at present. If it becomes apparent that it is not working, there is no reason why, after it has been given an opportunity of, say, 12 months to see how it operates, we could not look at it. Surely, that is a reasonable compromise, rather than, by adding an extra member to the northern region, alienating the southern and central regions. For the reasons I have clearly outlined, I would ask the Opposition to consider supporting the Bill with the commitment from me that, if it becomes apparent that it is not working because there are not two members from the north, we could look at it again in 12 months after it has had a chance to settle down, and we could see whether it operates.

Mr LEWIS: I thank the Minister for her explanation. It enables me to disabuse her of where she is mistaken. First of all, let us make no bones about it, zones or regions, as she has called them, referring to the schedules in the Bill—I think they are called zones—were subjectively determined. They were not even discussed at the Bordertown meeting. The general comment was made that there would be representation from the entire expanded area. That is acknowledged, but the Minister said nothing about there being only three—or any other number—land-holder representatives on any new body that might be proposed in the legislation.

Indeed, as recently as the public meeting at Tintinara, no discussion at all was undertaken about the number of people elected from land-holders who are engaged in primary production. Therefore, how the Minister can claim that the matter was not raised when no consideration was given to it is beyond me. It is minutiae; it is detail; it was not under consideration. What were under consideration were the problems that were being caused by the people involved in surface water storage, in other private drainage works—lawful and unlawful and those that were claimed to be quasi-lawful—and, in consequence, damage that was being done to the valuable productive capacity of that region of the South-East, which is part of the subject area of this legislation.

I am talking about the region which, to date, has been that area covered by the Tatiara Drainage Board in one part and, in the other part, the hundreds outside the existing South Eastern Drainage Board and outside the existing Tatiara Drainage Trust. What the Minister claims about there being approximately equal areas in the zones—so termed in this legislation—is drivel. The Minister trots out the story that more people are living in the southern and central zones than live in the northern zone, but that is not what this is about; this is about saving hectares of land; it is about effectively managing the surface water that either falls on that land through rainfall or moves onto that land as a consequence of its natural passage across the topography both from areas interstate in Victoria and elsewhere to the south-east of wherever we may be considering.

I am particularly considering that area which was covered by neither the Tatiara Drainage Trust nor the South Eastern Drainage Board but which is enormous in area and very light in population. It is also very large in the value of its productive capacity. It is also an area in which there are great problems of salination caused by interference with circumstances affecting the movement of surface water in that region, and the movement of surface water to that region not only within it but to it, and its movement or non-movement. So, I say to you, Mr Chairman, to the Minister and to all other members, please recognise that there is a big difference with respect to the northern zone between that part which was part of the Tatiara Drainage Trust and that part which comprises the hundreds which have problems but which are not part of the Tatiara Drainage Trust or the South-East.

The topography in those hundreds is very different. The problem is different and has been caused not only within that area but by practices elsewhere. If one member was elected to represent the northern zone, they would not obviously come from that huge area with so few people in it. The numbers would be there to elect the person from the eastern side, and they would simply ignore the consequences of the decisions that affect and suit them as it will affect those people who are in the hundreds that were outside both the boards to date.

In consequence of making that decision, albeit within the democratic framework of the board as proposed, it will abuse the interests of those few land-holders on that large area of land and abuse the interests of South Australia because of the resultant destruction of the productive capacity of that land. It is for that reason that the Opposition has put the proposition to honourable members that we ought to have an additional land-holder representative there. It is ridiculous, stupid, unfair, unreasonable and anything else we want to call it to say that the people in the Northern Territory should not have a representative in Parliament just because they do not have as big a population as a House of Representatives electorate. It is undemocratic. The Northern Territory has a huge area.

This is the analagous argument to the one that I am putting: just because the population is sparse it does not mean it is insignificant. This legislation is not about people; it is about how human beings and how we as a community of human beings in South Australia determine to get the best use and benefit from a whole area of our State. It is not about equal numbers of people; it is about giving representation to significantly different types of topography so that all views can be taken into account and all consequences debated and considered without the conflict of interests that will result if we simply allow the northern zone representative to be elected from those people around the Tatiara, as they now are, and including in it those other people who have land west of the Blacks Range and Willalooka.

That is my sincere plea as somebody who has known in detail what has gone on in that land for 30 years, and someone who has represented it at least in part for all the 12 years I have been in this place and someone who has an understanding, not only of the natural ecosystems and their variations there but also the diversity of production at present undertaken and possible in that locality. I plead with the Minister that, if she does not accept the proposition here, at least we sort it out in another place.

The Hon. S.M. LENEHAN: I would like to make it very clear—and I am sure anyone reading *Hansard* would fully support what I am about to say—that, in making a list of reasons for not accepting the amendment, I did not hang

my complete argument on the number of land owners alone. I have before me a map that indicates to me that the three areas are roughly the same size. I believe the number of hundreds in each of the three zones are almost equivalent. There may be a very slight difference in the size of the areas, but it would be so slight that it would not be consequential. So, the comparisons with the Northern Territory are, to say the least, tenuous. I want to make it very clear that I am not suggesting for one minute that that was the only reason for remaining with the one representative from each of the zones.

I will not delay the Committee, but I want to pick up one point that I think is interesting and very relevant; that is, the Government is deeply committed to finding solutions to the serious dryland salinity and flooding problems in the upper South-East. I have established a committee consisting of five Government members, seven land-holder members and a full-time professional project manager to look at these very serious problems. This committee will report to me by the end of this year on the most appropriate ways of dealing with what I think all members of this House, particularly those of us who are most involved with these issues, would acknowledge as very complex matters. We have a committee with seven land-holders, five Government representatives and a professional project manager looking at finding solutions to these complex problems. Of course, that is in addition to what is proposed by this legislation.

Mr LEWIS: If the Minister insists, both here and before the measure passes the Parliament in total, on sticking to the formula she has subjectively determined, will she give me and all other members an undertaking to provide the House with a table showing the areas of each of the three zones in question, thereby enabling the House to determine for itself, at least, the veracity or otherwise of the contention?

The Hon. S.M. LENEHAN: I will be very pleased to provide the Chamber with a map indicating the southern, central and northern areas. I do not intend to hold up the business of the Parliament while each member, I presume somehow with a secret ballot vote, is to vote on whether he or she believes that these are identical in size. I believe that members realise that Ministers are here to make decisions—

The Hon. D.C. Wotton interjecting:

The Hon. S.M. LENEHAN: The areas have been determined. They are clearly spelt out, and I am very happy to provide that for members. However, I am not prepared to change my decision about the representation. I have put a very realistic and sensible suggestion to the Opposition to try to make the system work, to be prepared to make it work and to reassess the thing in 12 months if it is not working. Let us see whether this can work.

All the information I have received is that the overwhelming number of people involved in this want the composition of the board as it is proposed in the legislation. Let us see whether that works. I have indicated that, if it does not, we can amend it at a later date. I cannot be more reasonable than that. I am happy to provide members with a copy of the map showing the three regions.

The Hon. D.C. WOTTON: I understand the concerns expressed by the member for Murray-Mallee on behalf of the people of the South-East, and just seek some clarification. I appreciate that the Minister has given a commitment to provide a map, but is she also prepared to provide the square kilometres involved in each of those sections? I am sure that that information would be available.

The Hon. S.M. LENEHAN: Yes, I will provide that.

The Hon. D.C. WOTTON: Having indicated my support for what the member for Murray-Mallee is saying, I also recognise the commitment that the Minister has made, but this is a matter of ongoing concern to the Opposition and we will give further consideration to it between the Bill's leaving this place and entering another place as part of the parliamentary process.

Amendment negatived; clause passed.

Clauses 10 to 12 passed.

Clause 13—'Term of office of board members.'

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

Page 7, lines 1 to 6—Leave out subclauses (4) and (5).

As the Committee would realise, other amendments I have on file suggest that the Opposition is keen to see land-holders elected rather than appointed. While I realise that this matter relates to vacant positions on the board, I see the importance of having these two subclauses deleted and seek the support of the Committee for doing so.

The Hon. S.M. LENEHAN: I oppose the amendment, for a number of reasons. First, these subclauses have operated under the current Act quite successfully over the years and are quite standard in a number of Acts. It also means that we have the capacity to respond quickly to a casual vacancy, which I believe the board thinks important. It is an interim provision and will not in any way take away from the normal elections that would take place for positions on the board.

It will enable us to respond fairly quickly in cases where someone dies or hands in his or her resignation for any reason and a casual vacancy occurs. Of course, I would want to consult with the various areas to ensure that whoever was appointed was someone appropriate in terms of acceptance by the particular region which had the vacancy. The appointment would be only until the next election. For consistency with the way in which this has operated in the past, I intend to stick with what is in the current Act.

Amendment negatived; clause passed.

Clauses 14 to 16 passed.

Clause 17—'Functions of board.'

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

Page 8—
Line 34—Leave out 'rural' and insert 'non-urban'.
Line 36—Leave out 'rural'.

The Bill states that one function of the board is:

to provide an effective and efficient system for managing the surface water of the rural lands in the South-East, by conserving, draining, altering the flow or utilising that water in any manner.

I do not see that it is important that it be just rural lands. There are other lands, such as Crown land, for example, and lands that have been set aside for wetlands and a number of other reasons. I ask the Minister to support the amendments.

The Hon. S.M. LENEHAN: I am happy to support the amendments.

Amendments carried.

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

Page 9, line 7—After 'persons' insert 'or authorities'.

The main reason for doing this is that I believe that authorities such as local government, for example, should be involved in this way. It is quite a simple amendment, and I ask the Committee to support it.

The Hon. S.M. LENEHAN: I accept the amendment.

Amendment carried; clause as amended passed.

Clause 18—'Management plan.'

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

Page 9, lines 21 to 23—Leave out subclause (6).

I see it as being fairly draconian that the Minister, before giving his or her approval, may direct the board to make

any alteration to the management plan that the Minister thinks is appropriate, and the board must comply with any such direction. I presume that with a record such as the previous board has had and with the responsibilities that the board has, it is only appropriate that the Minister have confidence in the board as well. I find this subclause obnoxious and believe it should be struck out. I invite the Minister to explain to the Committee why she feels it is necessary for it to be there, if she is not prepared to delete it. It is totally unnecessary. I would have every confidence in the board in the way that it is elected and in the responsibilities that it has. To suggest that the board must comply with any such direction from the Minister is totally unnecessary and obnoxious.

The Hon. S.M. LENEHAN: I shall not accept the amendment for a number of reasons. The drawing up of management plans is related not only to this Bill. We have about 150 management plans under the National Parks and Wildlife Act. This is consistent with what applies under those management plans where the Minister has final authority over the plans. There are sound and sensible reasons for it, not the least being that there can be enormous financial implications in management plans. Therefore, it seems appropriate that the Minister of the day, of whatever political Party, should have the ability to approve the final management plan. After all, the Minister is responsible for the carriage and implementation of that management plan. To be consistent, it is important that we maintain that.

Such a management plan may impinge on the general water resource management issue. We are talking about a management plan not just for a specific small area of land which has no relevance or relationship to other issues. In this case, we are talking about general issues of the resource management not only of water but of the whole integrated approach to land management which we are moving towards more and more right across the country, not just in South Australia.

I believe that the Government must be able to give a direction in an area which has much wider implications and responsibilities than the boards. That is not to say that I as Minister, or any other Minister who will follow me in this area, will want to be directing the board in this way. I think it is consistent with the way in which management plans are now developed by communities and given final approval by the Minister under other Acts. Therefore, I shall not be accepting the amendment.

The Hon. D.C. WOTTON: I am sorry that the Minister feels that way. I understand what she says about management plans within, for example, national parks, but I believe that to be a very different situation. The fact is that a board is to be appointed and the Bill spells out very clearly the responsibilities of the board. It provides:

> The board must, within a year of the commencement of this Act, develop a management plan detailing the action that is to be taken by the board and the council in the administration of this Act over the ensuing three years.
>
> (2) The board must review and update its management plan annually.

So it goes on. All those things are very good. I believe that the Minister's insistence on subclause (6) means that she does not have confidence in the board that is to be set up to carry out this work. I cannot see any other reason for insisting on its being there. It is Crown land and, with a management plan, the Minister has direct responsibility in those circumstances. I will read subclause (6) again. It provides:

> The Minister may, before giving his or her approval, direct the board to make any alteration to the management plan that the Minister thinks appropriate and the board must comply with any such direction.

I believe that is inappropriate and draconian, and it should be deleted. I can see no reason so far in the argument put forward by the Minister why that should remain. It smells of the Minister having a lack of confidence in the board.

The Hon. S.M. LENEHAN: I reject that as in any way having a lack of confidence in the new board. I think that the honourable member answered his own question when he said that we are talking not just about land in private ownership, but decisions over land in public ownership—indeed, land in national parks and Crown land. It seems appropriate that the elected representative of the people responsible for Crown land and for land coming under the jurisdiction of the National Parks and Wildlife Act should hand that line of responsibility back to the elected Minister of the day. As I said, it is consistent with all other management plans which are produced in this State. I think it may be a lack of confidence in the board, but, to be consistent and to have somebody to take a complete overview of both private and publicly owned land, it is appropriate.

Mr LEWIS: That is the kind of supercilious and sly comment that I do not like to hear. Clearly, the Minister does not have confidence in the board. It is there for one or other of two reasons: the Minister wants to meddle in what is otherwise a properly democratically determined decision arrived at as part of an overall complex by the people, as defined in this legislation, who will have responsibility for making such decisions. The Minister says, 'That is all very well, but I am going to override any one of those decisions whenever I want to do so. I will have the power of veto to chop anything out or I will have the power to insist that anything else be added.' So she simply does not have confidence in the board. She is saying that she would do everything that the board would do, save those things that she does not want it to do, and in addition she will do other things that the board does not want to do. What is more, she will force the board to do it in its name. If that is not a lack of confidence, what is?

If it is not the Minister who wants to do that, it is some other miscreant element within the rank and file of her advisers somewhere who would give her that direction and advice to act summarily to change or alter what has been democratically determined by the body. I doubt that is the case, because I know the Minister's advisers and the good work that they have done. Were it not for the fact that they are public servants, I would have praised them by name in the course of my second reading speech for the work that they have done over the years. Yet I know this Minister's record, and I have drawn the attention of the House to it on a number of previous occasions. She acts in an arrogant and cavalier fashion whenever it suits her and completely ignores the interests, rights and prerogatives of anyone else who might be affected or involved not only in this place but also, and more particularly, within the administration of her portfolios.

The Hon. H. Allison: That is only the good news.

Mr LEWIS: That is only the good news. We do not have to be told much more to realise that there is more bad news that goes with it. The Committee should recognise that the Minister can have only clandestine reasons for wanting to be able to ignore the board and make it do her bidding. No other Minister is so arrogant. If under the legislation we elect a body and appoint members to it to make decisions on behalf of the community which will be affected, having confidence in the process and the composition of the body conducting that process, we do not need to have a paternalistic—maybe the Minister prefers maternalistic—overriding power to tell them what to do if they do not do what the Minister wants them to do in every sense. We do not

need that. Clearly, if one needs it, one is paranoid or a megalomaniac. I do not care which of the two the Minister chooses; it is one or the other.

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 Chapman, Eastick, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton (teller).

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

The CHAIRMAN: There being 22 Ayes and 22 Noes, I give my casting vote to the 'Noes'.

Amendment thus negatived; clause passed.

Clauses 19 to 22 passed.

Clause 23—'Accounts and audit.'

The Hon. H. ALLISON: Will any Government funds be involved in the administration of this legislation and, if so, how will those funds be raised? Against which ministerial line will they be shown? I raise this matter for a couple of reasons. Up to June 1980 the Eight Mile Creek drainage rates had been rising at an extremely rapid rate, getting towards the $800 to $1 100 a year mark an amount which at that stage made many of the dairy farms in the Eight Mile Creek area almost unviable. To create a fair situation for all dairy farmers in the South-East, the drainage rates were abolished at that time. This had the effect of almost doubling the then land values of Eight Mile Creek, not giving them exorbitant profits but simply bringing them in line with the land values that pertained throughout the soldier settlement blocks in the whole of the Lower South-East. Until that stage, the Eight Mile Creek area was grossly undervalued.

Another reason I ask whether the Government will be providing any funds for the administration of the legislation lies in the fact that the Corcoran breakwater (which was named after Des Corcoran's father) has created some problems in the Port MacDonnell area, not the least of which is silting adjacent to the mouth of a drain which is towards the eastern end of Port MacDonnell on the foreshore. Water flowing along the drain at high tide has created quite a lot of salinity in an arc behind Port MacDonnell in what used to be first-class pasture but which is now salty ground. This situation is nowhere near the salinity of the Upper South-East but is still a problem where none existed prior to the construction of the breakwater, and that problem is not the making of the soldier settlers or the residents in the Port MacDonnell area. Also, an obvious alternative, and one which I would not like to see, is for the Minister to consider the reinstatement of the exorbitant rates that were imposed in the Eight Mile Creek area.

The Hon. S.M. LENEHAN: The Engineering and Water Supply Department provides an appropriation to the South Eastern Drainage Board on an annual basis, and this will continue, except that it will be to the South Eastern Water Conservation and Drainage Board. This Bill is not about the appropriation of funds for the work to be carried out in the future. As I understand the question, it relates to the clause, which provides for the board to carry out its responsibilities under the Act.

Clause passed.

Clause 24 passed.

Clause 25—'Functions of the council.'

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

Page 10, line 41—After 'persons' insert 'or authorities'.

I reiterate what I said to a previous amendment, which I am pleased the Minister was able to support. I hope that she will support this amendment as well.

The Hon. S.M. LENEHAN: I am happy to support the amendment.

Amendment carried; clause as amended passed.

Clause 26—'Council subject to control of Minister.'

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

Page 10, line 43—Leave out 'Minister' and insert 'board'.

As I indicated in my second reading speech, the Opposition is concerned about the powers the Minister will give herself under this legislation. I guess it goes back to what we were talking about in clause 18 when the Minister wanted also to be in a position to give directions to the board. The Opposition and I believe that it is appropriate that, under these circumstances, the board should be in a position to exercise powers and functions under the Act: it does not need the Minister. In fact, it would be much more appropriate, recognising the interests of those who will represent the Minister on the board, as I said earlier, that they, and not the Minister, be given the power to carry out the functions under this Act. This appears in a number of instances throughout the legislation, and I will be moving an amendment in each case. The Opposition feels very strongly about this. It is totally appropriate that the board have these powers, and there is no need at all for the Minister to take on that role.

The Hon. S.M. LENEHAN: I will not be accepting this amendment, for many reasons. Yesterday, I clearly spelled out in my answer to the member for Mount Gambier that the Government through the Engineering and Water Supply Department will be funding the requirements of the board under this Act in terms of the management. If we are to have a system whereby the Parliament appropriates funds, and the Minister disburses those funds to a board, it seems totally appropriate to me that the Minister who is accountable to Parliament should be the person who has the responsibility, and that is totally consistent with all other Acts of this nature.

Also, it is exactly the situation that exists now, so to talk about the Minister giving herself some kind of new powers is an absolute nonsense. What exists under the present South-Eastern Drainage Act is exactly the same as proposed under this new Act. The Opposition is seeking to make the council subject to the board. As I understand it, the council is very happy to be subject to the Minister, but it is not happy to be subject to the board, and it is not appropriate.

What will happen is that both the board and the council will work cooperatively together and they will in fact be subject to the direction of the Minister in the proper, appropriate and accountable sense to the people of South Australia, all the land-holders and other residents in the South-East as well as throughout South Australia. To then suggest that the council has to be subservient to the board, and that the Minister in some way has to be, is not appropriate at all. It is not what has operated very successfully for the whole existence of the South-Eastern Drainage Act and the board. We are not making any changes at all. However, we are recognising and respecting the wishes of the council, which has worked very well with us in arriving at this piece of legislation. Its members want to work cooperatively with the new board. Rather than create some tension and conflict, I believe it is totally appropriate to proceed as set out under this clause.

The Hon. D.C. WOTTON: I regret that the Minister has adopted that attitude. Let us look at the functions of the council. Under this Act, its functions are to implement within the council's area the board's approved management

plan in so far as it affects that area. If the council is working with and under the board, why is it not important that it be responsible to the board? Why does the Minister insist on an involvement in this capacity? It is totally inappropriate and unnecessary. It is a concern which I have about the present Government and which has been raised by a number of my colleagues on a number of occasions. Ministers of the Crown seem to insist on having an involvement in such matters. I can only repeat that this Bill establishes a board. I would hope that the Minister has complete confidence in that board, and under these circumstances I believe it is totally appropriate that the council, not the Minister, is subject to the control and direction of the board in the exercise of its powers and functions under this Act.

The Hon. S.M. LENEHAN: I am informed that the council guards its independence quite jealously and has indicated that it wants to have direct access to the Minister. It would be a very foolish Minister, who just rode roughshod over a council which is prepared to work with and implement the policies and requirements of the board, to accept an amendment without consultation with and approval of the council. I do not intend to do that. There has been an enormous amount of consultation, I remind the honourable member, for about 3½ years.

