## HOUSE OF ASSEMBLY

Wednesday 1 April 1992

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

### PETITIONS: GAMING MACHINES

Petitions signed by 476 residents of South Australia requesting that the House urge the Government not to introduce gaming machines into hotels and clubs were presented by Messrs Allison, Brindal and Venning.

Petitions received.

### PETITION: PUBLISHING STANDARDS

A petition signed by 13 residents of South Australia requesting that the House urge the Government to stop reduced standards being created by publishers of magazines and posters debasing women was presented by Mr Becker.

Petition received.

### MINISTERIAL STATEMENT: SOUTH AUSTRALIAN SPORTS INSTITUTE

**The Hon. M.K. MAYES (Minister of Recreation and Sport):** I seek leave to make a statement.

Leave granted.

**The Hon. M.K. MAYES:** In response to the questions raised by the member for Morphett regarding the South Australian Sports Institute and the financial audit commencing during October 1991, I would like to make the following statement. It is normal, accepted management procedure within any Government department to review procedures to ensure that amongst other things delegations, both financial and personal, are being exercised in accordance with accepted practices. The audit referred to by the honourable member was undertaken internally by two departmental finance officers to:

1. Ensure that revised financial procedures implemented as required by the Under Treasurer and the Auditor-General from 1 July 1991 satisfied both the needs of SASI and the requirements of the Public Finance and Audit Act 1987.

2. Enable the formulation of a zero base appropriation for SASI through the identification of one-off expenditures.

3. Ascertain whether any basis existed for unsubstantiated comments of financial misappropriation of SASI circulating at the time.

4. Check the appropriateness of administrative procedures.

With reference to the specific issue of air travel, the audit in no way concluded that the travel was not warranted. The report merely addressed the issue of appropriate approvals. Revised procedures have been implemented which enable the Director of the South Australian Sports Institute to approve interstate air travel for athletes and coaches within approved budget allocations. Approval for Public Service staff to travel interstate requires the approval of the Chief Executive Officer or the Director of Corporate Services. This system enables the South Australian Sports Institute to operate with maximum flexibility while having accountability on the exercising of delegations. Other areas outlined in the audit review have been addressed and these include:

1. The limits and use of individual financial and approval delegations are strictly controlled.

2. Revised stock control systems have been implemented.

3. Employment of casual staff has been strictly controlled with the implementation of new coaching employment procedures imminent.

4. New procedures for the issue of limited Mastercard credit facilities have been negotiated with Treasury for implementation shortly.

5. All purchases of equipment are now in accordance with set tendering/purchase procedures and within appropriate financial delegation.

It must be realised that the audit referred to by the honourable member was a purely departmental administrative matter, which would not have come to the attention of board members. To attempt to cite this audit as a reason for the resignation of board members is totally false. I would take this opportunity of commending the management of the Department of Recreation and Sport for identifying these minor irregularities and addressing them so promptly to ensure accountability is maintained in the expenditure of public funds.

I would also make the point most strongly that all advice to me indicates that there has been absolutely no impropriety by officers of SASI in relation to the issues covered by this audit. This whole exercise has been part of the process I established last year to ensure total accountability of the institute to Government through the Department of Recreation and Sport. As such, it has been part of the normal administrative function of the department.

## QUESTION TIME

**The SPEAKER:** Before calling for questions, I wish to advise that questions otherwise directed to the Minister of Emergency Services will be taken by the Deputy Premier.

### MINISTER OF TOURISM

**Mr D.S. BAKER (Leader of the Opposition):** Does the Premier have full confidence that his Minister of Tourism has carried out her duties with complete integrity and in conformity with the well defined traditions of the Westminster system, which upholds ministerial accountability and declaration of interests?

**The Hon. J.C. BANNON:** The answer to that question is 'Yes.' The Opposition has been waging an ongoing campaign around this matter for all sorts of reasons which one can only guess at. At one stage it looked as though it was simply a smokescreren in relation to its concerns about how it might comport itself in relation to the gaming machines legislation; for instance, the turnaround that the Leader and others undertook on that matter. Be that as it may, those issues have been addressed properly and directly.

I believe that two further matters were raised yesterday in relation to the Minister of Tourism. They were not new matters—they have been the subject of rumour and scuttlebutt for some considerable time. In fact, they were part of an interview which recorded the views of the Minister about these allegations and this scuttlebutt. Now it appears that they will be raised in the Parliament under the full cloak of parliamentary privilege and with all the currency that can be given to them.