I have done most of my negotiating and consulting with the Leader of the Opposition on this matter, and he has not raised this concern with me until now. I do not believe that it is appropriate now to change the reporting mechanisms when the council itself has indicated that it wants to have access to the Minister. I am quite prepared to give it that access. It has also indicated a willingness to work cooperatively with the board. Again, I would ask the Opposition to let us try to make this thing work, see how it works, and there is always the ability in the future, if for some reason it does not work, to amend it. To not give it an opportunity without consulting with the council is to ride roughshod over the council, and that is what the Opposition accuses me of doing. I do not think that is appropriate.

The Hon. D.C. WOTTON: It is important that the Opposition have further consultation between now and when the Bill is considered in another place, because the evidence that we have does not support what the Minister has just stated. I do not believe that the council would see itself being under the control of the board in the way that the Minister has indicated. I understand what the Minister says about the council's wanting to have access to the Minister. I thought that would have been appropriate in any case, whether it be the council, the board or any other group appointed under this or any other legislation. If it is legally established under an Act, it would be most appropriate for that body to have direct access to the Minister. Certainly, the information that we have does not tally with that which the Minister has brought to the notice of the House this afternoon. We will be seeking further clarification on that matter prior to its going to another place.

Mr LEWIS: I understood the Minister to say that she had had extensive consultations with the Leader of the Opposition about this matter. I would be pleased if the Minister could tell me whether I am correct in my hearing of that. Has she had extensive, wide-ranging consultations with the Leader of the Opposition on this measure overall and on this clause in particular?

The Hon. S.M. LENEHAN: Obviously the honourable member wants to delay the passage of this Bill through the House, but I will not allow that. What I did say, and perhaps he did not hear me correctly, is that the person I have been consistently negotiating with on and off over the 3½ year period is the Leader of the Opposition, from the very first meeting that I attended in Bordertown to talk about the whole concept of what would happen with the Tatiara Drainage Trust. We have spoken on a number of occasions—I will not give the dates and times. I have not spoken about this particular matter in detail because he has never raised it.

The first I knew about this proposal for the council to report to the board or to be subject to the control of the board was when I was given the amendments at dinner last night. I am saying that, if it were a major issue, I would have thought that the Leader of the Opposition, with whom I have been having very cordial negotiations I might say, because we have been walking down the same path, would have raised it with me. He has not, and that is all I have said. That matter is just a red herring, and we are getting used to them from the member for Murray-Mallee.

Mr LEWIS: I am pleased to learn, although dismayed at the consequence of it, that the Minister was prepared to ignore submissions and representations that I made or attempted to make to her, yet for 3½ years she has been talking to my colleague and is prepared to accommodate the sensitivities of the people in the Millicent council, but has absolutely flatly refused to accommodate any of the concerns about the people I represent in another part—

Mr Ferguson interjecting:

Mr LEWIS: —and that is the truth. The member for Henley Beach need not interject by saying it is not. I have just put this on the record for everyone interested in the matter to see that I do not take any joy in making that point, but it disturbs me immensely that the Minister can now make such a claim and publicly thereby leave the odium on either the Leader or me in consequence of her own unwillingness to consider the reasonable suggestions that have been put by my colleague the member for Heysen in the form of the amendments.

Amendment negatived; clause passed.

Clauses 27 and 28 passed.

Clause 29—'Eight Mile Creek Water Conservation and Drainage Advisory Committee.'

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

Page 11—

Line 26—Leave out 'The' and insert 'Subject to this section, the'.

Line 30—After 'area' insert 'elected to office by the eligible landholders in that area'.

Lines 36 to 38—Leave out subclause (5).

I point out to the Committee that the next amendment is consequential on this one, in particular on the amendment to clause 30, line 14. It relates to the Opposition's desire to have members elected rather than appointed. We see that as being very important. Again, as a result of consultations we have had, it has been made very clear, particularly by the land-holders, that they would prefer to have a system whereby they are elected to a position rather than be appointed, as can be seen from my amendment. We recognise the need for appointment: it seems to be quite sensible, and as a result of consultations we hope that the Minister will accept these amendments. The amendments presently before the Committee will be treated as a test case. We are saying that we strongly recognise the need for land-holders to have the opportunity to elect rather than for people to be apointed to these positions. I urge the Committee to support the amendments.

The Hon. S.M. LENEHAN: I am sorry to disappoint the honourable member, but I will not accept these amendments, either, and for some very sound reasons. We are talking here about advisory committees. I have a large number of advisory committees in my range of portfolios

and with no other committees do we conduct elections. They are advisory committees providing advice and not statutory committees making decisions. Not only does this situation not exist, to my knowledge, but I cannot say that in any other portfolio in Government that I know of are elections conducted by the Electoral Commissioner, which is both time consuming and costly. I would have thought that, in an economic recession, to be adding yet another layer of bureaucracy and cost seems not to be the appropriate way to go.

I have certainly had no direct representation with anyone suggesting that we should have advisory committees elected. There are enough checks and balances in the Bill as it stands to ensure that we get advisory committees that are indeed representational of the interests of all people within the area covered by this legislation. I do not believe that it is appropriate to proceed down the path of having all members of advisory committees elected through a system that would have to be conducted through the Electoral Commissioner, which is both costly and time consuming.

The Hon. D.C. WOTTON: The Opposition has certainly received advice from those with whom it has consulted that this provision is being sought.

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: The Minister indicates that it is the first time that the Chairman of the board, who is advising the Minister at this time, has heard about it. With respect to that gentleman, the Opposition has consulted with a number of people and organisations in the area affected by this legislation. Both I and my colleagues who have direct responsibility in those areas have consulted and it is appropriate that that should be the case. The advice I have received is that there is certainly a strong feeling towards the need for elections rather than appointments to be carried out. I do not accept what the Minister says about it being an extremely expensive operation. We are not suggesting that it should be and we have set out quite clearly in the amendments how the election could take place. It is not an expensive or long operation: it simply makes sense and has been requested. Therefore, the Opposition feels strongly that the Committee should support the amendments.

Amendments negatived; clause passed.

Clause 30 passed.

Clause 31—'Other advisory committees.'

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

Page 12 line 29—After 'The Minister may' insert ', after consulting the board,'.

This amendment would mean that the Minister may establish such other advisory committees as the Minister thinks necessary or desirable for proper administration of this Act. We are suggesting that that should happen only after consultation with the board. Again, it is feasible and something to which the Minister should give consideration. I hope that the Committee will support it.

The Hon. S.M. LENEHAN: I accept the amendment, as it is totally appropriate and it would be my intention that any Minister administering the Act would have consulted with the board, had it not been written into the Act. No Minister would be rushing around setting up advisory committees, other than those actually delineated in the Bill, without consulting the board. I am happy to accept the amendment as it clearly spells out the intention that I and I am sure subsequent Ministers would have.

Amendment carried.

The Hon. D.C. WOTTON: What committees does the Minister think are relevant, and what is the composition of any other committees that we are considering at this time?

The Hon. S.M. LENEHAN: I do not have any committees in mind at this stage. What this would do would be to give the ability in the future, should it be appropriate, and one cannot see around corners, to use a cliche. It is a commensense approach to have that ability, after consulting with the board, where it might be appropriate and where it becomes necessary in the future. I do not have any specific committees in mind but, obviously, we would have included them in the Bill, had that been the case.

Clause as amended passed.

Clause 32—'Terms and conditions of office.'

The Hon. D.C. WOTTON: I understand that the first part of my amendment is consequential and, as the Minister has indicated that the Committee cannot support that amendment, I realise that that is knocked out. However, I would like to insert a new subclause after line 34 so that an elected member of an advisory Committee is elected to office for a term of four years. The clause in the Bill provides for a term not exceeding four years, as is determined by the Minister and specified in the instrument of appointment. I understand, and I seek your advice, Madam Acting Chair, that that would be consequential on the decisions that have already been made.

The ACTING CHAIRPERSON (Mrs Hutchison): I believe that, in terms of being elected, the amendment would need to be moved in a different form.

Clause passed.

Clauses 33 to 36 passed.

Clause 37—'Water in water management works is property of Crown.'

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

Page 14, line 11—Leave out 'Minister' twice occurring and insert in each case 'board'.

The clause provides:

The Minister may, on such conditions as the Minister thinks fit, grant to any person the right to take or use the water in any such water management works.

I indicated to the Committee earlier my concern about the powers the Minister holds. We believe that again this is an area for which the board could have responsibility. I do not want to go over all the debate that we have had previously in this area but again, while recognising what the Minister has said (and I do not agree with what she said previously), in this case I believe that it is appropriate that the words 'the Minister' be replaced by the words 'a board'. I seek the support of the Committee for the amendment.

The Hon. S.M. LENEHAN: I am a little disappointed, because the honourable member is also the shadow Minister of Water Resources. This is totally consistent with the Water Resources Act. It seems to me that some person must be responsible for water resources throughout South Australia. This provision is included so as to be totally consistent with the Water Resources Act. I would like to inform the honourable member—it might make him a little more comfortable—that the Minister could delegate that power in specific areas. However, it would be quite inappropriate to have a Water Resources Act that vests in the Minister the responsibility for good management, care and control of water resources throughout the whole of South Australia but then to say, 'Hang on a minute, in the South-East we have a different system.' That kind of legislation leads to problems, conflict, bad decision making, and a lack of ability to have an overall plan and vision to move forward in South Australia with the management of our most precious resource. For those reasons, I cannot accept the amendment, but I can say that, where appropriate, obviously, the Minister will delegate those powers to the board. I think we must have consistency, otherwise we look foolish.

The Hon. D.C. WOTTON: All I can say is that I believe that the Minister is being pedantic. I certainly recognise the responsibilities under the water resources legislation and the responsibility of the Minister but, again, I make the point that we have a board that is appointed with people who are responsible, who understand the responsibilities and privileges that they have, and I would have thought that, in this particular case as I have indicated—

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: I am just explaining the situation as I see it, and I regret that the Minister does not concur.

Amendment negatived; clause passed.

Clause 38—'Further powers of board and council.'

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

Page 14, line 19—After 'cleanout' insert ', shore up'.

I think I understand the terminology behind all this. I am not sure whether this is a South-Eastern expression or what it is but, certainly, it has been put to me that I should seek to amend this clause in this way: to insert 'shore up' which, as I understand it (and I have sought some advice on this), means to strengthen; to make stronger. I can see the need for that and, as this is pretty important, I hope the Minister will agree with it.

The Hon. S.M. LENEHAN: I do have the same understanding of the meaning as does the honourable member, and I would be quite pleased to accept the amendment.

Amendment carried.

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

Page 14, line 23—After 'notice' insert ', being not less than one day,'.

What we are doing at this time is talking about a reasonable time of the day. As I understand it, under common law, that is established, and we are also talking about giving reasonable notice to the land-holder. I believe that reasonable notice should be spelt out and it should not be less than one day. I would hope that the Minister could concur.

The Hon. S.M. LENEHAN: Of course, I am happy to accept that: that was taken as happening but, if we want to insert it, that is fine.

Amendment carried; clause as amended passed.

Clause 39—'Power to require land-holders to contribute to cost of works.'

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

Page 14, lines 34 and 35—Leave out 'a number of land-holders respresenting between them more than 75 per cent of the total area of land' and insert 'not less than 75 per cent of the total number of land-owners whose land'.

I do not believe this needs much explanation but, again, it has been put to me that the Opposition should press to have the Bill amended in this way. I think that the amendment is self-explanatory for the reasons that my colleague the member for Murray-Mallee has put forward. I think it is important to realise that we are working with land-holders and not just with areas of land. I see this as important, and seek the support of the Committee.

The Hon. S.M. LENEHAN: I remind the honourable member that the member for Murray-Mallee made an excellent case for supporting exactly what we have. He talked about the area of land, not taking into account the number of land-holders at all. In fact, the member for Murray-Mallee has probably made an excellent case for supporting what is in the clause and not supporting the amendment. The Bill is concerned with natural resource management, for example, water and flooding and, therefore, the area of land and not the land-holder should be the predominant factor. If land-holding numbers were adopted as proposed, it is possible that a very small number of land-holders could wield an inordinately high amount of influence over works that could benefit very large areas.

We are also talking about Crown land and land that comes within the national parks area, and the honourable member has clearly put this into the definitions. We must ensure that the small land-holder has a say and does not feel in any way disfranchised. The small land-holder will be protected in two ways: first, the board has a discretionary power to reject any proposal, so that the statutory wording is 'may proceed'; and, secondly, a land-holder has a right of appeal to the Water Resources Appeal Tribunal against being included in the area of benefit.

It is important that we look at this as a conservation and land management measure to address the complex problems of that whole area. While I think a couple of small land-holders might feel that this is not the way to go, I am informed that the vast majority of people believe that it should be 75 per cent of land holdings rather than land-holders. As I have said, there are two areas in which I believe that the rights of small land-holders will be protected and that they will have some form of protection under this Act. The member for Murray-Mallee made some very valid points to support this during his earlier contribution. I cannot accept the amendment.

The Hon. D.C. WOTTON: The last thing I want is to do anything to harm small land-holders. I still feel pretty strongly about this, but it is important, as a result of what the Minister has said, that we consult further on this matter between now and when the matter comes before the other place.

Amendment negatived; clause passed.

Clauses 40 to 43 passed.

Clause 44—'Power of authority to direct certain work be carried out.'

The Hon. D.C. WOTTON: I want to ask what the Minister understands by 'pursuant to a licence' in clause 44 (1) *(c)*. I understand that that could make a licence retrospective: is that how the Minister sees it?

The Hon. S.M. LENEHAN: I think that we need to look at the intent of the legislation, which is to have better management of the area in the South-East. Clause 44 (1) *(c)* provides:

> . . . any water management works constructed by a person pursuant to a licence (whether before or after the commencement of this Act) are having a harmful effect on the proper management or conservation of surface or underground water in the South-East.

In other words, if works have been undertaken that will prevent future management and conservation, the board would be able to have those works removed. I do not think that there is any other way that you could move forward to the best decisions in terms of the ongoing and future management of this whole area. I am not aware that anyone has raised an objection to that. It is a situation where, if people have put in works in the past that make the situation worse, it makes a nonsense of having a whole new approach and this cooperative of landowners, the board and everyone working together. We would just have to say, 'It's too hard: we have to proceed'.

The Hon. D.C. WOTTON: I have some concerns about that and about what the Minister has just indicated, and should like to take it on notice. If we feel it necessary, we will take action at a later stage.

Clause passed.

Clause 45—'Water not to be taken from board or council water management works.'

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

Page 17, line 19—Leave out 'Minister' and insert 'board'.

Clause 45 provides:

A person must not, without the permission of the Minister, take water from any board or council water management works.

We believe it appropriate that it should be the board, for the same reasons I gave before, which I do not intend to repeat. I guess, for the same reasons, the Minister will oppose this.

The Hon. S.M. LENEHAN: For the same reasons, I reject the amendment and ask the Committee to do likewise.

Amendment negatived; clause passed.

Clause 46 passed.

Clause 47—'Permission may be conditional.'

The Hon. D.C. WOTTON: This clause provides:

The granting of permission under this division may be subject to such conditions as the person granting the permission thinks fit.

We think this is a simple matter and believe that it should be subject to such conditions as the relevant authority thinks fit. That should be self-explanatory.

The Hon. S.M. LENEHAN: I believe that the honourable member's proposed amendment is consequential on the previous amendment.

The Hon. D.C. WOTTON: I did not believe it to be but, because of the lateness of the hour, I will consider that again at a later stage.

The CHAIRMAN: I understand that the member for Heysen is not proceeding with his proposed amendment to clause 47 on the ground that it is consequential; is that correct?

The Hon. D.C. WOTTON: I am told that that is the case, and I have no alternative.

Clause passed.

Clauses 48 to 51 passed.

Clause 52—'Powers of authorised officers.'

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

Page 19, after line 26—Insert new subclause as follows:

(7) An inspector, or a person assisting an inspector, who—

(a) addresses offensive language to any other person; or

(b) without lawful authority or a reasonable belief as to lawful authority, hinders or obstructs or uses or threatens to use force in relation to any other person,

is guilty of an offence.

Penalty: Division 6 fine.

This amendment is affectionately referred to as the Gunn amendment. I understand it sets out a few requirements concerning inspectors entering people's property, etc, and has been brought forward in a number of similar Bills. This is very reasonable, very sensible, and I am pleased to see that the Minister is going to support it.

The Hon. S.M. LENEHAN: I am delighted to support the Gunn amendment. As the honourable member says, it is quite appropriate and is reasonable, as is the member for Eyre. Therefore, I am happy to accept the amendment.

Amendment carried; clause as amended passed.

Clauses 53 to 58 passed.

New clause 58a—'Money for the purposes of this Act.'

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

Page 20, after clause 58—Insert new clause as follows:

58a. The money required for the purposes of this Act will be paid out of money appropriated by Parliament for the purpose.

I was interested in the Minister's response to my colleague the member for Mount Gambier about the opportunity for funding to be established under this legislation. Drainage rates were abolished some time ago. I cannot see how, recognising what the Minister said in response to the member for Mount Gambier, the provisions under this legislation are to be funded if it does not come out of parliamentary appropriations. If the Minister cannot explain why this new clause is not required, we shall have to take action in another place.

The Hon. S.M. LENEHAN: I do not propose to accept this new clause. First, this is not a money Bill. Secondly, if the honourable member had read in detail clause 39, he would see that it provides for land-holders to make a contribution to the cost of new works. What we have on this side and through the auspices of the present board and departmental officers—and I believe there is agreement by Opposition members—is a concept that the beneficiaries will have to contribute in some way. We have said consistently that we will not tell them how they will contribute: we will allow the board and the advisory committees to determine the best possible means for the ongoing funding of what will be a long-term program. This new clause could give a false impression to land-holders that the Government will pay for all future drainage works. I have made clear that that is not the case. In fact, the Leader of the Opposition has accepted that on a number of occasions, both publicly and privately. Clause 39 indicates that there will be some ability for land-holders to contribute.

Another matter that concerns me is that this would ensure that any future agreement with land-holders could mean that we have to impose a new tax, because it will have to come up through the consolidated accounts and come back through appropriation through the E&WS. I am not prepared to be part of raising the spectre of new taxes, on the one hand, or, on the other hand, that the Government will pay for everything in future. It is not necessary, this is not a money Bill, and it is not appropriate to have it in there.

It is a red herring to talk about drainage rates. There is no provision in the Bill for drainage rates to be introduced, reintroduced or anything else. If that were to be the preferred option of the board and the local communities—and I do not believe for a moment that it will be—that would have to come in by way of amendment under another Bill introduced into Parliament. Therefore, it is nonsense to say that there might be some ability to have drainage rates under the legislation. I have it on extremely good authority that that is not the case. Therefore, I reject the new clause.

New clause negatived.

Clause 59, schedules and title passed.

Bill read a third time and passed.

URBAN LAND TRUST (URBAN CONSOLIDATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 November. Page 2526.)

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

A quorum having been formed:

Mr S.J. BAKER (Deputy Leader of the Opposition): Mr Speaker, I am not the lead speaker for the Opposition in this debate, so I will be brief. The Opposition strongly supports the proposition of urban consolidation. In fact, many of the policies that we have propounded over a number of years have put forward the idea that we should somehow limit the continual extension of our urban fringe because of the huge costs associated with the provision of infrastructure and, indeed, the costs in human terms for those people who are cut off from the mainstream of life by being settled on the fringe. The Housing Trust has, unfortunately, over a period of time been one of the major developers in the new areas and services have not been available to those people in the extended urban areas. That has been unfortunate for the people concerned.

We all believe that we should be doing more with our infrastructure and trying to decrease the cost of government. We should be attempting as far as possible to use the available land that we have rather than building and further extending the fringe of Adelaide, because there is a huge cost involved in both capital and human costs.

Whilst we support the principle of urban consolidation, we do not believe there should be an unfettered right by any institution compulsorily to acquire land without some particularly strong controls. I shall leave it to my colleague, the member for Hayward, to address the Bill, because a number of very important issues have to be considered. It is simply not a matter of saying that we will allow the Urban Land Trust to operate in an unfettered fashion in the marketplace with the compulsory acquisition powers that presently exist in the legislation. I pass over to my colleague, the member for Hayward, who is the lead speaker in this matter.

Mr BRINDAL (Hayward): The Opposition has considered this Bill in great detail. As does the Government, we support the concept of urban consolidation. We can see the problems related to the extension of the Adelaide metropolitan area in an unfettered fashion and in a ribbon development which stretches both north and south. We are acutely aware, from the statements of Ministers and the work that various shadow Ministers have done, of the extensive cost of a sprawling infrastructure which does not radiate equitably from a centre source. As does the Government, we believe that urban consolidation is the logical step for any Government of this State. This Bill seeks to support the concept of urban consolidation, and the Opposition supports it.

However, we have some reservations, and those reservations are carefully laid down in the '2020 Vision' document that the Government agencies produced. If members were to peruse that document they would become aware that '2020 Vision' provides not for piecemeal urban consolidation anywhere around the metropolitan area but for urban consolidation basically along transportation corridors. That again is a concept that I am sure you, Sir, and other members, and certainly the Opposition, support—in other words, urban consolidation in a fashion that enhances the existing infrastructure, minimises the cost to Government and makes our State a more pleasant place in which to live in the next century and beyond.

I would be remiss if I did not point out the concern of some of my rural colleagues and, I am sure, of the member for Flinders who have rightly pointed out that this is urban consolidation legislation and as such naturally does not address the many problems associated with the development of regional South Australia. Whilst that is not the province of the Bill, I am sure that those members would like recorded that they are sorry that more has not been done for the development of regional South Australia, through whatever agencies the Government has, to ensure a diverse development of viable economic communities not only in the greater metropolitan area but in places such as Port Augusta, Port Pirie, Whyalla, Mount Gambier and Port Lincoln. If this State has a good and rosy future, it must be not only on the Adelaide Plains but in towns in the Mid North, the Far North, on the West Coast and in the South-East. All of South Australia needs the rest of South Australia for its healthy and logical development.

Many of the questions that the Opposition would ask have been answered in some detail in the second reading explanation. At this time in the debate, and subsequently during Committee, I will ask the Minister to reaffirm the commitments that he gave in the second reading explanation, since we believe that some of them are very important statements. The Opposition wants a categorical assurance from the Minister that the things he set out in the second reading explanation—the general *modus operandi*—will be adhered to, and that as long as he is Minister he will see that the policy of his Government is as he has stated in the public record of this Parliament. That being the case, we have fewer objections and questions than we otherwise might have had. I suppose it is a case of the Opposition's being prepared to accept the Minister's word and to believe that he is an honourable man and that he will act honourably, as he has said he will.

The amendment on which the Opposition is insistent is embodied in the principal Act. Members opposite will know that there are a declining number of real differences between the Liberal Party and the Labor Party in South Australia. Daily there are many things in this House on which we agree; there are many strategies on which there are no great differences. However, this Bill contains one element of Liberal policy on which there is little compromise and about which I suspect members opposite disagree, that is, the power of compulsory acquisition. The Liberal Opposition, because of the emphasis it places on the rights and freedom of the individual with minimum interference from Government, believes that a compulsory acquisition power in this case is inappropriate. We would not and do not argue that, if an acquisition were necessary for the public good, to build a road, a school or some other public utility which serves the community, there would be a case for the public—the people—to acquire compulsorily the land that is necessary for that purpose.

However, the Opposition would argue that as this is a land trust—a bank—the compulsory acquisition power should not exist. In fairness to the Minister, we acknowledge that section 14a of the principal Act severely limits the power of compulsory acquisition, and limits it in a rational and reasonable way. Nevertheless, as a basic point of our philosophy, we do not believe in compulsory acquisition. Therefore, however rational and reasonable the Minister may be in this case, it is a matter of principle for us, thus we will seek to amend the legislation and to have the compulsory acquisition power deleted not only in terms of urban consolidation but also in terms of broadacre acquisition. I need detain the House no longer. I ask that the Minister, in reply, assure the House that the propositions and methods of operation that he laid down in the second reading explanation will be adhered to by the Government and that the land trust will operate in the fashion he has outlined (and I need not reiterate those points, because they can be seen quite clearly from the second reading explanation by any member who wishes to read *Hansard*).

Mrs HUTCHISON (Stuart): I rise in support of the Bill, which is very innovative in the area of urban consolidation and a major initiative in the metropolitan planning framework. We must be constructive in any consolidation that we do in the urban area. I do not disagree that we also should be looking at regional areas, as the member for Hayward has pointed out, but in terms of this Bill, what is before us at the moment is both sensitive and sensible in terms of metropolitan urban consolidation. I am sure all members would agree with this sort of system, because it is something which is essential for consolidation and development within the city area.

In the second reading explanation, the Minister set out the objectives of the Government's urban consolidation policy which was initiated in 1987. All those objectives are

laudable and deserving of support from all members in this House. The Urban Land Trust itself plays a very important role in urban consolidation, and for some very sound reasons, which the Minister set out in her second reading explanation and which all members have had an opportunity to read.

There is also private sector support for an extension of the trust's role, as has been provided for in this legislation, and I believe that this is both necessary and important to provide a very constructive Bill for the development of the metropolitan area. The proposed extension of the role is clearly delineated, and the expertise and resources available to the trust should ensure that it can play that role very efficiently and effectively for the benefit of the State. The Bill, which refines the Urban Land Trust Act 1981, deserves the support of all members, and I have much pleasure in supporting it.

Mr LEWIS (Murray-Mallee): I was astonished to hear what the member for Stuart said about this Bill being sensitive and sensible. I do not know what it is in the Bill that is sensitive and sensible. She did not quote any part of this short Bill, which does not even cover half a page.

Mr Ferguson interjecting:

Mr LEWIS: What she is saying, I point out to the member for Henley Beach, is rhetoric. It is not contained in this legislation at all. The pity of it is that too much of the powers that we give in legislation provide Ministers with the opportunity of legislating by proclamation, or otherwise by regulation, what they want to do, because the legislation permits that exercise of power. To my mind, that is undesirable. It leaves the public without the ability to understand what their situation, duties or rights are or might be under the law. They cannot depend on the fact that their rights and freedoms will not be altered without reference to Parliament, because power is too often provided in legislation for that to occur. It is too much the case these days.

I am pleased that the member for Hayward has drawn attention to one aspect of the law in which the rights of individuals for the peaceful enjoyment of their personal property, whether it is real estate or anything else, are put in jeopardy. Where a member of the general public has the misfortune to own a piece of real estate that the Minister of the day for any purpose whatsoever fancies, the Minister can acquire it compulsorily. I do not think that is appropriate. There have been recent instances in which properties such as hotels have been taken from their rightful owners by compulsory acquisition or under the threat thereof, just because the Minister or the Minister's fellow travellers (in political terms) have decided that they want it and they want to relieve the incumbent owner of the property. That is quite unfair.

In other instances, the Government has simply stated its intention to acquire a property at some future time, and that immediately means that the natural appreciation in its value no longer occurs, even though the currency in which that value is expressed continues to depreciate. No-one else can buy the land, because the Minister or someone within the Government has chosen to put the public on notice that they will eventually take it over. To my mind, all that is wrong. It is not appropriate for Governments to subject individuals to such threats. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

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

COUNTRY FIRES (NATIONAL PARKS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 November. Page 2417.)

The Hon. T.H. HEMMINGS (Napier): I am in two minds over this Bill because events have overtaken the views expressed by the member for Eyre when he introduced this Bill on 27 November last year. As the House is well aware, a select committee appointed to look at bushfire suppression and prevention emanated from a private member's motion moved by my very good friend the member for Alexandra, who I sincerely hope will stay with us until the end of this Parliament. In his second reading explanation the member for Eyre in effect talked about the National Parks and Wildlife Service having failed to understand or appreciate the fact that volunteers must be handled in a sensible and reasonable manner and that the skills which these people have developed over many years should be applied to national parks.

I am not saying whether I agree or disagree with that statement. I am on dangerous ground, but I am talking in broad terms. That is what the select committee is looking at: it is looking at the relationship between the Country Fire Services and the National Parks and Wildlife Service in relation to the prevention or suppression of bushfires. In fact, the member for Eyre went on to talk about fires that occurred on Kangaroo Island, at Mount Remarkable and in the Wirrabara area. Again, the terms of reference of the select committee embrace some of the problems that came out of those fires.

One can also argue that, although the member for Eyre may not have had that intention when introducing this Bill in November last year, the clauses of the Bill are too narrow and specific, whereas with the select committee one could say that its terms of reference were the most generous that it could could have. That view has been expressed in relation to it. The select committee talks about changing legislation and policy, and that is why I am in two minds on whether to talk against the Bill or to support it. I support the intentions of the member for Eyre in introducing this Bill, and I am sure that the member for Alexandra shared that frustration when the bushfires occurred on Kangaroo Island. I have said in this House that the member for Alexandra, even whilst the bushfires were raging, was making fairly critical speeches in this House with which most of us here had a fair degree of sympathy. That sympathy was echoed by two responsible Ministers, as the Government picked up the honourable member's suggestion to set up a select committee.

The Hon. Ted Chapman: Those speeches were a bit like *Blue Hills*, even though the subject was serious.

The SPEAKER: Order!

The Hon. T.H. HEMMINGS: Even if the terms of reference were enlarged more than the member for Alexandra had even dreamt of in the first instance, that would add weight to my argument that this legislation is defunct. I may be being unkind to the member for Eyre, but when this Bill proceeds to its logical end it may give members who are not on the select committee a chance to have some input and to give some guidance to members of the select committee.

I have said enough on this Bill to point out the problems that we as a Parliament may have if we were either to endorse or reject this Bill. At the moment, a wider argument is being canvassed by a committee of this Parliament, and that is the way we should be going. I do not want to adopt

the two-bob-each-way kind of attitude taken by the member for Hayward, but I urge members who wish to speak to this Bill to bear in mind exactly what I have said.

The Hon. TED CHAPMAN (Alexandra): Let us put the record straight: the Bill may be dealt with because it is a motion by the member for Eyre, and it does not run in conflict with the select committee activity to which the member for Napier alluded. Standing Orders, Sessional Orders or both provide precedents for a Bill to be dealt with over a motion. So, it is not inappropriate in these circumstances to deal with the Bill in the face of the activities of the select committee.

The subject of fire fighting is quite important and, indeed, stands alone and apart from the matter which the member for Napier has been discussing. In my view it is quite improper to talk about the select committee's activities during the passage of this Bill. However, be that as it may, he is now seated and I have forgotten.

The Hon. T.H. HEMMINGS: On a point of order, Mr Speaker, I have not transgressed the rules governing select committees. The member for Alexandra is well aware of that. In fact, I checked with the Clerk, and I have never discussed anything that came out of the select committee.

The SPEAKER: Order! The member for Napier is now starting to transgress. The point of order is not upheld, in that no transgression occurred; otherwise, the Chair would have picked that up.

The Hon. TED CHAPMAN: Now that the member for Napier has cleansed his position yet again, let me continue to recognise the efforts of my colleague, Mr Gunn, the member for Eyre. He has sought the support of this Parliament to give precedence to CFS officers over National Parks and Wildlife Service officers in the chain of command at such fires when they occur either inside, adjacent to or outside national parks. I support that view, and I support the action that the member for Eyre has taken in order to clear up what has become a confusing, if not community dividing, situation in the big paddock. We have had enough of this type of argument occurring at bushfires. It is a difficult enough climate in which to work in order to suppress an out-of-control fire, without having aggravated parties wanting to be the boss over the one job.

There can be only one captain at a fire, in my view. That captain ought to follow a fire into a park, out of a park or in a park in the same way as he follows a fire when that fire is on a farm, in a factory, on the premises of a business or on any public land. In South Australia we have a situation where the Metropolitan Fire Service is the single authority in charge of a fire whatever the premises might be: whether it is in D & S Security premises in Currie Street, where the Aborigines accumulate in Victoria Square or whether it is on the banks of the Torrens, in the Remm Myer site in Rundle Mall or down at Port Adelaide.

One single authority is in charge and recognised by the whole community, by the police, by property owners, by occupants and by citizens at large as being in charge, and that is how it ought to be. That is precisely the situation in the rural arena. Whether it is your farm, my farm or anyone else's, whether it is a roadside vegetation fire, in a park or on Crown land or anywhere else in a township, there is one authority that takes charge, and that is the CFS, except in the case of a national park. We have this confusing situation of two lots trying to run the show, and that is a recipe for disaster. It has been proved to be a recipe for division in a community, where you have mates against mates, neighbours against neighbours and genuine volunteer officers against employed park rangers, and so on, fighting about who is in charge of a fire, what should be burned to suppress the fire, and what action should be taken to head it off, burn back or whatever, and it is a debacle that needs to be addressed.

What my colleague the member for Eyre is endeavouring to do in this Bill is deal specifically with that matter. I repeat that his action in this instance is positive, specific and, indeed, is required. I hope that the House will see the merits of that argument and support it on a bipartisan basis. Without getting away from the core of the subject, I will just refer to one or two other points that pick up the objectives of the member for Eyre but deal with them under the canopy of the select committee.

It is inappropriate for the members for Napier, Playford, Mitchell or me or, indeed, for the member for Kavel (the Hon. Roger Goldsworthy)—all of whom are members of that select committee—to deal with any part of the evidence until it is tabled in Parliament and becomes public. However, it is quite proper, in my view, for us to talk about the committee's terms of reference, because that is a public document that has been supported by this House and is out in the public arena. It deals with the very matter that we have been discussing in this Bill.

It also deals with a number of other matters, which I agree ought to be dealt with. It addresses the subject of reducing the fuel load in the community at large, in other words, applying a bit of good management, recognising that fire is a tool of management, and suggesting—without insisting, demanding or directing—that it ought to be used more widely than it is. Because it has become environmentally unfashionable, as it has become an activity that is feared by some nervous nellies in the community, and because it is a management tool that has been applied for generations by the rural sector, it is a no-no to the greenies—

Mr Gunn: And the Aborigines.

The Hon. TED CHAPMAN: Yes. Let us look at this in the proper context. As the member for Eyre prompts me to state, they have been using it as a tool of management—not being fearful of it—in their region of the State.

An honourable member interjecting:

The Hon. TED CHAPMAN: Well, a long time. I do not want to pursue that subject at this stage; I think enough has been said about this. I think we are on the right track. I think the member for Eyre has put a Bill to this House that is supportable, and I reckon that the select committee's terms of reference that have been mentioned are wide in their application—deliberately so—and that they are supportable. We ought to be seeking evidence and reporting to the House on how we can reduce the fuel load in South Australia, thereby minimising the risk of fires and damage to life and property. Further, we should ensure that, as and when a fire does occur by lightning or by any other strike, there is a single chain of command that can apply itself, albeit in consultation with those who know best about the environmental impact factors and all the other sensitive things that come into the national parks.

In the one minute remaining to me, I will just say that this is not the last time I will address the House; I will have another go or two before I leave. The message around the traps is that I will soon be going and that Dean Brown is on his way back. Tonight, the television even had it that I had already resigned, but I have not: I will go when I am ready. In the meantime, I support the Bill.

Mr FERGUSON (Henley Beach): I was extremely heartened by the final words of the member of Alexandra because we have become very fond of him on this side of the House. He is a member who speaks his mind and, from time to

time on the committees on which I have served with him, he has even agreed with me. We do not want to lose that expertise and I certainly echo the words of the member for Napier when he said that he hopes that he takes the full Parliament before he makes any decision, and I certainly hope he does that.

The SPEAKER: Order! The honourable member will come back to the Bill.

Mr FERGUSON: Yes, Sir. I am pleased you reminded me; I was getting carried away. I am of the opinion that the member for Napier is on the right track with regard to the remarks he made about this Bill. I have every respect for the member for Eyre and I congratulate him on introducing this proposition, but events have overtaken the reason this was put up in the first place. In its wisdom this place has been prepared to establish a select committee, and I know that I am not allowed to talk about the select committee—I am not even a member of it—but one of the reasons we in the House of Assembly establish a select committee is to give members the opportunity to examine in a bipartisan way every aspect and every nook and cranny of a particular problem. I am sure that you, Sir, have seen the select committee in operation and, by and large, it has been a very successful operation.

Very few select committees established by this House have made a recommendation to this place that has not been accepted. We have now given over to a select committee the responsibility of coming up with a decision in respect of bushfires and bushfire management, and I believe it would be inappropriate for the House of Assembly to make a decision that would benefit the whole State in regard to bushfire protection. I do not think that we should preempt what the decision of that committee might be. I did take exception to one or two things that the member for Eyre put to the House in his original contribution.

The member for Eyre wiped off the officers of the National Parks and Wildlife Service when he said that those officers are well meaning but inexperienced in fire control management. I have no argument with that. That is probably true, although I understand that their training is comprehensive. He went on to say, 'They look at matters from an unrealistic perspective. Therefore, it is essential that this area be contained once and for all. It clearly demonstrates that the administration of national parks is a land management, not an environmental, issue.'

I cannot agree that the management of national parks is not an environmental issue. Some people have made a lifetime study to be able to control and provide for environmental matters. For example, we have some very delicate native orchids growing in the Mount Lofty Ranges. Those native orchids are indigenous to a very small area in the Adelaide Hills. If it were not for the National Parks and Wildlife people, who have looked after and cherished those orchids, and were merely concerned with land management, they would have disappeared from the face of the earth a long time ago.

Our national parks cover a vast area. I congratulate the Minister for Environment and Planning because South Australia has taken particular care to acquire as much land as possible for national parks. Of course, we have been criticised for that. On the one hand, we took the decision as a Government to use the money that was available to us to buy as much land as we possibly could at present-day rates to make sure that we had national parks for ever. On the other hand, because we concentrated on acquiring this vast area of national park—something like a fifth to a quarter of our total land mass in South Australia is national park, which is an enormous area—we have not been able to spend our money on park management. It is a question that comes to every Government: do we acquire land for a national park or do we maintain the land that we have and increase its management?

There are criticisms of the way that national parks have been looked after. There are problems with the feral population, and there are many rabbits, goats, noxious weeds and things of that nature in our national parks. This Government had to take the opportunity to acquire national park land when the money was available. From time to time the Federal Government provided us with money and, as a Government, we decided to acquire the land so that not only this generation but future generations would see the benefit. I believe that history will prove those decisions to have been right.

The Hon. T.H. Hemmings: Right on.

Mr FERGUSON: Absolutely. Arising from that we have inherited this problem. There is a continuing argument about land management. I have often heard the member for Murray-Mallee criticise the management of national parks, and to a large extent he has been right. We have had members on this side of the House agreeing with what he has said.

The Hon. T.H. Hemmings: Not me.

Mr FERGUSON: At least I have been prepared to agree with what he has said. There has been much logic in what he has said, but we can only afford to do what can be done with the money that is available to us. Unfortunately, the member for Alexandra has come into the House with preconceived ideas about a report that will eventually be presented to Parliament. It is unfortunate, because he is a member of a committee that is examining all the problems associated with the proposition before us. I do not think that he should prejudge the issue. He should hear all the evidence from all the parties before that select committee and then join in and take the opportunity of winning his argument on that committee so that a report can be presented to Parliament. Much as I like and admire him, he should not come into this House with preconceived ideas about what that committee should or should not be doing.

I find myself in a very difficult position with regard to this proposition. If I vote against it, I shall go down in history, and my name will go down in *Hansard*, as a person who voted against what appears on the surface to be a very sensible proposition. In years to come, when students look at *Hansard*, they will ask themselves, 'Why did the member for Henley Beach vote against this proposition which he probably should have supported?'

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

Mr S.G. EVANS (Davenport): I support the Bill. The purpose of the Bill is to make sure that there is one line of command when fires start on private or Government property, and in particular in national and conservation parks. The member for Henley Beach made the point that the Government has made available considerable amounts of land for public parks, whether national or conservation parks. Governments before, both Liberal and Labor, did likewise, which he did not recognise, as did the Tonkin Government.

The member for Henley Beach spoke about the orchids being destroyed by fire. If the orchids were to be destroyed by fire, what happened when the Aborigines lit a fire at Brownhill Creek before the white man came here? The Aborigines never fought the fire; the confounded thing would go right to the Victorian border. Any plant which could not survive a fire in our environment was well and truly

destroyed long before the white man came here. That is the fact as far as our native species are concerned.

Some people talk about the koalas. Ask those who went before us—our grandfathers and great-grandfathers—whether the koalas were in South Australia when the white man came here. Members will find that the koala was brought from Victoria to this State. The thing that annoys me is the so-called experts who say that the CFS personnel cannot look after a fire and, at the same time, look after particular plant species if they have a chance (and quite often they do not have a chance). They have to do the same on private property. We do not give each farmer the right to handle a fire on his or her property the way he or she would like. The CFS takes control and sometimes the police interfere and order one from one's property. That is one of the worst things that can happen and we should remember that. Those who have the knowledge of their community, the area and of fire should never be forced to leave their home, except if they are aged or invalided in some way, because the safest place is in one's home and one can save it because the fire goes past very rapidly.

The honourable member talks about the Government's responsibilities in managing and maintaining parks. Let me tell the honourable member that last weekend—a hot weekend—there was one person in charge of the Belair Recreation Park plus the Sturt Gorge Park and the other parks at Bradley and Scott Creek—one person! Where is the fire control if something happens? They have to call those services in. The CFS is the closest to those parks. I would like members—in particular the Minister in charge of the House at the moment—to think about that very disgraceful situation of having just one officer present. If a mob of louts decided that they wanted to destroy some of the park or if a fire had started—or both occurred at the same time—how long would it have taken to get the personnel there to carry out proper supervision to control the situation?

I know that the park officers themselves are concerned, but they are scared to take action because we have a Government which is vindictive and which will penalise you when you try to act responsibly. That is something that the Minister presently in charge of the House and the Minister in charge of this portfolio should particularly note. I give credit to the lady who is in charge of this portfolio; I believe that she does a very good job with the resources that are made available to her.

The Belair park has been a fire hazard for a long time. I want the Government to understand that it is not good enough to buy up properties to turn into conservation, national or recreation parks and look after them at some time in the future. If a fire occurs, surely trained officers from the CFS should have the responsibility for handling that situation. At the moment the CFS takes charge just before a fire reaches the boundary of a park, either inside or outside it.