As I understand it, two matters are at issue here: one is in relation to a development on Kangaroo Island outside Flinders Chase, the so-called Tandanya development which,

at the moment, is being progressed, as I understand it, by interests including Japanese interests. It is an exciting opportunity for tourism development in this State and for employment and activity on Kangaroo Island. It is meeting the environmental and other requirements for which this State is known throughout Australia as being very proper. In relation to this project, important as it is from a tourism point of view, right at the beginning of the process I was advised of a possible conflict of interest in relation to the Minister's partner, Mr Stitt, and, on that basis, not only was the Minister's interest declared but she did not take part in the decision making. Her absence from that process was recorded in the Cabinet decision, and, in consequence of that, she did not receive the papers while the proposal was being considered. Therefore, all the proprieties were strictly and carefully observed in that case.

The other matter involves the question of the Glenelg foreshore redevelopment. This involves allegations which have been raised, based on an historical or implied connection that the Minister's partner had with one of the proponents. Let me explain the process there. It is a process which did not require a declaration of interest in the sense that it has been asked for. The City of Glenelg foreshore redevelopment proposals arising out of the failed Jubilee Point exercise were carefully worked through by means of SDP's and environmental impact studies, paving the way for consortia to bid for the proposal.

I made a release on 22 January 1990 in conjunction with the Mayor of Glenelg, Mr Nadilo, in which we announced the guidelines and proposals which we were calling for and what the characteristics of those proposals would be. The Government and the Glenelg council set up a joint working party consisting of Mr Nadilo, and one of his aldermen, Mr Messenger. The Government was represented by Mr Hook, from the Department of Environment and Planning and Mr Davies, from the Special Projects Unit. All members of the working party are experienced and appropriately skilled. They went through a process which resulted in reports, analysis and evaluation; it was looked at by Cabinet committees and by the Cabinet itself.

During these relevant times, the Minister was not involved in any conflict of interest whatsoever. What has been used to try to suggest a conflict of interest apparently is, first, a friendship with an architect for one of the Glenelg foreshore proposals and, secondly, the fact that that architect happens to be a director, as I understand it—not a shareholder but a director—of one of the companies in which Mr Stitt is involved, although I understand it is a company not connected with this Glenelg foreshore development. They are the two connecting links which suggest that the Minister has in some way behaved improperly.

In relation to the first matter, as the Minister herself has said and as anybody has said, I do not think we go around trying to find out who knows whom or who is friends of whom, otherwise there would simply be nothing done, and there is no suggestion of any undue influence on the process in this instance. In relation to the second matter, I understand that that connection was not even known to the Minister: she was not aware of it. She is not aware of all the total detail of those business activities.

In that she is not alone. I recall the member for Coles making the point extremely vociferously here in relation to declaration of interest that she could not be expected to know or to cross-examine her then spouse in relation to his particular business interests and activities and that she would be placed in a very invidious position if she were called to account by a possible omission in relation to that statement. That is a matter as between spouses and partners, but it is a very real problem, as has been identified.

I raise it for no other reason than to make the point that the Minister's lack of knowledge in this instance is one that is probably shared in any number of relationships of this kind and has not in any way prejudiced or influenced the process I have described. So there it is. I have dealt with the two instances, and all the rest—all this elaborate labyrinth of abstruse connections and companies and so on—must be stripped to the bone, must be made quite clear in the way I have set it out in relation to both those projects in which the Minister is in some way condemned.

I believe the Minister has acted properly. I hope that, in both those cases, those very important projects for South Australia have not been jeopardised by the way in which the Opposition has carried on about them. But, that is just an unfortunate fact of commercial life. I hope the investors are mature enough to understand that the game being played down here is politics pure and simple, that as far as the Opposition is concerned, it does not worry about the stakes for the future development of South Australia. Members opposite want to get over here onto this side, to sit on the Government benches, and they will do anything, even in their leaderless state, to do so.

As long as investors understand that, they can put the political scene in perspective. I would hope that two very viable projects, which are working through the process in a sensitive way—one in conjunction with the Glenelg council and the other with a very substantial investor, which will yield us major international tourism links—have not been jeopardised. It is time South Australia woke up, grew up and got on with a few of these things.