Mr Ferguson: You should give evidence to the select committee.

Mr S.G. EVANS: I do not believe that is a good practice for MPs. It has not always been the practice. They should have to seek permission to do it. I believe that select committees provide the opportunity for the public to come forward and give evidence. Politicians should observe what occurs in their electorates and relay that evidence in the Parliament when they speak to a select committee report or at times like this. It has only become a recent practice for politicians to seek permission to go before select committees.

Mr Ferguson: It's a good idea.

Mr S.G. EVANS: I think it is a bad idea. The honourable member and I disagree on this matter. I now turn to controlled burning. In the area in which I live farmers and people who own bushland control burn about every five years. The Aborigines may have done so more often; I do not know. Controlled burning does not affect orchids; they are still there to this day. I can show members a particular orchid that grows in only one other place—Mount Hotham in Victoria. My grandfather showed me where this orchid was and it is still in the same spot today, on the southern side of a hill growing with maidenhair fern.

There have been many fires through the area but they have been a slow burn, and at the time of year that that occurs the orchids about which the honourable gentleman talks do not have a leaf structure. They flower in spring and then die back, and the bulb is under the ground. If you have a slow burn and not too much heat you do not damage such plants. If you have a really bad fire you might scorch or make some of them blister, but at the time slow burns are conducted orchids are not above the ground. Slow burns do not destroy small reptiles, ground animals and birds because they have a chance to go underground, if that is where they normally rest or hide, or get away or fly off. Also, you burn back against the breeze, not with it.

This practice was followed by indigenous people all over the world before the white man became involved, but now it is said that it should not be done, because some environmentalists say that it harms plants. I say that it does not; that it is part of the process of the plants' life cycle. Some plants do not regenerate until there has been a fire to heat the seeds and enable germination. I congratulate the member for Eyre for introducing this Bill. It is important that there be only one line of command in any organisation. In this organisation you, Sir, are the line of command as far as managing this place, and you had a difficult task yesterday at the commencement of the sittings—and that indicates why you must have the one line of command. I think the same applies with respect to fires in this State. We do not want two or three lines of command. I believe we should give control to the CFS, and in this regard I congratulate the member for Eyre.

Mrs HUTCHISON secured the adjournment of the debate.

CONSTITUTION (PARLIAMENTARY TERMS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 November. Page 2418.)

Mr S.G. EVANS (Davenport): I do not support the Bill. The honourable member is attempting to impose fixed parliamentary terms, except for exceptional circumstances. That is a bad practice because all sorts of manipulations go on in the system building up to the day. If we have a Government like the present Federal Government that seeks to ban advertising, it can have a department start a program at a set time to make things easier for the Government. As it is, admittedly the Government decides when it will go to the polls and it can organise departments to put out press releases and the like to manipulate the situation in that way. My strong view is that fixed terms are not a good practice and, therefore, I oppose the Bill.

Mr FERGUSON secured the adjournment of the debate.

STATUTES AMENDMENT (ILLEGAL USE OF MOTOR VEHICLES) BILL

Adjourned debate on second reading.
(Continued from 27 November. Page 2419.)

Mr S.G. EVANS (Davenport): I support the Bill. There is no doubt that many people see the illegal use of motor vehicles as theft. If a vehicle is stolen to be used on a temporary basis, the law tells us at present that the person has taken it and has gone joy-riding. However, I am not sure that that is a reasonable way to assess the situation. I do not know why those before us legislated so that if a person steals a car and a person or persons are caught in it, that act is regarded as illegal use of a vehicle. In this Bill the member for Hayward has taken appropriate action to apply a much more severe penalty to such an offence and have it regarded as a more serious crime than now applies under the law.

Through the Bill the honourable member seeks to amend the Children's Protection and Young Offenders Act, the Criminal Law Consolidation Act and the Road Traffic Act and to impose severe penalties. The Western Australian Parliament has gone further. Where people steal a motor car and drive it at high speed, severe penalties have been imposed by that Parliament, and I believe that we will be going down that track some time in the future.

An honourable member: Next week.

Mr S.G. EVANS: The honourable member says 'Next week.' We have to give the member for Hayward credit for stirring the Government into action, and that appears to be what is necessary to get some action from the present Government. Again, I refer to the stealing of a person's motor vehicle. A vehicle can be severely damaged, it can be driven over cliffs or dropped into a river, or another offence could be involved.

The Premier has written to me on that topic and said that, if that occurs and the person loses their motor vehicle altogether and wishes to replace it with another one, stamp duty will be charged for the registration of the new motor vehicle. That amounts to approximately $1 500 for a $25 000 motor vehicle. So, a person has to pay the Government a penalty because somebody pinched their car, and the Government believes that it is a just Government. I say it is only just a Government.

The Premier stated in his letter that it would cause some difficulties, but people have their cars stolen, burned, smashed up or whatever, and have to buy a replacement vehicle and pay the stamp duty to re-register it. We talk about victims of crime and we say that we want to help them. We have a fund for victims of crime, where personal injury is caused to the individual, but in this case thousands of dollars are collected from people all over the State. About 16 000 cars each year are not recovered, so we rip some money from people because someone has pinched their car. This matter has been raised because it had not been picked up before. No-one thought about it, and no constituent thought we would do anything about it anyway.

They assumed that we would be like the typical politician and say, 'Bad luck, you are in the minority; we will forget about it,' and quite often that is the attitude of Governments. That must have been the case, because injustice has gone on for quite a while. When somebody raises the issue, it is considered to be too hard. We can find $6 million to build a bridge to help some developer, or we can spend $80 000 a year to keep someone in gaol, where the facilities include swimming pools and gymnasiums. They are the conditions for somebody who has pinched a car. We will spend $80 000 each year on them, but the person who has their car stolen is ignored and ripped off.

I know that this is hurting and that it has sunk in this time. I will test the House on it again at a future date. That is what happens with stolen cars. If a person takes a car and prangs it five miles down the road, what do we say? Do we say that they have damaged it and should be charged for the damage? Those people do not go for a joy-ride; they pinch a car and quite often cause much inconvenience and extra cost to people. There is the trauma for the owner of waiting until they find out whether or not the car can be located. There is the trauma of being without a vehicle and trying to find a replacement vehicle. Up until now we have given the offenders a box of chocolates and a ride home in a flash car sometimes, to be told, 'Don't do it again.' The next week they appear again, get a bigger box of chocolates and a ride home in another flash motor car. That is the truth of the matter. The member for Hayward should be congratulated most sincerely for bringing this matter before the House, and I hope that the House will support it without much debate and make sure that it becomes operative as soon as possible.

Mr FERGUSON secured the adjournment of the debate.

ACTS INTERPRETATION (COMMENCEMENT) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 27 November. Page 2420.)

Mr BLACKER (Flinders): I support this Bill. It is a Bill designed to tidy up the operations of the Government and to indicate to the Government that this Parliament believes that, if the Government brings in a law and the Parliament passes that Act it expects that it will be brought into law as such. If the Government does not, within the specified period of 12 months, indicate when the legislation that has been passed by both Houses will come into effect, this Bill will make it automatic that it comes into effect within that 12-month period.

There is not very much that can be said about the legislation. I notice an amendment that seeks to extend the period from one year to two years, but as such it does not improve the present position very much. I think every member who is expected to participate in the debate on the formation of legislation would expect that it is reasonable that that legislation be brought into effect and into the public arena as soon as possible. This particular move proposes a 12-month period in which the legislation can be brought into effect and if not it must be brought back to Parliament to explain the reason why. I do not think that is an unreasonable request, and it is something that I believe the House should support.

Mr S.G. EVANS (Davenport): I will express a personal view on this subject, because a final decision has not been considered in discussions within my Party. I do not agree with the proposal to have legislation come into operation within a shorter period as suggested by the honourable member. I hope that, before we proceed with this debate, further discussion can take place.

Mr Ferguson: We are all on the same tram.

Mr S.G. EVANS: The honourable member says that we are all on the same tram. We are on it, but we do not know what else is on the tram, and that is the problem. So, I express the view that, as the Bill is now before the House,

without having any knowledge of any other proposal except for a longer period—and I do not know whether that is for one day or five years—I am not a supporter of it.

Mrs HUTCHISON secured the adjournment of the debate.

WORKERS REHABILITATION AND COMPENSATION (COMPENSABILITY OF DISABILITIES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 29 August. Page 612.)

Mr HERON (Peake): It is my intention tonight to oppose the member for Bragg's private member's Bill to amend the Workers Rehabilitation and Compensation Act. The introduction of this Bill by the member for Bragg pre-empts a report and any recommendations of the WorkCover select committee and it also pre-empts a decision of the Full Bench of the Supreme Court regarding second year reviews.

I believe that WorkCover has now turned the corner. The Minister of Labour announced in November 1991 that WorkCover's unfunded liability has fallen by about $16 million, from $151 million in 1990 to $135 million as at 30 June last year. This improved position is a result of a major drop in claims numbers, encouraged by the bonus/penalty scheme and improvements in the administration of WorkCover. The bonus/penalty scheme brought home the cost of workplace injuries to employers and promoted action in the workplace.

However, it should be noted that the costs of a workers compensation system are a direct result of the unacceptable level of injuries that occur in the workplace. WorkCover statistics indicate that it is a minority of employers—just 7 per cent—who are responsible for nearly 90 per cent of the costs. WorkCover has to manage the results of this very poor safety management. It is the responsibility of employers to ensure the safety of their employees.

Most industrial accidents are avoidable if the right management systems are in place. These systems ensure that occupational health and safety are an integral part of good business management, and not an afterthought. It is not just WorkCover's responsibility to improve its management of the scheme; it should be the first responsibility of employers to ensure that the rate of injury in the workplace is reduced. I therefore oppose the Bill.

Mr S. J. BAKER secured the adjournment of the debate.

WATERWORKS (RATING) AMENDMENT ACT REPEAL BILL

Adjourned debate on second reading.
(Continued from 23 October. Page 1375.)

Mr S.G. EVANS (Davenport): I support the Bill introduced by the member for Heysen. It was introduced because of public disquiet about changes to water rating and the methods of charging introduced by the present Government. The Government has claimed that it is a fair proposition, that there is no property tax. However, there is a property tax—there is no doubt about that. The method of judging how much one pays is tied to the value of one's property. If that is not a property tax, what is it? It is a penalty for owning a property over a certain value—that is the truth of it.

The Hon. T.H. Hemmings: Oh!

Mr S.G. EVANS: I know it is a terrible thing and the members for Napier and Henley Beach agree, by saying oh, it is such a terrible tax to put on people!

The Hon. T.H. HEMMINGS: On a point of order, Sir, the member for Davenport is reflecting on me inasmuch as saying, by his comments, that I support what he is saying.

The SPEAKER: There is no point or order.

Mr S.G. EVANS: If the honourable member believes that I have reflected on him I will explain the position more accurately. I was really praising the honourable member for expressing his disgust with words of 'Oh' because of the terrible property tax that he and his colleagues have put on people.

I understand, and I was not really reflecting on the honourable member: I was praising him for the way in which he saw the injustice of this property tax—that is how many in the community see it. Recently, in the eastern suburbs, one of the councils requested members of Parliament to take some action to have this matter clarified in another way. I am sure that that will occur through this House some time in the future. The member for Heysen is asking this Parliament—and the Government, or at least one of the Independents will have to support this legislation—to agree that this property tax is an unjust tax when it is tied to the water rating system. If this Bill becomes law, we will go back to the old, satisfactory and more just system.

I urge any one of the Independents to support the member for Heysen's Bill so that we can be rid of a horrible injustice. I support the Bill, and I hope that the Government will see the injustice it has imposed upon the people and that it seizes the opportunity to right the wrong, correct the way it has gone and support the member for Heysen.

Mrs HUTCHISON secured the adjournment of the debate.

SELECT COMMITTEE ON RURAL FINANCE

Mr FERGUSON (Henley Beach): I move:

That the time for bringing up the report of the select committee be extended until Thursday 9 April.

Motion carried.

EDUCATION DEPARTMENT

Adjourned debate on motion of Mr Brindal:

That a select committee be established to inquire into the report on the provision of primary and secondary education by the Education Department.

(Continued from 27 November. Page 2422.)

Mr M.J. EVANS (Elizabeth): It can honestly be said without any fear of contradiction in this place that the education of our children in primary and secondary schools is probably the most important function that the State Government discharges. I know that there are many other areas of significance, be they health or transport, with due deference to the Minister at the table, but really it is the education of the next generation which captures the imagination not only of members in this place but also of the whole community.

I support the proposal to bring forward a select committee in this place. I know that members are engaged in many committee activities these days, and it is, indeed, a credit

to this Parliament and to this House that these duties are being taken up and pursued in such a vigorous way. However, an issue such as this must certainly take precedence in the work of members, and I believe that the opportunity to examine and to take an overview of education at the primary and secondary level in this State should not be passed up. Certainly, the motion is open and broad and, if properly pursued, it could take years. It would not be my view that, if the House were to approve this proposal, it should take anything like that length of time, and I am sure that members appointed to such a committee would find it possible to pursue the task in a limited period, even if that meant that all possible avenues of discussion could not be pursued.

Parents have a right to participate in the education of their children. This Parliament has a right to be heard in relation to that process, and there is no doubt that members of the public and of the profession would want to give evidence on this topic; many questions on curriculum development, on assessment and on organisation in schools can usefully and productively be examined, and this Parliament can rightfully take an overview of the subject.

Debate adjourned.

At 8.30 p.m., the bells having been rung:

URBAN LAND TRUST (URBAN CONSOLIDATION) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 2697.)

The Hon. T.H. HEMMINGS (Napier): I find it rather strange that, prior to the dinner adjournment, the member for Murray-Mallee had the call, sought leave to continue and, as I understand it, was going to promote an argument against this Bill but has failed to turn up.

The SPEAKER: Will the member resume his seat. Just to keep proceedings correct, I will call the member for Murray-Mallee, who had the call before the meal break. He is not here, so I call the member for Napier.

The Hon. T.H. HEMMINGS: What I have heard from members opposite—and we have had 2½ speakers so far—is that there is criticism of the Urban Land Trust and of legislation. It seems that those members who have spoken so far either have short memories or have actually forgotten what they did when they were in Government or, as is the case with the member for Hayward, were yet to come into this place, because when the Liberal Party was in Government it was so paranoid about the South Australian Land Commission that it did everything in its power to strip it of the land bank it had amassed, to sell it off to our rich developer friends and not to make it available for the people who were seeking home ownership.

Mr Brindal interjecting:

The Hon. T.H. HEMMINGS: The member for Hayward says, 'Oh, come on,' but if he researches this subject he will find that what I have said is true. In fact, the South Australian Land Commission was instructed to sell off the land bank yet, from its inception during the Dunstan days, it enabled the price of land in this State to be kept way below that of the other States. It is not because the price of land was excessively high: it was deliberate Government policy of the Dunstan Government in creating the Land Commission to enable good, honest South Australians to get into home ownership. The Liberals created the South Australian Urban Land Trust, an agency with no teeth.

Mr Ferguson: A toothless tiger.

The Hon. T.H. HEMMINGS: A toothless tiger, as my colleague the member for Henley Beach said. When we came into office in 1982 and attempted to change the Urban Land Trust, as the Minister states in his second reading explanation, the Liberal Party in another place blocked every attempt to make the South Australian Urban Land Trust a viable organisation. What I am saying is not a figment of my imagination. I know that I tell a good story on most occasions, but this is fact. I congratulate the Minister for, at long last, picking up that challenge.

Mr Ferguson: At long last?

The Hon. T.H. HEMMINGS: I say that because I was a Minister of Housing and Construction and I never picked it up, so I am criticising myself as well. In order to pick up the one aspect of good development procedures in this State we are trying to go down the path of urban consolidation. We are attempting to give the Urban Land Trust a major role in that area, because one cannot talk about urban consolidation with the Urban Land Trust playing a role only in new urban areas. One just cannot do that. Your own electorate, Sir, and areas throughout the western suburbs have been crying out for urban consolidation, and some good programs have been carried out in those areas, even in your electorate, Sir, and other areas of the Port. However, the Urban Land Trust has not been able to be a player, because the legislation has restricted its use to new urban areas.

That is all very well but, from my experience, councils in the outlying parts of metropolitan Adelaide have this kind of blinkered attitude to urban consolidation. They are still in the quarter acre block mentality, with the big front yard and large backyard and one mows the lawn. They have not been talking about good, viable use of land.

We will find that even private developers agree with what I am saying. When private developers and the South Australian Housing Trust attempt to carry out urban consolidation procedures in the outlying suburbs, such as Munno Para, Hackham and Noarlunga and even up in the blue rinse set in the eastern suburbs, local government will not agree with it. In fact, if one goes to members of the Housing Industry Association and quietly talks about the cost of trying to get medium density housing in some of the inner city suburbs, they will say—

Mr Ingerson interjecting:

The Hon. T.H. HEMMINGS: The member for Bragg says he doesn't want it.

Mr Ferguson: Steve doesn't want it.

The Hon. T.H. Hemmings: —and, as my colleague, the member for Henley Beach says, Steve Condous doesn't want it. But, he may have to get used to it if he wants to gain preselection for the new seat of Colton. One will find that, because of the local councils' attitude to medium density housing, in some cases they have reduced the number of town houses on a block by as much as three or four and have to load the price of that unit so that the consumer pays. What the Minister is now proposing in this legislation is to let the South Australian Urban Land Trust be a major player in the whole area of urban consolidation and let it come back into the inner city and some of those suburbs that are crying out for some form of realistic urban consolidation.

I can guarantee that, not only will it change the face of those suburbs for the better but also it will bring down the price of housing for those South Australians whom you and I represent but, obviously, the member for Bragg does not. He represents those to whom $1 million means nothing; $1 million is just small change for the member for Bragg and his colleagues. That is the problem that they must face.

I have had a quick look at the amendments to be moved by the member for Hayward and, while I will not talk on them, judging by his second reading contribution, he has had this piece of legislation thrust upon him and, unfortunately, he does not know what to do with it. That was fairly obvious in his second reading contribution because, when we look at the Minister's second reading explanation, we see that it is a blueprint of what urban consolidation is all about. It is about orderly planning; it is about giving people a better quality of life; and it is about bringing prices down so that ordinary South Australians on an average wage who wish to live in those inner suburban areas can afford to buy those kinds of properties.

It makes it available for those investors who wish to make good quality accommodation available for rent. It all gets picked up, and it is all within a framework. It is not something that the Minister has dreamt up coming into the House, like most of the policies that emanate from the other side. It has been well thought out over the years. This is the final part of bringing a major Government agency into the urban consolidation program. We will add the Urban Land Trust, the South Australian Housing Trust, and those developers who are not out to make a quick quid but want to produce a better style of living for South Australians. There are plenty of them around.

When I was a Minister I had to change my perception of most developers. Most developers are prepared to make a slim profit and to provide good quality buildings. They have realised that what this Government had been pursuing under its urban consolidation program will benefit them as well. Here we have the whole of the building industry, in effect, in full support of what the Minister has put forward.

I did not hear anything charitable from the member for Hayward or from the Deputy Leader of the Opposition. Indeed, I did not really hear anything from the member for Murray-Mallee, because he rushed off to have his dinner. This is not a bad piece of legislation. The Opposition should not be paranoid. It is not the Party that decimated the South Australian Land Commission to help its rich mates. Members opposite will probably find that most of their rich mates in the development business support this concept. I ask the Opposition to support it now. If members opposite were to make a few phone calls tomorrow they would probably find that the private sector is over the moon about this proposition.

Mr S.G. EVANS (Davenport): The shadow Minister, the member for Hayward, made the point that we will seek to amend this proposition. I am concerned about giving people the opportunity compulsorily to acquire other people's assets. The Liberal Party is not totally innocent in that area. Members will recall that when the Hilton Hotel was built in Victoria Square, W.G. Angliss would not sell to private developers because it wanted to continue to operate. Therefore, the Adelaide City Council used the general compulsory acquisition laws brought in by the Liberals in 1969 under the Hon. Murray Hill—against which I spoke strongly—to acquire W.G. Angliss.

Then, the Adelaide City Council sold it to the consortium that built the Hilton Hotel and allowed it to build the hotel without the necessary car parking spaces and other things that should have applied under the law. The consortium was given concessions on land tax, rates and other things. I do not mind that so much, because maybe that is what one has to do to encourage people in this modern day to build in one's city. Other countries are doing it on a big scale and we will be forced into it in the future. But, the principle of acquiring property and then to sell it back to a private developer is not acceptable to me; it never has been and it never will be. If private people, corporations or companies want to buy my property for a development and I do not wish to sell, bad luck! However, if I do want to sell it will be at my price.

Under this law this organisation will be able to buy properties at the valuation applied by the Valuation Court if there is a dispute. If the property holder is happy to sell, that is a different ball game; one does not need to use the acquisition laws. Of course, the measure provides that it does not apply to residences, businesses, offices or commercial premises. Churches are not commercial premises. People say they would not want to do that. I do not know what people will be doing in the future. They can acquire property that belongs to a church. I am not saying the church building; it could be the tennis courts or vacant land alongside the church. No reference is made to that. A family could have alongside its property a tennis court on one side and a park area on the other side that it has developed for the benefit of friends and family. It could be on separate titles—three or four titles in total—and as I read it the only one this organisation could not compulsorily acquire would be the one where the home is sited.

If we talk about residences, are we talking about the whole property where the residence is sited or part thereof? Is it possible—and under this legislation, as I read it, it is—that members of this organisation could walk into an older suburban area and say that they want to take 80 feet off the back of all of the titles of the elongated blocks? They would not be taking the residences, but they could take parts of those properties. I do not believe that the Bill is clear on that point. It would be totally unprincipled for that to happen. I know that that is urban consolidation but, if it comes into being in the free market in that form, we are not ready for it.

The oldest member of my family is very close to 100 years old. If that person chose to live in a community with a vacant block alongside the residence for whatever reason—perhaps to run dogs as protection from intruders—this organisation could come and take the two pieces of land if they are on separate titles and adjacent to that property. It may involve a lifetime of looking after a garden and maintaining it, and this organisation could take it away. However, if the organisation waited a few years the property would become available anyway without that type of action.

Do not tell me that Government agencies act with compassion; they never have, except in the welfare area. They can be as cold and ruthless as some private enterprise organisations. There is no doubt that by this measure we are giving people the opportunity to acquire those types of allotments. Why? I know there is a lot around the city; I drive past subdivisions that were established 100 years ago, and some in the inner city are as old as 150 years. The owners of those properties have paid their rates and taxes and if they have not the local council would have sold them up. They have paid their Government charges and they have kept the property for a reason.

The Hon. H. Allison: They want peace and quiet.

Mr S.G. EVANS: That is exactly right. The member for Mount Gambier says that they want peace and quiet, and they have been paying a price to have it. Suddenly this Parliament says, 'We do not believe you deserve it. We will give some agency the opportunity to rip it off you.'

The Hon. H. Allison interjecting:

Mr S.G. EVANS: I think the words are very apt: the socialist point of view; the State has supreme power. We will give this agency that sort of power. People will say that they will not do it. If we look back through the records we

will find that even under the present compulsory acquisition laws that has been done.

The Hon. H. Allison: They took my shack at Mannum.

Mr S.G. EVANS: The member for Mount Gambier said that they took away his shack. I have a case in my area where they put an easement through a most beautiful garden. Because an alternative suggestion would have cost about $4 000, they put the easement through the beautiful garden. That was one Government agency, and it did that because it had the power to acquire compulsorily.

Government agencies have acquired parts of, and in some cases complete, properties for road widening throughout the metropolitan area, displacing the owners to other communities and have then decided that they do not need those properties because they no longer wish to proceed with the roadworks, and they sell them. In acquiring these properties Government agencies have moved people out of their homes—their castles—where they had a right to live. A future Government—the present Government—has then said, 'We will get the dough in,' and many people have suffered.

The Hon. Geoff Virgo, who was in this place when some of those acquisitions occurred, pulled out a handkerchief and wiped mock tears from his eyes as he described the terrible things that the Liberals were doing in acquiring properties. Yet his so-called mates or brothers (whatever they are called in the socialist world), after the properties had been acquired for Government—not private enterprise—purposes capitalised on them at a profit. I am not against making a profit, but I am against it if it occurs at the expense of very poor people.

Quite often these properties were acquired from people who were not well off, and who chose their homes because they were close to their workplace and were affordable. Acquisitions have also occurred because Government agencies have wanted land in the metropolitan area for future road widening purposes. The Urban Land Trust will have the same right to say that it does not want the land today but in the future, thereby tying up the owners' assets. That has occurred to people who owned property on the Upper Sturt Road, the Freeway, Gloucester Avenue and other places. The owners were told that they could not use the land, and if they sold it they had to tell the intending buyer that one day the Highways Department might want 20, 30 or 40 metres of it. Then, years later, the owners were told that the department did not want the property and that they could do what they liked with it. But, those people had already been disadvantaged. Exactly the same thing applies in this legislation.

I do not support the Bill. If its compulsory acquisition provisions were handled in the right way, I would support it, but I do not support it in its present form. It is about time we started to think about people. I know that business people, who have been frustrated by individuals who do not want to sell their properties so that they cannot put their magnificent plans together—and those business people are usually big operators, not small operators—have asked the Government to help them. As a result, the individual is lost. I have always believed that my Party (and I hope it is still the case) is not concerned with Big Brother and socialism, but individuals.

The most precious asset that individuals have had in the past has been real estate. It is not as easy today as it was in the past to afford real estate because of Government charges, minimum council rates, land tax and so on, but in years gone by mums and dads bought blocks of land to give to their sons and daughters when they turned 21 years of age. They paid for that land through hard work over the years and by going without luxuries, and they could suddenly find that someone can take it off them.

The philosophy in which I have always believed sees that as a bad practice. One of the reasons we have one in 16 people in this State on the Housing Trust waiting list—that is what the Minister tells us; that 45 000 homes are being sought for an average of two people each—is that as a society we have destroyed the opportunity for an individual to be able to buy an allotment and gradually build a home. It now has to be a complete home, not part of a home. The charges and fees that are applied to property have reduced the ability of people to retain it. Even if you manage to retain your property—in some cases for many years—this agency can come along and acquire it as part of a redevelopment, as part of a consolidation of the community.

Never in my time in this Parliament has a law been passed by this Parliament other than to make it easier for a Government agency to operate. Its purpose has been to make some function in Government easier and there has not been a consideration for individuals or the people who will be affected by such change. There has been no such consideration at all.

Therefore, I hope that members on both sides will think deeply about where we have gone as a society. We have succumbed to regulation, giving more and more power to the Government. However, we should want less power to rest with the Government and have more power lying with individuals with more consideration for individuals and their rights and opportunities to succeed in society without having dreams, future plans or lifestyles destroyed, especially in respect of people in their later years. Simply because someone wants to build units in a street or some other development, it can change the character of an area where people live, although I am not saying that all the trust's development is bad. I cannot support the Bill.

Mr BECKER (Hanson): I support the sentiments of the member for Davenport. I am concerned about the legislation because the Minister in the second reading explanation background notes stated:

> The South Australian Urban Land Trust . . . established in 1973. As a 'land banker', the principal focus of the trust has been to ensure an adequate supply of land for residential purposes on the Adelaide fringe so as to promote housing affordability and ensure coordinated development.

In those days action was undertaken to stop developers from making any money. The trust was established under the guise of stopping land speculation and to put a price control or curb on land available to the market. The Minister went on to state:

> The trust has no powers to develop land in its own right and initially had no power to compulsorily acquire land for future urban use.
>
> In 1984, the Act was amended to enable the trust, with the approval of the Minister, to undertake development on a joint venture basis. In 1985 the Act was amended to enable the trust to replenish its land bank through compulsory acquisition . . .
>
> The Act currently limits the trust to purchasing, holding or generally being active in 'new urban areas', which effectively precludes the trust from involvement in existing urban areas which are the major focus for urban consolidation . . .

The Government, through the agency of the trust, has controlled land development in South Australia. It has led to the control of new properties and new property prices and I often wonder whether it has been as successful as we have been led to believe. I note with interest the Auditor-General's Report for the year ended 30 June 1991 (page 439). Paragraph 12 states:

> Undeveloped land
>
> In accordance with policy, the trust's undeveloped land holdings have again beeen valued by the Valuer-General to ascertain cur-

rent market values. The aggregate cost of undeveloped land remains significantly lower than both the current market value, as determined by valuation, and the assessed net realisable value. A comparison of book value and market value as at 30 June 1991 for undeveloped land is shown below:

	Area 30 June 1991 Hectares	Book Value 30 June 1991 $'million	Market Value 30 June 1991 $'million
Undeveloped Land	3 755	64.7	103.8

The above figures include undeveloped land committed to the Golden Grove Joint Venture (591 hectares) and the Seaford Joint Venture (351 hectares)...

The Golden Grove joint venture was necessary to allow that whole development to go ahead and the trust did play a significant part in assisting the developer of the Golden Grove project.

There is no doubt that the Government, through that development, was able to earn considerable sums of money. As at 30 June 1991, the Urban Land Trust had an accumulated surplus of $91 441 000. It has been one of the very few Government organisations that has a substantial surplus of funds. Its total assets are about $108 million. If the Urban Land Trust continues, and if this legislation is passed, there is no reason why it could not compulsorily acquire all the land held by the South Australian Housing Trust.

Mr Brindal interjecting:

Mr BECKER: As the member for Hayward has reminded the House, that is approximately $108 million—certainly a substantial holding. The South Australian Housing Trust has been known in the past to be one of the best developers of land in this State. The original role of the South Australian Housing Trust was to sell the land at cost to purchasers—mainly first-home buyers. If the Government is to make a significant contribution to the housing industry in South Australia, and if it is going to do anything for young people in this State, then it must continue with the role of the South Australian Housing Trust and provide that land to first-home buyers at cost.

If the Government did that, it would have my wholehearted support, because that would be a significant contribution to housing in this State. Then we could let the various building companies build under Housing Trust supervision the house of the purchaser's choice. That is what the Housing Trust did many years ago, and that is why South Australia has the highest percentage of home ownership in Australia.

Tragically, through the dictates of the various Eastern State Governments and the Commonwealth Government, our standard of housing could be reduced to the poor standard of the Eastern States. I would vigorously oppose any attempt by the Federal Government to do just that. I do see warnings in the growth of the Urban Land Trust. Mixed in with this is the urban consolidation policy. Let me remind the House what the Minister said about that. She said:

Urban consolidation is a major initiative within the metropolitan planning framework. The objectives of the Government's urban consolidation policy initiated in April 1987 are to promote equity, efficiency and accessibility by:

- providing a more diversified housing stock in existing areas to cater for changing household needs and preferences.
- providing housing in locations with better access to work and services than is available on the urban fringe.
- utilising spare capacity in existing public utilities and services.
- limiting growth on the urban fringe.
- revitalising suburbs through the redevelopment of underutilised sites.

Urban consolidation thus means development directed towards the better utilisation of urban land and existing public utilities and services.

We do not have any argument with that, because one of the problems with a sprawling metropolitan area the size of Adelaide is the cost of Government services. For instance, we know how expensive public transport is, and we also know that to provide bus transport on the fringe areas of the city is costing the State Transport Authority approximately $3.40 per kilometre, whereas private enterprise can do it for $2.00 per kilometre, but that is another argument.

With this urban consolidation policy come dangers. Dangers have crept up in my electorate in the suburb of Fulham. Back in the mid 1950s (1957 to 1959) the Housing Trust established a superb Housing Trust estate at Henley Beach South and Fulham. This estate consisted of quarter acre blocks. Now we find that those blocks of land, particularly the corner blocks, are being purchased by speculators under urban consolidation and three home units are being constructed on each of those blocks.

I am getting complaints from residents who are absolutely furious. They live in a residential area with a residential property on either side, and suddenly they are getting five and six neighbours. Their freedom is gone. They do not like the closeness of the development. The Government can have urban consolidation, but a lot of people down my way do not want it.

Let us look at the classic example that occurred under the leadership of the former Minister of Housing and Construction, the member for Napier. We could not find out exactly why the Government acquired the old Fulham Primary School site, but they honourable member certainly did. He gave away, or rather sold—obviously there was an arrangement, and I suspect that the Minister of Education was involved in it to help him keep his seat in Norwood—part of that property to an organisation to develop hostels. I have no argument with that: it is quite all right for them to do that if they want to. However, by rights, the property should have been auctioned. No-one has the right to do a private deal and say that they have half the site before the Government even purchased it. So, that was a shonky deal if ever there was one, and the Cabinet must wear that decision.

The remaining half of the property was to be developed by the South Australian Housing Trust. I would hate to think how much money the Housing Trust will lose, is about to lose or has lost already because, if I remember rightly—and I can only estimate at this stage without the files—about 54 courtyard size blocks of land were created and about 28 will be used for Housing Trust rental properties. Eventually, some of them will be available on the market, but the Housing Trust is building townhouses and density housing on those 28 blocks of land. The other remaining 24 or so blocks are available to the public for purchase.

It is typical of some of the developments that we have seen in the Golden Grove area where there is a Housing Trust rental property and alongside it or across the road there are two or three vacant blocks of land for sale to the public. This is all part of this marvellous urban consolidation plan. The reserve price of the land at Fulham that was put up for auction was about $75 000 to over $80 000 for half of what we would consider to be an ordinary suburban block of land. An auction was held before Christmas on this land and of the 24 two blocks were sold. Since then I believe that two contracts have been drawn up. The agents have now been told to get an offer. The bungle of this deal was that whoever came up with the value of this land of between $75 000 and $80 000 for each block had no idea what they were doing except that they were trying to recoup

some of their costs. In my opinion, those blocks of land would not be worth $60 000 let alone $50 000.

The location, the outlook and the whole development stinks, in my opinion. It was a lousy deal and it is unfortunate that the good name and reputation of the Housing Trust was dragged into it. It has been done in the name of urban consolidation, but it will not get the urban consolidation policy of the Government off to a very good start. It will sit there as a wonderful example of what we do not want. We certainly do not want in a first class residential suburb this type of housing forced onto people. That is why I, like the member for Davenport, fear these clauses in the legislation for compulsory acquisition under which the Government can move in under the auspices of the Urban Land Trust.

As I said, it has done very well. It is a very valuable organisation for the Government. It has built up a lot of money and it has made considerable contributions to the Government. It is a little golden pot as far as funds are concerned, but there are dangers. Under poor administration and management, I can see the Urban Land Trust destroying all the credibility that it might have built up by helping out in developments such as Golden Grove. Now it is involved in the Seaford project, which is a huge development by any standards. It is a long way from the Adelaide GPO.

It is a development that has to be undertaken with the involvement of the Urban Land Trust. Some 351 hectares can kickstart that type of development and there are others. Let us not kid ourselves that this is a good idea, that it is a good scheme or proposal. If we want to do something for urban consolidation and affordable housing, we ought to look first at the square mile of the city of Adelaide where we should be doing all that we can, in conjunction with the city council, to encourage greater housing developments.

I was quite surprised to receive in the mail this evening some information from developers of the West End apartments—PRD Developments: 140 units were built in Hindley Street and 108 have been sold within a short time. It proves that opportunities are there for investors and that the demand does exist. That development has quietly gone along with not much publicity or great song and dance, and it has been done well. I went to the opening of the Karidis Corporation's commencement of a housing development on the old Amscol site.

Mr Ferguson interjecting:

Mr BECKER: Did he?

Mr Ferguson: Yes.

Mr BECKER: Have you got a copy of the receipt? I wouldn't believe that. I didn't even know that they were friends. That development and similar housing developments within the square mile of the city are acceptable. Urban consolidation with courtyard block size is acceptable, but not in Fulham where people bought Housing Trust houses in the mid-1950s as residential housing. Those people are now roughly my age and have grown-up families. Many are moving out and buying home units in West Lakes allowing younger families to come into the area. That is great! If one is to raise a young family, that is the type of housing one could have bought 12 months ago at a cost of around $100 000 to $110 000 on what we call the good old-fashioned Australian block of land—the quarter acre block.

However, for the life of me I cannot accept urban consolidation courtyard-type housing that we will get in the suburbs, where we will attempt to blend in development partial Housing Trust rental accommodation with those who want to buy a block of land and develop a neat courtyard home. Some of the courtyard developments that I have seen at Golden Grove by various builders are superb. They are very stylish and attractive and are based on the British cottage system. However, on the Fulham Primary School site, one will pay $70 000 or $80 000 a block. People will not be able to build a home for under $50 000 to $60 000, so they are looking at $140 000 for a small house. It cannot be let out as welfare housing. I do not care who you are. It would be nice to do so, but the return is not viable. To let it out for $30 or $40 a week is not a proposition. That is why I see dangers and support what the members for Davenport and Hayward have said.

I caution the Government to proceed carefully and to be conservative in the projects it envisages within the inner metropolitan area as it will strike resistance from local residents. There has not been much to date, but as it develops and as the Government and the Housing Trust become involved, there will be residential resistance. Under the former Minister of Housing and Construction we would have seen a strong push for urban consolidation in some of the inner metropolitan areas. I hope that we will give this legislation further consideration before it is dealt with in this Chamber.

Mr FERGUSON (Henley Beach): I have been sitting here rather despairingly after listening to the two speeches from the members of the Opposition, because it has taken me back to the days of top hats, cloaks, silver canes, eye shades and quill pens. That is the sort of era in which they are thinking. I cannot understand why the Liberal Party is still called the Liberal Party. It is not liberal at all: it is a very conservative Party. Every time legislation that will be of benefit to this State comes before this House the attitude of Liberal members is, 'Don't do it. Let's maintain the *status quo*. Let's stay where we are. Let's not move on.'

My electorate is adjacent to the member for Hanson's electorate, and I know Henley Beach very well. I do not know where the member for Hanson has been because, in recent years, one has been unable to buy a block of land in Henley Beach for under $100 000. We are turning Henley Beach from a normal, average suburb into a suburb for silvertails. Those people who would normally gravitate to Henley Beach are being forced out because of the high valuation of land. Only last week a house at Henley Beach was sold for $640 000—a price absolutely unheard of in that area.

In relation to urban consolidation, if one looks at the development opposite the Henley High School, which has been brought about on smaller blocks because of the policy of urban consolidation, one sees that one could not get a better development, a better class of house or a better neighbourhood in which to live. What is more, it is a neighbourhood that has all the facilities, that is, schools, roads, it is near the beach, it has the shopping centre and it is near public transport. We have been able to introduce more people into this sort of environment because of the Government's policy relating to urban environment.

I cannot accept the proposition that land which is vacant and which should be taken over and developed, in order to provide for proper planning, should be left there and not compulsorily acquired merely because some speculator or person who has an inheritance wants to hang onto that land. It is then left there and is an impediment to the good planning process. I just cannot understand the logic behind that move. These people will be properly compensated, and if it is for the benefit of the general population that this Parliament should not hesitate to take the steps to compulsorily acquire that land and develop it for the benefit of the community.

During its regime in this State the Tonkin Government destroyed the ability of the average person to purchase a home. People would remember the huge escalation in prices of houses and land that occurred during the Tonkin era. The reason for that was that he was not prepared to grasp the policy which is now before this Parliament and which should be able to help with urban consolidation. One has only to walk around the suburbs and look at houses that have been put up under previous administrations to understand the mistakes they have made. Surely, members of the Opposition are not saying that the previous policy was perfect. Certainly, they are saying, 'Do not change the policy, keep what we have and do not compulsorily acquire land.'

I have trust home development in my electorate, as has the member for Hanson, and I praise the member for Hanson for the proper credit he has given to the Housing Trust. He has always been prepared to give credit where credit is due. My interpretation of the speech he has just given to the House is that he gave proper praise to the way in which the Housing Trust has gone ahead with its development, and I agree with him. However, one has only to walk around some of those Housing Trust areas and consider the regulations under which the Housing Trust was forced to build those houses. One sees the huge quarter-acre blocks that the residents cannot look after, especially in view of the fact that their children have now left home and they are often in—

Mr Brindal: This is not relevant.

Mr FERGUSON: I know that the member for Hayward is not sympathetic to people in Housing Trust situations. He does not have to bring that proposition before the House by way of interjection.

Mr BRINDAL: On a point of order, I ask you, Sir, to rule on relevance. We are discussing the Urban Land Trust Bill, and that has nothing to do with the consolidation of Housing Trust properties.

The SPEAKER: I ask the member for Henley Beach to be relevant with his remarks.

Mr FERGUSON: I disagree with the honourable member, Sir, and I know that you have not given a ruling on this. Urban consolidation has allowed the Housing Trust to bulldoze some of those semi-detached homes that are in my electorate and to replace them with attached homes on smaller blocks and allotments, which is an excellent idea. I know that when someone on this side destroys the arguments that have been put up by members of the Opposition they get upset and try to interrupt the debate, but I suggest that members of the Opposition should take their manners from people on this side, should sit down and listen to the arguments and, when they have the opportunity, should rebut those arguments.

I ask the House to consider what the Labor Government has done in respect of urban consolidation for the warehouses in Hindmarsh. Those warehouses have been pulled down, and in their place we have built, on smaller allotments, affordable homes, where the average person can afford a home. Those areas have not been yuppified as have the inner areas of Melbourne and Sydney. This is an excellent example of what can be done with urban consolidation.

Support for this Bill will mean that the trust would have a role in a financial capacity in terms of asset backing and cash resources; a proven ability to deliver Government housing and social policies; and an operational structure that ensures that the board and management take a commercially sound approach, with experienced and professional staff. What is wrong with that? Why should we be getting opposition to that? Why should there be opposition for opposition's sake?

The actual area of the City of Adelaide is as big as the City of London and do you know, Sir, more than eight million people live in that area of London? Anybody who has looked at the City of London would agree that it is very well planned; it has parks and gardens and everything that an urban dweller would like, and that is the sort of urban consolidation that we ought to be thinking about. It would not stretch our resources. There are plenty of schools; we do not have to build new schools. We do not have to construct new roads; we do not have to worry about asset management and huge infrastructure, and surely that is the way we ought to be going.