## TEACHER COMPLAINTS

**Mr De LAINE (Price):** I direct my question to the Minister of Education. What procedures or processes exist to deal quickly and fairly with complaints against teachers? A constituent has put to me that on some occasions when a complaint has been made directly to a teacher or to a principal about a teacher no action appears to have been taken. The constituent remarked that some sort of complaints body needs to be established to deal with such complaints.

**The Hon. G.J. CRAFTER:** I thank the honourable member for his question, which raises an important issue. The vast majority of our teachers are dedicated and hardworking. It is true that in recent years teachers have suffered a lowering of public esteem: they have gained the financial rewards, but have not enjoyed the status of the valued profession that it is.

An important part of improving that esteem is to make sure that complaints are dealt with quickly and fairly. There are quite clear procedures for dealing with complaints against teachers. Principals in their role as school managers have the first responsibility in assessing and dealing with complaints against groups or individuals that are laid from time to time by students, parents, other teachers or members of the community.

In January this year, new guidelines and procedures for dealing with serious complaints against teachers were sent to all schools and work sites throughout South Australia. Few serious allegations are made against teachers, I am pleased to say but, where such complaints are made, the new procedures are designed to ensure that any investigation is prompt, conducted expertly and consistent with the requirements of natural justice. Also, in the most recent

edition of the *Education Gazette* guidelines were produced which provide the structure for managing poor performance by teachers.

To support teachers and principals in the use of these new guidelines and procedures, the Education Department, in conjunction with the various interest groups in the education community, is preparing a handbook for principals. This handbook will spell out the actions to be taken by a principal in a variety of situations, including the handling of different types of complaints. The new role of the District Superintendent includes a responsibility to assist in the training and development of principals. That will help to ensure that principals are aware of the correct procedures and that they follow them. I am confident that the new arrangements will result in a fairer deal for the people who make the complaint, for our teachers, and for principals and parents.

## TANDANYA PROJECT

**Mr S.J. BAKER (Deputy Leader of the Opposition):** How does the Premier reconcile his statement in reply to the Leader that the Minister of Tourism had not participated in any decision making in relation to the Tandanya project with the statement by the Minister reported in *The Islander* newspaper on 28 March 1991 in relation to the Tandanya projects, as follows:

TSA officers and I have worked very hard to achieve such a development and I'm delighted it's now come about.

**The Hon. J.C. BANNON:** At the stage when the tourism accommodation zone declaration was made (and this was under the jurisdiction of the Minister for Environment and Planning), from the time the project was ready for accomplishment, obviously the tourism department was involved, but that is quite consistent with the statement I have just made. It is interesting that the Deputy Leader purports to build this question on my previous response. I suspect it was pre-prepared and he was going to ask this question anyway. He did not listen to a word I said, otherwise he would not have framed his question in that way.

## CHILD-CARE

**Mr HAMILTON (Albert Park):** My question is directed to the Minister of Children's Services. How does the Government meet the child-care needs of those families who require child-care on an occasional basis? It has been put to me that many parents are not in the work force but still need to use child-care now and then for a variety of reasons. Will the Minister advise how the needs of these parents are being met by the Government?

**The Hon. G.J. CRAFTER:** Few people in our community realise just how rapid the growth has been in the range and extent of children's services that are now available to parents of young children in our community. The occasional care program targets families who are in need of care on a non-regular basis and is predominantly for non-working parents. It allows non-working parents of children to attend courses, keep appointments, shop and generally have respite from the duties of parenting. In particular, it improves the quality of life of families who are often physically remote from the extended family members who provide some of these supports.

During 1992 we will see the completion of a further 24 services under the Children's Services Office occasional care program, bringing the total number of services to 57. When the program is fully operational, it is expected that it will provide 2 952 sessions of occasional care per week throughout South Australia, with 400 of these sessions being for children under two years of age.

The first three services established under the neighbourhood house model will begin operating during this month of April. They are sponsored by the Surrey Downs Community Centre, the Time Out Occasional Care Centre at Port Adelaide and the Port Augusta Aboriginal Women's Centre. When occasional care is fully implemented, the total recurrent cost of the program is expected to be $1.3 million, of which this State will contribute $754 000, the Commonwealth $236 000, and the remaining $276 000 will come from the fees charged to users.