Wherever we go in the inner city area, the price of land is increasing dramatically. I would say, Sir, that you have noticed the tremendous increase in the price of land in your area. Without being at all disparaging, I think you would consider yourself to be representing a working class area and, even in the working class areas, because of the escalating price of land, working class people are finding purchasing homes excessively hard. The working class people are finding that their children are being driven to the outer suburban areas, having to go south or north in order to settle down. The parents of those children would love to see them settling down on Le Fevre Peninsula. Despite the escalating price of land, there is no reason why those people should not be able to settle down, with smaller houses and better design on smaller blocks, in that area.

If there was a large and undeveloped area on Le Fevre Peninsula, for example, or in Henley Beach, I cannot see why that land should not be compulsorily acquired, if necessary, so that we can look after our people. Surely, that is why we are in this Parliament. We are not here to look after the rich, we are not here to look after the developers, we are not here to look after those people who merely have assets and who wish to see their money continue to accumulate; we are here to look after the general population, which is with us here and now. That is the reason why this proposition should be supported.

I know that the member for Davenport represents an area whose residents have above average incomes. I know that it is his duty to come into this House and defend their situation. However, it is the duty of people like myself to defend the average working person, and the average working person agrees with this proposition. One only has to take a survey, and surveys have been taken, of whether people support urban consolidation. I ask members opposite to take their pen and pencil and go knocking on a few doors to find out what their constituents think about urban consolidation. They will be surprised, because the overwhelming majority of people in South Australia support urban consolidation, and that is why members opposite ought to support this Bill. It makes absolute sense. I have listened quietly to the criticisms from members of the Opposition, and I have been waiting to hear their alternative policy.

The only policy that they have put forward so far is: do nothing; hold the line. In other words, they are expecting the metropolitan area of Adelaide to continue to spread out in the way that it has spread out in the last 20 or 30 years, sometimes bringing the misery that goes with it. Housewives are isolated in the outer suburbs, a long way from the centre of Adelaide and facilities because of this policy. The infrastructure has been stretched as far as it will go, producing problems not only for this Government but for future Governments in trying to provide the infrastructure that we need—the schools, the drainage and all the other facilities. We know that that is a problem not only for the present

Government but for future Governments because of the need to replace the infrastructure. Not a lot of work has been done on the replacement of the infrastructure, but I do not want to go into that because it is another subject.

The whole sense of urban consolidation revolves around all these questions, and I cannot understand why we are getting this negative policy from the Opposition. However, I remember the opposition that we got when we spoke about the Grand Prix. We spent many hours in this establishment trying to get that legislation through. Speaker after speaker from the Opposition benches said, 'We support this but', and then gave us 5 000 reasons why the legislation should not go through.

The Hon. T.H. Hemmings: The Casino.

Mr FERGUSON: The Casino was another example. We had the longest sitting in the State Parliament to get the Casino legislation through. It was always opposed. That is the policy of the Opposition. The submarine project was never going to get up and running according to the Opposition. The entertainment centre was another one, and there was the ASER project. I well remember the debate on that proposal.

Now we have put forward this very sensible proposition, and all we get is criticism. One of these days I hope that the Opposition will join us when we put forward a project and say, 'Yes, this is good for South Australia; this is something that should be done for South Australia; in a bipartisan way we will all get together and support it.' But I think we will probably see the end of the universe first, because we will just not see that. I believe that this legislation should be supported unreservedly by all members. I hope that we shall see no more shenanigans from the Opposition, that this legislation will go through and that the results that we are expecting from it will come to fruition.

The Hon. H. ALLISON (Mount Gambier): The principal Act was a Liberal measure in 1982, and that Act did not include the powers of compulsory acquisition. The Liberal Party Act was amended in 1984-85 to include the powers of compulsory acquisition, but with some protections built into it preventing the Government from acquiring certain property. I shall be talking about the members for Henley Beach and for Napier who are leaving the Chamber. I am sorry that they are leaving, because their comments inspired me to rise, somewhat reluctantly. The 1985 amendments included protection to prevent the Government from acquiring the place of principal abode and commercial and industrial premises.

Having listened to the members for Henley Beach and for Napier who have just left the Chamber, I felt that I should respond to some of their comments, particularly those of the member for Henley Beach who deliberately misinterpreted the intentions of the Opposition in opposing the powers of compulsory acquisition. I believe that Government members would recognise that that great socialist writer, Thomas Paine, who wrote about the rights of men, did not envisage that Governments would be able to walk over individuals and take their property any more than John Stuart Mill envisaged, when he wrote of liberty, that Governments would be able to do the same thing.

Yet, this Government is now proposing that compulsory acquisition shall be the order of the day. As one who was instructed to quit a shack on the riverside at Mannum in 1975, I still suspect, in my cynical way, that it was because I had won the seat of Mount Gambier. During that period the then Minister of Lands, the Hon. Tom Casey—and I have great admiration for him—declared an amnesty on all the shacks in South Australia, but mine was the one to go; the others are still there on that reserve.

As one who has experienced the heavy hand of Government and as one who knows that there are other members of Parliament who have experienced that same heavy hand of Government by having their life altered or restructured by an act of Government—by compulsory acquisition, having their aims, plans and ambitions redirected when property and land was acquired compulsorily by the Government—I share their concerns at the thought that any individual in South Australia might experience that same thing. I have seen the problems over four, five or six years in relation to the compulsory acquisition of land simply for road development in my electorate. There was slow progress, but the problems were solved by negotiation.

I have great admiration and respect for the people in my own Housing Trust areas. I believe they return that respect by approving of my representation of them; they vote for me at election time. I feel that that respect comes from a degree of sympathy. The Liberal Premier Thomas Playford established the South Australian Housing Trust. It was Labor Premier Don Dunstan who expanded the Trust in those vast sweeps to the north and the south and who created the problems that the member for Henley Beach talked about—the remoteness, the distance and the fact that at the time insufficient preparation was done for the industrial development so that people could work in close proximity to their home. That was Labor Party bad planning, not Liberal Party bad planning.

I remind the Labor Party that when the Liberal Party was in Government from 1979 to 1982 it had a policy of inner urban renewal which, like all other policies, it implemented immediately by developing through the Housing Trust in the Hackney area adjacent to St Peters and also by encouraging the Carrington Street housing development when Fricker Bros moved out of that area to an outer suburb of Adelaide, not as a result of compulsory acquisition but voluntarily.

We encouraged urban renewal recognising that people had to be brought back to give more heart to the city of Adelaide. I see that Adelaide Alderman Henry Ninio is currently echoing that vision of the Tonkin Government. It has taken a long time for it to be emulated, but at least the example was there. The Labor Party has no priority in relation to sympathy for the people.

My own feelings about slum redevelopment stem from the fact that I was born in the heart of industrial Sheffield, in a slum area, where development was very close, very shabby and very dilapidated. Often we lived in a one up and one down house. My parents' first home when they were married and where I was born was such a place. If one was lucky one had two rooms up and two rooms down, either back to back or side by side in sad, drab, dismal rows. They were the product of the industrial revolution, when people were little more than factory fodder with low wages, low self esteem and little real regard was shown to them by their employer. That was in the days when trade unions were really necessary.

The houses were far too close to one another. One lived with and shared one's fights, worries, laughter, tears and fears with one's neighbours because one could hear everything through the paper thin walls. They were literally paper thin; they were lath and plaster held together by the multiplicity of sheets of wallpaper that had been hung over the years.

In the 1940s a large number of those houses were cleared—compulsory slum clearance the Herman Goering way when aerial land mines and bombs swept away whole rows of

houses with the people in them very often. I was fortunate in that I only lost schools and neighbours, some friends and relatives during that conflict and escaped the real damage, that is, death at the hands of the then enemy.

After the war, over a lengthy period of some 20 to 30 years, many more of those slums were cleared. The member for Napier said that closer settlement is beautiful. What worries me about the clearance of those slums was that it was followed by the building of flats—in Glasgow the Gorbals and in inner London row after row of flats. In Sheffield, on Langsett Road, the slums were replaced by flats of only three or four storeys. In many of those areas the flats developed a psychology of their own—that of brooding misery. The flats in Langsett Road, Sheffield, although only low, were known as suicide row because of the incidence of suicide which emerged from that close loneliness—you had plenty of people around but very few friends and recreational facilities, and misery grew out of that development.

So, I am not convinced by the member for Napier or the member for Henley Beach that close settlement is either good or beautiful, because I have seen the outcome. In the Gorbals in Glasgow you were considered lucky if you got what they called a double-ender, that was, the end flat of any one of those huge blocks on any one of the floors because you had two corners to look out of, whereas the other flats had a single outlook onto the roofs of the city, and you were experiencing everyone's problems in close proximity. In Sheffield there was a much praised post-war development where broad acres were cleared and parklands surrounded great columns of houses of some 10, 15 and 20 storeys. But, there was still that psychology of loneliness within that praised new development.

Then I came to Australia, not as the member for Napier did to look for more of that close settlement in rivers developed by the Housing Trust but because in Australia there was not a need for that close settlement. Admittedly there is a need for Government to compress its electricity, gas, sewerage, roads and essential services; to limit the space and pull people back together into those goldfish bowls (or whatever you wish to call them), into those tacky little boxes. The real essence of the Australian psyche has not, I suggest, been that close, dense settlement which Governments seem to be so fond of now, not having learned from the overseas experience. The psyche that I came to in Australia was the broad acre where you had four blocks to the acre, some privacy, some sense of belonging—

The Hon. Jennifer Cashmore: Space and freedom.

The Hon. H. ALLISON: —some space, some room to expand and some freedom, at no tremendously greater cost than we had paid in the United Kingdom. In fact, it was much less when I arrived here, and it is probably still less than I would be paying in the United Kingdom, where values have rocketed over the past 10 to 15 years. I ask the Government not simply to look at this as a chance for inner urban close settlement but as a chance for the Housing Trust to give people some esteem and dignity.

The people who live in Housing Trust premises in Mount Gambier are very caring about their homes, but some were built for the Woods and Forests Department between 1948 and 1955. They are older and more dilapidated, and it is hard to get people to move into them voluntarily as they are not the preferred first option. I would like the Housing Trust to redevelop these houses, to clean them up and use them in order to return some dignity to the tenants.

As I said, I have great respect for the people who live in those houses. They are the salt of the earth. They are my stock, my kind of people. But, when I lived in that kind of environment I believe that I shared the same hopes and aspirations that the vast majority of Housing Trust tenants share today—they do not necessarily like what they have got, but it is all that they can afford and it is what they are stuck with for the time being.

My aspirations were to leave that environment and be given a chance to move out and keep working towards a better life and not ultimately to think that what I had worked for could be compulsorily acquired by a Government that had written its own statutes and given itself prerogatives over which I had no control.

I ask the Government to bear in mind that the Liberal Party has only one real opposition to the Bill, that is, we are not over-keen on the compulsory acquisition aspect. That is all we are seeking to amend—we are happy with the rest of the legislation. We introduced the original legislation in 1982; the Government amended it in 1985 by adding compulsory clauses; and it is reintroducing the compulsion now. However, I ask the Government to think again.

If for some reason the compulsion remains, I would address the Chairman of the Housing Trust, himself a developer in a small way, and a former Labor Party candidate whom I defeated in Mount Gambier, a Labor Party sympathiser who would be well aware of Labor Party philosophy (the Chairman is Peter Humphries for whom I have considerable respect and we did not fall out when we were campaigning against one another). I would ask Peter Humphries, his board and the trust to look sympathetically at the way in which, first, a property is acquired, if that is necessary and, secondly, the way in which it is developed.

There should not be crowded corridors but corridors that are lungs for the people of Adelaide to move into and enjoy. There is much more that I could say. I have great feeling for this matter, but time is of the essence and I hope that I have made my point: there are Liberals who are more than sympathetic towards people in trust areas. I would like to see the status in life of every trust tenant in Mount Gambier lifted. I would also like to see the Government build more trust houses in Mount Gambier instead of concentrating on building them in Adelaide, as it has done in the past two years.

So much for that, it remains to be seen what is to be done. I ask the Government, whatever happens to this clause and this Bill, to bear in mind that we are extremely sympathetic towards those people in Housing Trust houses and that we want the trust to develop sympathetically with an aesthetically pleasing flair and certainly not too much crowding—unlike the feelings of the member for Napier who seems to have forgotten his roots and forgotten from where he came, even that he came to Australia to these broad open spaces. He wants to confine people. I do not like that idea and I never will.

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

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

Motion carried.

The Hon. M.K. MAYES (Minister of Housing and Construction): I thank members, particularly those on this side of the House, for their contributions. I cannot thank the Opposition, because Opposition members are putting their heads in the sand. The member for Henley Beach referred to top hats, quilled pens and eyeshades, and that is what the Liberal Party is reflecting. It is fine for members such as the member for Mount Gambier to say that he endorses

and supports what the Housing Trust has done and its achievements but, if he wants to look at what his Federal Party is going to do to the trust and urban planning in this country, he ought to spend some time listening to the Federal Leader, Dr Hewson.

I had the fortune of being at a function or seminar conducted by the Uniting Church and the Anglican Church here in Adelaide concerning housing and the homeless. A number of the key coordinators of that function advised me when I spoke as a keynote speaker one afternoon that they had the opportunity to spend an afternoon with Dr Hewson and they were terrified about what the Federal Opposition proposed if it became the Federal Government.

There will be no involvement at all with urban planning, a totally *laissez faire* system, no involvement in public housing because, in the first year, the Federal Opposition plans to cut $400 million from the public housing budget nationally, which would bring it back to about $600 million. The Federal spokesman on housing, when asked on a Channel 9 program, 'What would this mean for the Federal housing program nationally?' conceded that they would have to sell all stock eventually in order to maintain the housing programs. In other words, in order to maintain our housing programs, with an expenditure of $100 million per year in maintenance, we would have to start selling off our stock. So much for the member for Mount Gambier's sympathy for Housing Trust tenants. As a member of the Liberal Party, as part of the Federal Liberal Government's policies, he would be seeing eviction notices served on—

Mr Brindal interjecting:

The Hon. M.K. MAYES: The member for Hayward shakes his head. He ought to check the record, because quite clearly he will be very surprised. Eviction notices will be going out to the constituents of the member for Mount Gambier advising them that they will have to vacate their houses because the Housing Trust would be selling them in order to maintain the stock it retains at a reasonable quality. That is the impact of the Federal Liberal Party's housing policy. We hear all these fine sympathetic words, but in fact they are not worth the paper they are written on or the air taken to utter them. The impact would be quite clear on the Housing Trust tenants in this State. The magnificent housing authority established by Sir Thomas Playford which has achieved so much international recognition would be decimated by the policies inflicted by a Federal Liberal Government and Dr Hewson.

I just warn the honourable member opposite that he is on very thin ice when he starts promoting the Liberal Party's housing policy. The honourable member says how sympathetic he is to Housing Trust tenants, how he feels that he is one of them and has empathy for them, knowing what their aspirations, achievements and ambitions are, but I think they are fairly shallow words. They have a ring of hypocricy about them when one looks at the policies enunciated by the Federal Leader.

The suggested amendment to this legislation is quite simple. I am surprised at the Opposition's reaction to it. Effectively, we are endeavouring to achieve what I think is a very sensible and necessary economic step in terms of maintaining the proper development of this city and the application of urban development throughout this State. I will not go into the amendment in detail because the Committee stage will provide that opportunity. It is important to recognise the impact of this legislation. I guess that members opposite see this provision as part of a socialistic grand plan to allow one of these faceless statutory authorities to take over the total role of private developers within this community. That is just not so. It is absolute rubbish.

I must acknowledge that the Urban Land Trust program was established by my predecessors. The Minister for Environment and Planning has been foremost in getting this amendment before the Parliament, because she had the carriage of it prior to my appointment as the Minister responsible for the Urban Land Trust. She introduced this Bill and has been a prime mover in getting this legislation before the House. The former Minister of Housing and Construction had an involvement in his functions within the Cabinet prior to that, so there is a long history of Ministers promoting this in order to allow for the proper economic development of our city and the development of affordable housing for our South Australian community.

The second reading explanation states in detail what is intended by this amendment to the Act. I have been asked by the shadow spokesman to address this in some depth, and I will do so in terms of what I see as the key issues of this legislation. It is fair to say that the reasons for extending the compulsory acquisition powers to include the inner urban area are to provide proper and affordable opportunities for the development of our city.

The member for Mount Gambier touched on the issue of the type of urban redevelopment renovation that occurred in the United Kingdom. Having seen some of it myself, I would have to agree with him. I have not had the same extensive exposure to it as he has, but, having seen small patches of it, I will say that it is pretty awful. Obviously there has been some good building as well. However, I accept his comments. I have heard and read of the areas that he mentioned in Sheffield, Glasgow and other places of the United Kingdom where there has been pretty awful development. We have seen some of it in Australia as well. I refer, for example, to the situation in Fitzroy, which the Victorian Government is desperately trying to redress because of the impact it is having on the family structure. Obviously, it takes away self-esteem, indentification, and so on.

However, we are not talking about that here. I refer to the achievements of the Housing Trust in South Australia. I am digressing, but I am addressing the points raised by the member for Mount Gambier. It is related, as it is part of the urban development program. We should look at what the Housing Trust and private developers have achieved in this State in terms of inner urban redevelopment. There are some magnificent examples. Today I had the opportunity to launch a book on urban consolidation that represents not only what we have achieved in terms of the housing authority in this State but also promotes to the community what we are doing and why we are doing it. That book sets out very clearly those achievements.

I can think of one such achievement in my electorate, a development that I launched today on the old Coopers site on Railway Terrace at Mile End—a magnificent achievement. I spoke today to one of the tenants who was originally from the United Kingdom. He spoke in glowing terms of the environment that he is enjoying. There is not the depression that faced people in Glasgow or Sheffield. These units and developments are magnificent. There is space, and a sense of freedom and identity. He assured us that the people who have moved into this development are enjoying every minute of the occupation of their homes. I think we could go around the city of Adelaide and see time and time again the type of redevelopment that the Housing Trust has undertaken as part of urban consolidation.

We are very much aware of what the member for Mount Gambier has cited in his address. We are very concerned to avoid at every opportunity repeating those mistakes that have been committed in other States and overseas. We have enough expertise, and I am sure that members on the Oppo-

sition benches have by their comments acknowledged the work of the Housing Trust: we will continue to do that work. It is being somewhat discursive to embark upon that path in this debate, but it is important to recognise the achievements of the Housing Trust as part of this exercise and, of course, the partnership that the Premier announced, with the closer cooperation between the Urban Land Trust and the Housing Trust, is an important recognition of that.

In terms of the process, let me just say that this process is not about taking away the developer's rights. This Government recognises very clearly the right and the role of private developers in developing our city and our State. Our primary function is to assist them. I and my colleague the Minister for Environment and Planning have addressed the key representatives from the Urban Development Institute, the Housing Industry Association and all representatives involved in the building industry. I have addressed this very issue with them and I have received unanimous support in the process.

What we are doing with this amendment is clearing the potholes so that the developers can come in and get on with the development, and not have to go through lengthy and expensive processes in order to clear contaminated lands. We believe that the Government can assist them. With this amendment we can provide the foundation for them to come in and work unfettered to achieve development for this city and this State, and to create jobs and the social, economic and physical environment in which people can enjoy living in this wonderful city of Adelaide. That is what this is about. This is not an attempt by Mayes or anyone else to grab under a grand socialist plan the opportunity to redevelop the city as we see it.

It is an opportunity to get out of the way these contaminated old factory sites where under the soil are found acids and cadmium. It is a major obstacle for developers. The Government can provide the mechanisms and services to give a free opportunity for those developers to come in. That is what this is about. Add to that the fact that we can be a joint venturer with private developers. We can work together, share the risk and share our skills. The Housing Trust will embark on that in a very significant way in the next few weeks with some of our major developers so that it can use its skills. We have gone past what we thought would be the time allowed for this debate, but as so many members have spoken on the matter I must touch on these issues so that it is on the record and we know what we are talking about in this Bill.

The legislation was first introduced in 1981. In 1985 we introduced qualified access for compulsory acquisition. Let me touch on the skills that we have. We have a staff of 22 people in the Urban Land Trust—an efficient and successful organisation. It is leading Australia and probably is a world leader in providing information and opportunity for proper development in urban areas. The information and skills are available to private developers. In terms of our community services area, the skills offered by those staff are unparalleled and unequalled. There is nothing like it in the rest of Australia. Other States come to see what we are doing regarding coordination, land management and financial management. They are highly skilled people and devote excellent attention to their tasks. They have achieved a lot. We should be proud of that, and as a South Australian I am very proud of what they have achieved. We have to recognise that. We are translating these skills into the inner urban area.

As far as I can see, if we look at what is proposed in this Bill we find that it offers a significant opportunity to address the urban consolidation issue. I am sure that whatever may come in future years we must address this question. If we look at the cost of developing Green Fields versus inner city areas, the clear favourite is the inner city area. We have rough figures that will be worked over as part of the 2020 planning exercise. We are getting a thorough audit by a significant South Australian company to give us a much better figure, but the cost of developing the urban Green Fields area versus the inner city is about $1 750 to $2 500. The answer is there and it speaks for itself—I do not have to emphasise it. The margin is significant. They are rough figures and I suggest that if the report on the audit is forthcoming the figures may be refined significantly. That is the magnitude of the cost that we face. If we are responsible to the taxpayers we must embark on this project and that is what the Government is looking at with this Bill.

To look at the background, concerns are being expressed by Opposition members with regard to an abuse of this power. It is heavily circumscribed to prevent such abuse. If we look at the structure of the clause, it is clear that there must be ongoing consultation with the Minister. The powers have been carefully spelt out so that, in respect of existing residential and industrial premises that are occupied, there is a prohibition and limitation. Again, it is a control over the powers that can be enforced.

Looking at the achievements over the years, statistically in relation to what has been done in terms of purchase, and regarding the areas that have been compulsorily acquired versus those that have been acquired through normal settlement processes, the number of settlements is seven of 72 acquisitions. In terms of percentage of area, that represents but 4.2 per cent of all the land that has been handled by SALT. It is the last measure that is used. That must be stressed. In terms of trying to assist urban consolidation, that process is available to the Urban Land Trust, again to provide the opportunity for the developers to come in when all the encumbrances, pot holes and contaminations are removed, so that they can have a clear go of it and get on with the development. That is the guts of this amendment. The member for Hayward asked me to spell out the processes, and it is only fair and reasonable at this part of the debate that I address that.

The process that would be followed in the urban consolidation exercise with SALT would be as I set out. First, there would be project identification and feasibility. Secondly, there would be consultation with the State Government, local government, the development industry, local residents and other relevant parties, so we would totally canvass views. Then there would be a decision to proceed with involvement. There would be site assembly through negotiation with owners. There would be assessment of site requirements and methods of disposal, including establishment of development criteria where appropriate, that is, issues such as density, access, infrastructure provision, human services and public housing requirements. Then there would be cleanup, re-zoning and infrastructure provision, if required. Finally, there would be the decision on method of disposal.

Once all that has been processed, there would be sale to the developer, with or without any development agreement. It would be open for the developer to come in. With or without development agreement, there would be parcelisation and sale to a range of builders or developers, whoever is available in the market and interested. There could be joint ventures—and this is where the Housing Trust might come in—with private developers, to share the risk so that the development can go ahead. If a developer is stretched in the current situation—as many are, not through their circumstances, not through their decision, but because of

the conservative nature of the banking sector at the moment—we can share that, and the development can go on, because the Government, with the private sector, that risk, shares the financial burden and brings together the skills, and we have a development. All that is dependent upon ministerial approval, accountable to the Parliament. If the member for Hayward is concerned about that, I hope I have spelt out in a clear way the process that will be followed. This is intended to get the mess out of the way so that developers can get in.

Mr Brindal interjecting:

The Hon. M.K. MAYES: The honourable member is satisfied that I have gone through it, so I will not dwell on the matter and delay the debate. It is important that we have those powers to prevent excessive price demands or speculation for land. It is important to recognise that that can happen. There are people who may use certain powers vested in them to parcel land, to assemble land and to speculate at the cost of the taxpayers, at the cost of those people whom the Opposition has said it wants to protect—those people who are battling to have their own home, to have a home that they can afford (we call it affordability). That is part of the success of the Urban Land Trust: it is being able to provide a basis for affordability, to put land on the market at a price that people can afford when the developers have come through, whether it be Homestead, Pioneer or any other company. People can get parcels of land which are affordable and which have services, community facilities; the owners can go in and not find a desert, as we have seen in some States. All members would probably have seen developments in Queensland or Victoria that are miles from anywhere and where there are no bus or medical services and no child-care facilities. That is a social disaster, a time bomb ticking.

It is also to provide for orderly development, infrastructure and viable parcels of land. Constantly, I note that members of the Opposition, whether in the media or in this Chamber, raise the question of the supply of land. Here we are talking about planning for the supply of land, about green fields, but about supplying the inner suburban areas. Many developers are very interested in good quality development in inner city areas.

I guess that 20 years ago no-one would have talked about Mile End or Brompton as being prime land for development in the inner city area, but now go down there. I am sure that you, Mr Speaker, go through there daily and know what is happening: the developers are in there, and it is terrific development. People who live on the other side of the train track in Brompton are in a fantastic location about 10 minutes from the city, if they walk slowly. They have the parklands, golf courses and so on.

Some of us who run around the parklands in dinner breaks see and enjoy that, and we can see that the people who have bought the redeveloped houses in those areas are out enjoying the magnificent environment that is available. That is the foundation of it. I hope that I have answered members' queries. I commend the measure to the House, and want to thank my predecessors as well as the Minister for Environment and Planning for bringing this matter before this Chamber, because I think it all falls together as being an important arm of government, providing the opportunities for the private developer to continue to develop our magnificent city.

Bill read a second time.

Mr BRINDAL (Hayward): I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to the compulsory acquisition of urban land.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—'Interpretation.'

Mr BRINDAL: The Minister and some other contributors to the debate have spoken at length about affordability. How will this work? I clearly understand the Minister's intent, which he has explained very well to the House but, if the Urban Land Trust acts as a developer and clears the land of its contamination then on-sells the land, what will stop a developer from acquiring the land at a very reasonable price from the Urban Land Trust, putting affordable accommodation on it but then on-selling it to the general public for whatever the market price will bear in that area?

The Minister quite rightly points out that areas such as Bowden and Brompton are becoming preferred areas, so if I were an unscrupulous developer and bought a large parcel of land from the Urban Land Trust at a very reasonable price, I might put up a house and then decide to sell it at the current market rate and make a substantial profit, basically because the Urban Land Trust sold it to me at the right price. That would be fine for me as the unscrupulous developer, but it would not give the affordability the Minister is obviously looking for. In what measure, therefore, can this be addressed in terms of the procedure the Minister has described?

The Hon. M.K. MAYES: In terms of market forces, there would be no control in the sense of the price at which the developer could pass the property on for sale, but I guess other methods are open to us. One of the roles of the Housing Trust indirectly has been to offer affordable housing in the marketplace through sale, via its house sales policy and via its process of offering affordable rents, which affect the supply side in terms of the overall market supply.

That is one of the interesting sidelines of the role that the Housing Trust has played, by having a percentage of the actual housing stock in the State—about 12.5 per cent. That is an indirect impact but, in direct terms, it would be open for the market to determine the price, again by dealing with it on the basis of our providing a supply and our continuing to supply open urban development land. To some degree, that maintains an influence on the price and, to some extent, a cap, by supply, on the end price that the market actually determines. Again, it is an indirect force; by our providing an ongoing flow of supply of land, we provide some price control on that market price at the end of the day, because other developers will be going in to provide affordable housing to the market.

Again, I realise there is only a certain percentage of the market that can afford housing above the $110 000 to $140 000 price range. That is the answer to the honourable member's question. Of course, there is no direct influence; we will not be exerting price control on the developer who comes in. That has worked fairly successfully in the City of Adelaide and in other regional centres throughout the State.

Mr BRINDAL: If I understand what the Minister is saying correctly, the only real benefit for the people whom the members for Napier and Henley Beach champion so strongly is that component of the land which may be used for social housing, which may be acquired by the Housing Trust and upon which social housing will be built. If I understood the Minister's answer to the last question correctly, he said that the land would be sold for whatever the market would bear—the free market would take care of the price of the land and the price that people would pay. That being the case, in an area such as my own electorate, where free blocks of land sell for about $60 000, that immediately precludes the people whom the members for Napier and Henley Beach champion so strongly. Their only hope of

getting housing in the inner urban areas will not be through redevelopment by the Urban Land Trust; it will be only in so far as that redevelopment allows for social housing.

That will be of great benefit to the State but, basically, the people whom those members are so busily championing will get in on the act only in terms of the social housing component. I do not deny the benefits to the State, but I just want it to be clear that, when the free market comes into play in areas such as Norwood, Warradale and Bowden-Brompton, the very people whom this Government comes in here to champion do not exactly benefit, except for the return to the public coffers and the public housing component. I think we should be clear on that.

The Hon. M.K. MAYES: Clearly, the member has the wrong end of the pineapple. He is segmenting the debate, because those people we do promote and claim that we represent—and I notice that a number of members from the other side of the House claim that they represent those constituents—in fact do benefit quite directly. Under the provision that would knock out that compulsory acquisition, those people would be left absolutely vulnerable to market forces and they would not be able to get affordable houses. What this process offers is the assembly of land and thereby a supply to the market which, in fact, by itself maintains a price control at the end of the day.

Mr Brindal: The capital price changes.

The Hon. M.K. MAYES: We know it is the case—and we see it daily—that we can offer those people who do not have high incomes and who are not able to assemble the capital initially the opportunity to buy affordable housing in the inner city areas. It is not that amenable for the quarter-acre block in Norwood or Unley, but we are offering them opportunities to buy units in those areas by bringing together those parcels of land and continuing to supply them so that one developer cannot lock up all the land in a suburb or locality and thereby force the price up by market exclusion; by in fact excluding builders and other developers from that market. In fact, we are offering and will offer to the broad community of developers the opportunity to be part of it. Thereby, we continue, by indirect means, to offer an affordable package to people who are less able to afford to buy in those areas which are being designated as prime areas for development.

Mr MEIER: I should like some clarification from the Minister as to the Urban Land Trust's powers. Let us take a scenario, with which I am familiar, of the Housing Trust redeveloping a site, with one house, for three units. It has been reported to me that it had hoped to build more than three units—in fact, I understand it was to be six units—if it could have acquired land from one or two of the neighbouring properties. A small strip of land would have given the trust a sufficient area on which to build six units rather than three. However, the two owners of the adjoining properties said that they did not want to sell, so only three units are proceeding. Is there any method by which the Urban Land Trust could, under this amendment or under the existing Act, forcibly acquire a small strip of land from adjoining owners if they did not wish to sell?

The Hon. M.K. MAYES: I refer the member to the second reading explanation. I can probably reiterate—

Mr Meier: The principal place of residence?

The Hon. M.K. MAYES: As regards the principal place of residence, the answer is 'No'. However, I refer the member to the second reading explanation which sets out the 1985 amendments which make clear what powers are provided for compulsory acquisition. The member will see the answer is clearly embodied in that response.

Mr MEIER: I thank the Minister for his answer. He said as regards the principal place of residence, unequivocally 'No'. If they were private dwellings but the owners were not living in them—perhaps they were interstate—and were renting them out, would the same unequivocal 'No' still apply?

The Hon. M.K. MAYES: It depends whether it is the principal place of residence. If it is the principal place of residence, the answer is 'No'. I refer the member to the second reading explanation in which we talk about the encumbrance on compulsory acquisition. I will repeat how this power was restricted. The trust could not compulsorily acquire a principal place of residence or commercial or industrial premises. I think the answer still stands as 'No' with regard to the question.

Clause passed.

Clause 3—'Powers and functions of the trust.'

Mr BRINDAL: I move:

Page 1—

Lines 19 and 20—Leave out all words in these lines and insert:

Section 14 of the principal Act is amended—

(a) by striking out subsection (1) and substituting the following subsection;,

After line 25—Insert word and paragraph as follows:

and

(b) by striking out paragraph *(a)* of subsection (2) and substituting the following paragraph:

(a) acquire land by agreement only;.

I should like to make two points. I am reluctant to speak about the contributions of members opposite as containing cant and humbug, but there are no other words for it. I shall not long delay the Committee, because I have a deal of respect for many of the members opposite and their intelligence, but the contributions made by two of the members opposite need a swift and firm rebuttal.

This Opposition clearly supports inner urban renewal and urban consolidation. In fact, we support the amendments that the Government has brought in in this Bill. The only thing that we do not support and consistently have not supported since the introduction of the Urban Land Trust and in subsequent amendments is the compulsory acquisition.

The Minister points out that this involves only 4.2 per cent of the land and says, 'What does it matter?' It matters to us as a matter of principle. We do not believe that land should be compulsorily acquired other than for purposes needed by the State. We do not think that this is a legitimate State purpose, and we have consistently argued that since the Urban Land Trust was introduced. It is a consistent argument put by the Opposition and it is a matter of principle. We simply do not accept—especially for only 4.2 per cent of the land holdings—that compulsory acquisition is either necessary or desirable.

If the Government could budge on the question of compulsory acquisition we would be quite happy to accept this Bill as it is. I repeat quite categorically that we are not against inner urban renewal, urban consolidation, or call it what you will. We are not against it; we are at one with the Government; we believe in it and we think that it would be to the benefit of South Australians, provided—as my friend the member for Mount Gambier says—that it is done sensitively and sensibly. We have every confidence that this Minister and the Housing Trust are more than capable of doing that. For members opposite to come in here and waste 40 minutes of the time of this House by beating up cheap political tricks is rather demeaning to members on both sides. I would rather that in other debates we may have with this Minister they perhaps do not contribute as much. I commend the amendments to the House.

The Hon. M.K. MAYES: It is fundamental to the Bill that the original amendment to the Act be passed. I thank the member for Hayward for his confidence in us and in the activities of the Urban Land Trust. I think that that confidence is well placed because, as I have said, the function and achievements of the Urban Land Trust in this State have been heralded. People have come from overseas and interstate congratulating the staff on the work they do. I have publicly acknowledged that and I now place it on the record in *Hansard*. I thank the staff for their achievements. I have only recently taken up the portfolio responsibility and have spent several hours being briefed by the staff, but I am aware—as I am sure are all members—of the achievements of the Urban Land Trust. I think that the confidence of the member for Hayward is well placed and that the trust's achievements have been very significant.

I stress that the 4.2 per cent figure is important as part of our being able to assemble those parcels of land to provide them for proper development. The developers in this State know that, and this measure will give them an added incentive to undertake the developments that we want to see. Whichever developers one talks about in our city, one knows that they will be very interested in urban development. My good friend the member for Hanson has made what I think is a very relevant comment about the role of the Housing Trust and the Urban Land Trust in terms of the function they fulfil within the honourable member's electorate and the City of Adelaide.

I think it is important to record that this House has a great deal of confidence in their achievements. This measure is very important to the success of this program. The member for Hanson referred to developments throughout the city and they have been part and parcel of the success of the developers involved. We want to see that continue. We believe that that is important. We believe that their achievements will continue to encourage employment and development in our city.

I understand the position that has been taken by the shadow spokesman, but I think it is important, for the sake of achieving inner suburban consolidation, that the legislation pass as it is, so that we can provide this opportunity for the Urban Land Trust. I know that this provision has been used very cautiously and carefully. The board is very conscious of its powers and what it is doing, and that it has used those powers very sparingly and sensitively. I have not had a complaint from members; I am not aware of any complaints that members on either side of the House have raised about the application of this legislation in the Green Fields area. I am sure that this will continue, because the board is very sensitive to the needs of the constituency and to being cross-examined by Parliament about its role and function in the use of these powers. The board knows that these are very unusual powers to have, and that they are powers that must be used very carefully and sensitively. I commend the legislation as it stands.

The Committee divided on the amendment:

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

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

Pair—Aye—Mr Chapman. No—Mr Klunder.

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

Clause passed.

Title passed.

Bill read a third time and passed.

MOTOR VEHICLES (LICENCES AND DEMERIT POINTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 November. Page 2405.)

Mr OSWALD (Morphett): Inasmuch as this Bill addresses the further initiatives of the 10 point black spot road safety funding package proposed by the Federal Government and agreed to by the State and Territory Ministers of Transport in 1990, the Opposition supports the Bill, except that we will have something to say about the clause requiring drivers of heavy vehicles compulsorily to carry their driver's licences at all times when driving such heavy vehicles. Early initiatives passed by the South Australian Parliament included the 100 km/h general speed limit, the .05 blood alcohol limit and the compulsory wearing of bicycle helmets. I refer briefly to the 100 km/h speed limit because I believe the conclusions we came to and the zoning of the State has worked out quite well.

During the recess I had the pleasure of driving on country roads and I thought that the arrangement that the Minister has put in place was sensible. I believe that it is working well, and I congratulate the Minister on it. Late last year the Victorian, New South Wales and Queensland Parliaments passed legislation addressing the two matters that we are to consider tonight.

If members are interested in this subject, I refer them to the *Issues and Objectives of the National Road Transport Commission*, which highlights the problems that we still have in seeking uniformity in respect of transport rules and regulations. It states:

> The recent introduction of the national heavy vehicle drivers licence for drivers of vehicles exceeding 15 tonnes has led to some standardisation procedures and an improvement in communications between licensing authorities. The treatment of heavy vehicle drivers is, however, still far from consistent between jurisdictions.

This leads to a point that I want to make about the Bill. The publication continues:

> To correct this, the commission, with the assistance of AUSTROADS and others, will be seeking uniformity in the licensing process, particularly in the following areas:
>
> driver licence classifications;
>
> minimum age and experience requirements for different classes of vehicle;
>
> driver testing procedures;
>
> driver training curricula;
>
> driver medical fitness; and
>
> restriction, suspension and cancellation of licences.

We can see from this manual that it is a very broad subject and that much work still has to be done in the area of uniformity. I will divide this Bill into two sections: first, the national heavy vehicle driver's licence system, when we will discuss our proposed amendment, and secondly, the national points demerit scheme.

The Bill aims to enforce the policy of one person one licence. It is eminently sensible. It is a matter that has already been resolved between all States, and I believe that this Parliament will pass this provision tonight. We generally believe that it is the way to go. Under new arrangements, drivers of heavy vehicles will be able to hold only one licence. Most members have probably seen the new

magenta-purple coloured licence which is part of the national scheme. A good point about this licence is that it has been designed to distinguish professional drivers from other motorists, to prevent abuse of the driver's licence system (which does happen, whether or not we like it), and to make Australian road transport safer by keeping disqualified drivers off the road.

To date it has been possible for drivers to have more than one licence simply by applying to more than one State. If one licence was cancelled, the driver could continue to drive using the licence he obtained in another State. The Bill proposes that the Registrar of Motor Vehicles be empowered to either cancel the South Australian driver's licence of a person who holds multiple licences or require the person to surrender all other interstate licences. We see no problem with that. It is probably the only practical way to re-issue the new system.

The area in which we do have some problems is that related to the rural community. I know that the member for Eyre will speak on this subject, and it is good that he should have an input on behalf of members of the rural community. There is a problem with the compulsion on all drivers to carry their heavy vehicle licence with them at all times when driving vehicles. I understand that this compulsion is to overcome a problem on the open road of drivers travelling interstate who have been disqualified from driving and who find ways of getting around the system.

We do not believe it is practical to expect drivers at all times to carry the magenta driver's licence, especially if a rural producer happens to be moving a heavy implement from point A to point B within the vicinity of his farm, if he is moving from one farm to another, or if he is moving from his farm to the local town and returning in the legitimate course of his rural occupation. Rural members will enlarge upon this problem at greater length. Because of the hour I will say no more than that the member for Eyre will move an amendment to solve that problem. I trust that the Government will choose to support it.

The other aspect of the Bill concerns the national points demerit scheme. The transport industry would like us to raise a couple of problems during the course of this debate. The Bill introduces a uniform national points demerit scheme which is, we believe, the way to go, together with some amendments to the South Australian points demerit scheme dealing with offences which are not addressed by the national scheme but which already attract demerit points in this State. The Opposition will comment on this double system. Under the new scheme, holders of a South Australian driver's licence will incur demerit points if convicted in this State of an offence for which demerit points are prescribed.

They would also incur demerit points if they were convicted in another State or territory of an offence listed in the national set of offences. The Opposition has been contacted by various interstate carriers, transport agents and members of the bus industry that have some concern about the two levels of demerit schemes. If there is going to be uniformity, they would like to have it right across the board. I want to place on the record excerpts from a couple of letters that we have received. The first letter states, in part:

> While planned national Legislation will hopefully cover all transport drivers [the company] feels that it is essential that the demerit points should be exchanged between all States. Minister Blevins in his explanation of the Bill notes that this will commence between South Australia, Victoria, New South Wales and Queensland from 1 January 1992 and I presume that this has in fact been instituted. Will other States follow suit?
>
> As you can appreciate interstate coach operators already have problems with drivers who may in fact hold licences issued in more than one State and there is no way at this stage that employers can in fact check on the driving history of prospective employees. This seems to be a weakness in the system which should be addressed.

A letter from another company states in part:

> The second issue concerning national drivers licences and demerit points appears to be 'jumping the gun'. The Federal Government is attempting to introduce new national transport regulations including uniform roadworthiness and inspection standards, traffic codes and drivers licensing standards, and uniform penalties. Not to mention registration and road user charges etc. However, all this is a long way down the track. There are many meetings relating to these issues over the whole country conducted by NRTC, Austroads, RTIF and others. Uniformity across the nation is proving to be difficult.
>
> Mr Blevins himself apparently is not satisfied with the national scheme of demerit points, and will include demerit points for infringements peculiar to this State. If we do go national, let's have one set of rules, not two. This is the whole point of national transport regulations. If this cannot be achieved, leave it alone.

I am not suggesting that it should be left alone, but I believe that, in accordance with the point that is made in the letter, if we are going to have a national set of traffic rules, they should apply right across the board. In the current legislation, disqualification of a driver's licence occurs when the driver incurs 12 or more demerit points over a three-year period; however, the new provision allows the Registrar of Motor Vehicles to take action to disqualify a driver's licence interstate if the driver has incurred in South Australia 12 or more demerit points not covered by the national schedule. We agree with that and are quite happy to support it.

The appeal provisions are similar to those in the current legislation except that on a successful appeal the aggregate of the appellant's demerit points is to be reduced to 10 rather than 11 in light of the national scheme. Schedule 2, which contains a transitional provision, ensures that demerit points incurred by a person before the commencement of the measure continue to be held by that person. Any increase in demerit points only applies in relation to offences committed after the commencement of the measure, and any decrease only applies to offences committed beforehand. The Opposition is happy to support that.

As I understand it, the transport industry in South Australia generally welcomes the proposed measure as associations in general are keen to improve the image of their industry and operators are experiencing problems with recruiting drivers. As a matter of policy, we agree with the national standards, and if the Minister could agree to the amendment about to be proposed by the member for Eyre we can guarantee a fairly speedy passage of the rest of the Bill through the Committee stage.

Mr MEIER (Goyder): I want to make a few remarks about this Bill. It always concerns me when South Australia is to be treated in the same way as other States, especially New South Wales and Victoria which have higher populations and closer settlement compared with South Australia. We are heading more and more towards a national scheme. It seems that there is nothing we can do to stop it, and I am very concerned that again aspects of this Bill follow on to make life tougher for many of our motorists.

I particularly refer to the provision that requires a motorist to carry a licence when driving a heavy vehicle. I am well aware that the member for Eyre will shortly move an amendment, which at least will go some way towards trying to accommodate the farming community. We in this State should take into account the fact that so much of our area is devoted to rural living, to farmers, pastoralists and people who are not in the habit of carrying their licence on a normal day-to-day basis. There is no need for it because it is quite easy, with our modern technology and communications, to get details of the licence through to an appropriate station within 24 hours. Yet, this Bill seeks to make

life more difficult for the people who produce the real wealth of this country. I am very disappointed that the Government should go hand in glove with the national scene: there is no need for it in my opinion. We should be going our own way in this State rather than going along with national standards as we have a good case for it.

The Minister would appreciate the debate that took place when the speed limit was reduced from 110 km/h down to 100 km/h. Thankfully there were some modifications, and I congratulate the Minister for that. If I had my way we would have some roads on which one could travel at a speed greater than 110 km/h and others on which the speed limit would be less. South Australia has vast distances and is not a small State like Victoria, so should not be compared with it. Some people are too hell-bent on going along with interstate requirements. This matter troubles me.

I could highlight more problems with the demerit scheme and the ways in which it will make life more difficult because we do not distinguish between drivers who travel small distances per year and those who travel great distances. We treat all people equally, although there is an inequality between the various drivers. The sooner we tackle these problem the sooner we will get some commonsense onto our roads. Because of the lateness of the hour, I will not pursue the issue further.

Mr VENNING (Custance): I cannot let this Bill go through without adding my support to the comments about the compulsory carrying of a licence in a heavy vehicle. As a farmer, it is ridiculous to require farmers driving heavy vehicles to carry a licence on their person all the time. During seeding it would not last six weeks—it would be full of dirt, super and diesel. Also, the licence could be left in the vehicle. I can understand the thrust of the Bill and the requirement for users of heavy vehicles to have a licence on them. I agree with the Minister's second reading explanation on that matter. Road hauliers should be required to carry their licence on them, because we know that they hold licences in several different States. I hope that the amendment to be moved by the member for Eyre will be favourably received by the Minister as it will make the Bill tidier. I have much pleasure in agreeing with most of the Bill and hope the Government will accept the amendment.

Mr LEWIS (Murray-Mallee): I, too, wish to make a plain that I agree with the remarks made by the members for Goyder and Custance regarding the unfairness of the requirement that those licensed to drive heavy vehicles must carry their driver's licence with them at all times. I will agree that it is legitimate to expect that when the Minister at the table and every member opposite agrees to carry an identification dog tag over the top of their tie around their neck at all times in this place.

The Hon. FRANK BLEVINS (Minister of Transport): I thank members opposite for their support, in particular the member for Morphett, who led for the Opposition. The only point of contention is the question of primary producers having to carry their licence when they may be using a large farm vehicle just for a short period, and there is some validity in that. However, in a number of States in this country everyone, irrespective of who they are, must carry a drivers licence at all times when they are driving a vehicle. In those States, with the greatest respect to members opposite, primary production has not stopped; it certainly does not appear to have caused the disruption that daylight saving seems to have caused.

However, I, as always, have sympathy for people who live outside the metropolitan area. Life is not always as convenient, although in many ways it is more convivial for those who live in the metropolitan area. I have a certain amount of sympathy—indeed, empathy—for those people, as my Cabinet colleagues are constantly reminded. Of course, the State is bound by an agreement that all States and the Commonwealth have made. We did give our word to the Federal Government to do the black spots for the sum of about $12 million. We agreed to put these measures before the Parliament.

Mr Meier: Have we spent it all yet? Have we got it yet?

The Hon. FRANK BLEVINS: Certainly, we were very quick. In fact, a list has gone out to show where that has occurred. I cannot remember whether any of that money has been spent in Goyder. There is a real problem in these areas, as has been mentioned by members opposite. Unfortunately, a small section of the heavy road transport industry does the wrong thing. It is only a small section, but it is, nevertheless, a dangerous section of the industry. In fairness to other road users—and for the general respect of the law—these measures tighten up licensing provisions and also bring a measure of uniformity in penalties to a core group of offences throughout Australia. This Bill does not attempt to solve all the problems of the road transport industry: it is dealing with certain parts of it, and it does it very well.

However, I do take the point of members opposite that the Bill may be unnecessarily harsh on some primary producers, and I suspect that it is not targeted particularly at primary producers who drive their heavy vehicles occasionally without carrying their drivers licence. I will be interested to hear the reasons for the amendments when the honourable member moves them.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—'Duty to carry licence when driving heavy vehicle.'

Mr GUNN: I move:

Page 2, after line 24—Insert subclause as follows:

(1a) It is a defence to a charge of an offence against this section if it is proved that the vehicle was being used on a journey wholly—

(a) within a radius of 80 kilometres from a farm occupied by the driver of the vehicle;

and

(b) outside Metropolitan Adelaide within the meaning of the Development Plan under the *Planning Act 1982*.

One of the greatest things you can have in this world is a bit of commonsense. This amendment sets out to clarify the situation and to allow people basically to continue what they have done for generations. As someone who has had a great deal of experience in carting grain around farms, where most farmers use their trucks, when you have to get out of one vehicle into another I can think of nothing more stupid and ridiculous than to be worrying about a drivers licence. The practical reality of the situation is that the legislation as drafted in the beginning would not have worked. It would have caused great conflict, and was unnecessary.

The Victorian Minister agreed to a similar amendment moved by the Opposition in that State, and I am aware of the situation in New South Wales. One thing that has separated us from the other States is that, in this place at least, we have attempted to talk to one another and to be reasonable. That has not taken place in New South Wales.

I move this amendment because I believe it will improve the Bill. I have no problems with ensuring that those people in the industry who have acted highly irresponsibly are brought to justice. We are aware of some of the sad incidents that have taken place on the roads when people have been

quite irresponsible. Therefore, I commend the amendment to the Committee.

Mr VENNING: I support the amendment. Members will be aware that very similar legislation is in place in relation to log books. A primary producer does not need to have a log book, and it would be quite easy to tack this alongside the same legislation as that relating to log books, as it runs with it. I have much pleasure in supporting the amendment.

Mr LEWIS: Candidly, I do not think that the proposal goes far enough, although it is better than the situation we find in the Bill. Victoria is a pretty small State; it is not a long way to anywhere in Victoria. I know that Eyre Peninsula, Yorke Peninsula, the mid-north and the lower north are better served by coastline and ports than some other parts of the State, particularly the part I represent. Eighty kilometres from a good part of the cereal belt almost always brings you within contact of the port terminal.

However, that does not happen in Murray-Mallee. The farmers in places such as Mantung, Maggea, Copeville or, for that matter, Alawoona, Peebinga and Karoonda as well as those north of Murray Bridge and Mannum in the Murraylands, have much further to go to reach a terminal, whether it is portside or otherwise.

Certainly, it costs them more if they do not take their grain to the port, which is well over 80km away. To my mind, it is unreasonable for us to accept that what was acceptable in Victoria and New South Wales is sensible here. In New South Wales, legislators and the community at large have been accustomed to having a heavily subsidised rail system carry their grain for them.

There has always been wheeling and dealing as to where the train lines will go and where facilities will be put or not put throughout the whole process of decision-making by the bureaucracy and in politics. At least, in South Australia we have got out of that and have a rational, sensible, efficient and coordinated grain storage network operated by Cooperative Bulk Handling.

However, we have also had the requirement for farmers personally to accept the responsibility for the delivery of their grain to wherever they need to take it. In consequence, it has disadvantaged the people I represent, probably to a greater degree in recent times than those in any other part of the State. This legislation makes their position more tenuous and onerous. They will suffer if by some inadvertent oversight they are found to be on the road, taking their grain to the port and/or bringing their superphosphate from the port—and that is where it happens to be—without their licence. They will suffer the penalty of the full weight of the law, which will involve a loss of demerit points on their licence.

I think that is unfair and unreasonable and, for that reason, whilst I support the amendment in favour of the provisions of the Bill as it stands, I would like to go further and argue that, since we have been able to provide magenta licences for those people constantly involved in interstate heavy transport driving (that is a special category of licence for that category of driver), we ought to provide something like a green licence for primary producers. A green licence would not be any more or less an imposition on the total system than is the magenta licence, and there is no question about the fact that it would serve the public interest more fairly and reasonably, and the other States could follow.

Why do we always have to be following what everyone else in Australia says when, quite clearly, we can be innovative, make sensible suggestions and lead the way? It seems to me that, whereas our forbears, some of whose portraits adorn the walls of this Chamber, had the courage to show the way to the rest of the nation and indeed the world with the sort of legislation that has been debated in this Chamber, we are now wimpish and unwilling to take or give that lead.

Mr BLACKER: I too support the member for Eyre, and the comments that he made, purely on the basis of the practicalities of the farmer being able to carry his driver's licence with him during that period of time, and particularly when farmers have one, two or more trucks and the drivers are jumping from one to another. I ask the Minister what is the information that is required to be carried, and would an engraved number that the person might want to put somewhere on the trucks, being his own licence number, be sufficient detail as required by the officer? The Minister and I know that it is a fairly standard practice that the driver's licence number is used for security purposes on household goods and is quite often engraved, starting with an 'S' for South Australia, as a means of identifying stolen property.

Would that means of identification—the keeping of that number on a vehicle—suffice as the information that would be required by the departmental officers in carrying out their duties? Is that possible or practicable? There might be very good reasons why it should not be done but, from the point of view of identification and having that number forward, surely the offering of the licence number, if the person could store it on his vehicle—the tractor or whatever he has on the road—would be sufficient.

The Hon. FRANK BLEVINS: The Government had some discussions with the member for Eyre when this amendment was being drafted, and the Government can see that, in a small but important number of cases, it would be of assistance to primary producers.

This Government and this Minister in particular are not in the business of making life unnecessarily difficult for primary producers or anybody else. We have a commitment to the Federal Government and to the other States, because it was a national agreement that the proposal would come before the House in the form of this Bill and that the Government would support its passage. Of course, like any Government, we are subject to the will of the House and, if the House suggests on the voices that the amendment be carried, the Government is not inclined or in a position to argue.

The member for Flinders referred to having the licence number engraved on the vehicle to show that it was one's driving licence number. That is not really helpful. What the police and the various road traffic authorities are attempting to establish is that there is one driving licence and that that licence applies to that person. The integrity for that by and large these days is the photograph. That is how they overcome it. If the Committee, and subsequently the Parliament, saw fit to carry the amendment moved by the member for Eyre, I believe the genuine primary producer who hops around the locality in his or her vehicle will not be required to carry the licence. I think that overcomes it completely.

Amendment carried; clause as amended passed.

Clause 8—'Substitution of part IIIB.'

Mr OSWALD: I refer to new section 98bd(3) relating to notices to be sent by the Registrar. It has been put to me that to send a notice by post is not sufficient if it is a notice advising that one has used all one's demerit points and is about to lose the licence. Between now and when the Bill goes to another place, will the Government consider at least inserting the word 'registered'?

The Hon. FRANK BLEVINS: The proposal does not change the present system. The notice now is served by ordinary mail and we have not heard any complaints.

Clause passed.

Remaining clauses (9 and 10), schedules and title passed.
Bill read a third time and passed.

SURVEY BILL

Adjourned debate on second reading.
(Continued from 14 November. Page 1963.)

The Hon. D.C. WOTTON (Heysen): This is a Committee Bill and I do not intend to spend a lot of time debating the second reading. At the outset I want to say that I have been amazed at the varying opinions of the professions in relation to this legislation. I have received a considerable number of representations regarding this legislation and there has been a considerable amount of consultation. The representations I have received vary from complete opposition to the Bill—throwing it out in its entirety—to total support of the legislation—

The Hon. Jennifer Cashmore: And everything in between.

The Hon. D.C. WOTTON: And everything in between, as my colleague the member for Coles says. There has been quite a bit of consultation on this matter and I would like to refer to that briefly. A review of the Surveyors Act of 1975, which governs the surveying of lands, boundaries and the licensing and registering of surveyors, led to the Surveyor-General seeking, in mid 1987, from the survey industry its views on the proposed review of that Act. I am told that 15 submissions were received from a range of individuals and associates involved in surveying.

A green paper was prepared early in 1989 following further consultation with surveying industry bodies. The green paper was distributed widely and 17 written responses were received. The draft Bill was then prepared and published in publications of the Institution of Surveyors and the Institution of Engineering and Mining Surveyors. A public meeting to discuss the draft Bill was attended by 51 people. So one could hardly say that there has not been a considerable amount of consultation in regard to this legislation. I find it rather staggering that after all of that consultation, I learn, as late as yesterday, that representations regarding changes to the legislation were still being made by those who have an interest in the Bill.

We are told that the objectives of the Bill before the House are to vest control of the registration and licensing of surveyors with the South Australian Division of the Institution of Surveyors, to establish a commercial tribunal as the appropriate body to consider disciplinary action against registered and licensed surveyors, and to make provisions relating to the surveying of land boundaries. In the existing legislation there is a board called the Surveyors Board of South Australia. That board consists of the Surveyor-General, three members appointed by the Governor on the nomination of the institution and two members appointed by the Governor on the nomination of the Surveyor-General.

The current board has the power to examine and licence surveyors, cancel licences, discipline and keep a register of surveyors. The board may also carry on, prosecute and defend any action, compliance or proceedings whatsoever. The Bill, in keeping with Government policy—so we are told—proposes to abolish this statutory authority. It proposes to restore the powers to the Surveyor-General.

It is this matter that seems to be of major concern to a number of people who have made representation to me. A number of these people have suggested very strongly that if the board cannot be retained with its current powers the Bill should be thrown out, and I do not underestimate the representation that I have received in this regard. In fact, most of the representation that I received in the very early stages suggested that that course of action should be taken. It is only in more recent times that I have received letters from both the Institution of Surveyors and the Association of Consulting Surveyors supporting the legislation.

I want to read into *Hansard* the letters that I have received from both those organisations. The President of the Institution of Surveyors writes on 4 February:

> I am writing to you regarding the proposed new Survey Act which is at present being debated in Parliament. While I understand that some members of my profession may have written to you expressing concerns about this Act, it has been discussed at length within the Institution of Surveyors. The institution unreservedly supports this Act and respectfully seeks the assistance of the Opposition in assuring its passage through Parliament.

The Association of Consulting Surveyors writes, on 10 February, in a similar vein:

> This is to advise that at a special general meeting of my association held this evening a resolution was passed endorsing the proposed Survey Act 1991 but recommending a number of proposed amendments, the details of which will be sent . . .

I am advised that the Institution of Surveyors in September last year wrote to the Premier expressing its approval of the final draft of the legislation and asking that it be introduced as soon as possible for approval and early implementation. Members can imagine my confusion in recent times with some members of the profession saying, 'Throw it out', while others are saying that we should get on with it as quickly as possible. As I said, most of the concern relates to the removal of the board which, I understand, is in keeping with Government policy. That is up to the Government but it is a matter we will be able to debate in Committee.

The Bill proposes to split the powers of the old Surveyors Board between the Surveyor-General and the South Australian Division of the Institution of Surveyors Australia Inc. The board is to be replaced with a survey advisory committee which currently has no decision making role nor the power to override any decisions of the Surveyor-General. As I said previously, some members of the profession have recommended that the Bill be opposed if the old Surveyors Board is not retained.

I understand that as late as yesterday there was a meeting between the institution and the association and that a number of issues were discussed and agreement reached, although some contentious matters remain. I will only refer to a couple of matters at this stage because I believe that this is a Committee Bill. Clause 43 provides that the Surveyor-General only need consult with the survey advisory committee.

Both the institution and the association have requested that an amendment be introduced ensuring that the Surveyor-General is able to issue survey instructions only with the concurrence of the committee. The Minister shakes her head, but I can assure her that those are the representations that I have received.

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: It is not just the institution. If I can be proved incorrect later, I will stand to be corrected but, at this stage, that is my belief.

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: I am the first person to admit that I am wrong when I need to do so. I am certain that both those organisations made representations to ensure that that was the case: that survey instructions could be handed out only with the concurrence of the committee. At the appropriate time I will move an amendment in regard to that matter.

The other matter that has been raised relates to clause 16. The existing Act protects the word 'surveyor' and provides for the proclamation of the use of the word 'survey' in association with the terms, for example, 'health surveyor', 'mining surveyor' etc. The Bill provides for a licensed surveyor to place survey marks and to perform cadastral surveys, but it does not protect the use of the word 'survey' by other people or organisations.

Again, I have received strong representations on that matter from all directions—from those who wish to see clause 16 amended, from those who wish to see it thrown out altogether and from those who support it. As late as this afternoon there has been an obvious campaign from various organisations ensuring that the Bill is left in its present form. I will have an opportunity to say more about that in Committee.

Bearing in mind the hour, I will conclude by referring to the second reading of the Surveyors Bill which was delivered on 9 October 1975, as I was most interested to read what was said by the then Minister, (Hon. J.D. Corcoran), who stated:

> It is intended to replace the Surveyors Act, 1935-1971, and to provide a system of registration of surveyors and regulation of the practice of surveying which accords with the modern practice of surveying. The present Surveyors Act, 1935-1971, was drafted in 1935 . . .

He goes on:

> The principal provisions of the Bill are intended to ensure that a person who holds himself out to the public as a 'surveyor', qualified to perform the wide range of activities sought from 'surveyors' by the public, is so qualified. Accordingly, the Bill sets out the basis for registration of persons properly qualified in surveying, and proscribes the use of the title of 'surveyor' by persons not so registered. Persons who perform activities quite distinct from surveying, as defined, and use the word 'surveying' qualified by another word to describe such activity, are not to be subject to this provision. This Bill also provides for the discipline of registered surveyors.

It is also interesting to read the contribution of Mr Millhouse, then member for Mitcham, in referring to the objects of the Bill. Mr Millhouse stated:

> The object of this Bill is to protect the use of the word 'surveyor' and to restrict it to people who are, in the opinion of the Government and the board, properly qualified to be called surveyors. Unfortunately, we do not know from the terms of the Bill what those qualifications will be. However, we know that there is one group in the occupation (and I use that term broadly) of surveying that is most disturbed about the provisions of the Bill.

So, even back in 1975 there was concern about some of those issues to which I have referred and will refer in more detail during the Committee stage. The Opposition will support the second reading. I have a number of amendments to move at the appropriate time and hope that the Minister and the Government will accept those amendments.

The Hon. S.M. Lenehan: We will look at them.

The Hon. D.C. WOTTON: I thought you said you will. As it is a Committee Bill, I will leave it at that and just indicate that the Opposition supports the second reading.

Mr ATKINSON (Spence): I have little understanding of the principles of surveying, but one of my constituents has been kind enough to brief me on the Bill. I have also been supplied with an analysis of the Bill by a former Surveyor-General, Mr G.H. Campbell Kennedy. Both these gentlemen take the view that, if something is working well, why attempt to fix it. I shall be asking some questions along these lines at the Committee stage. This Bill restores the practice of surveying to the firm control of the Surveyor-General. This is a surprise reversal to those who have been in surveying long enough to remember the 1967-69 inquiry into surveying. That inquiry recommended that the heavy hand of the Surveyor-General be lifted from the profession. Referring to the Surveyor's Act of 1859, the report of the 1969 inquiry stated:

> From this extremely brief piece of legislation, subsequent amendments have gradually broadened the statutory control over surveyors and surveying. Until today that control exercised through both Acts and regulations and directions of both the Surveyor-General and the Registrar-General leaves little opportunity for personal initiative on the part of the cadastral surveyor.

Under this Bill, registering and disciplining surveyors are to be remitted to the institution of surveyors, but the Surveyor-General retains many powers over this process, including the power to direct that the institution investigate a matter. My informants tell me that, as one looks through the Bill, one wonders if this is really deregulation.

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I thank the two members for their contribution and seek leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT

At 11.33 p.m. the House adjourned until Thursday 13 February at 10.30 a.m.