## MINISTER OF TOURISM

**The Hon. JENNIFER CASHMORE (Coles):** My question is directed to the Premier. In view of his statement to the House last Wednesday that the failure of the Minister of Tourism to declare a conflict of interest to Cabinet 'warrants action', will he say what action he has taken or will take against the Minister?

**The Hon. J.C. BANNON:** Certainly; I actually covered that question last week in reply to a member opposite.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** I said the question that arises is: what is the appropriate punishment or action that can be taken? In a heinous situation, where a Minister has behaved dishonestly or in some other way has taken financial advantage, clearly the penalty is for that Minister to resign, to step down from the Cabinet. In the circumstances of both the nature of the decision—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** Yes, and I answered it last week, but I will restate my answer. In the nature of the decision that was taken, in the circumstances of the Minister's belief, I did not believe that any action of that kind was warranted, nor do I think any fair minded person would, either. Those who are politically minded certainly would, and no doubt that will be pursued. I made the point that, if you are talking of penalty, the penalty of having your private affairs spread across the front pages of the newspaper and on television, the penalty of having the sort of harassment that the Minister has had, the penalty of having that kind of invasion of privacy, about which the honourable member who asked the question and any other honourable member would feel uncomfortable, is a pretty big penalty. That penalty has been exacted on the Minister, and that is enough.

## ANDREWS FARM PRIMARY SCHOOL

**Mr GROOM (Hartley):** Will the Minister of Education outline the present position concerning the proposal to establish a primary school at Andrews Farm in the Munno Para council district? There will be a residents' meeting tonight to discuss this and other issues relating to Andrews Farm. Andrews Farm is a fast-growing, vibrant community, and the position regarding a primary school is of vital concern to residents.

**The Hon. G.J. CRAFTER:** I thank the honourable member for his question and for his interest in these new emerging suburbs of Adelaide. The usual discussions are going on

as part of the Education Department's long-term planning for schools in new suburbs and in emerging communities throughout the State. Discussions about Andrews Farm are under way, although they are in their infancy at this stage. They form part of the normal planning process for areas which have been identified as potential growth areas. Currently, the area is being monitored in terms of its growth, for example, demographics, building starts and population profile, which form part of the basis for a submission eventually to be put to Government on a proposal for a new school in a new suburb.

Firmer proposals for a school in this area will be developed when growth in the area matches the criteria for the establishment of a new school. There has been a massive decline in enrolments in schools in this State over the past 15 years, with some 53 000 fewer students in our schools, yet in the period I have been Minister of Education we have built some 30 new schools. Obviously, one can see that the resources available within our education system are being stretched a great deal. It is important that there be a rationalisation of resources. Under way in the Education Department in recent years has been a substantial review of the efficiency and effectiveness of a number of schools in our system which has resulted in perhaps only a small number of schools being closed but many more being reconfigurated in terms of providing better outcomes for students.

It will also redirect resources from school properties which become surplus back into the development of new schools and the refurbishment of our existing school stock to meet the emerging and changing needs of our community. I am sure that the honourable member will support those moves within the Education Department across the State to use its resources most efficiently to maintain our plant and build new schools where necessary.

## FINANCIAL INSTITUTIONS DUTY

**Mr INGERSON (Bragg):** My question is directed to the Treasurer. Is it illegal for South Australian companies to avoid paying FID by electronic or physical transfer of funds to Queensland; has the Commissioner of State Taxation any evidence to indicate that such FID avoidance is occurring; and, if so, does the Treasurer propose any action? Monday's *Financial Review* revealed that avoidance of New South Wales financial institutions duty could be costing that State up to $450 million through transfers to Queensland, where there is no FID, and that other States may also face large FID revenue losses.

**The Hon. J.C. BANNON:** This question has been addressed and is under review. I understand that the way in which our legislation is couched makes it difficult for that simple matter of avoidance, although if people are ingenious and determined enough they can probably find ways of attempting to avoid the tax. I am not aware of any major problems in South Australia, but I will certainly pick up the reference that the honourable member has made. I thank him for raising the matter and I will refer it to the Commissioner of State Taxation for a report.

## INTRAVENOUS FLUIDS

**Mr M.J. EVANS (Elizabeth):** Will the Minister of Health give a commitment to advocating the national adoption of a strategy to ensure that the supply of intravenous fluids to Australian hospitals is not allowed to fall into the hands of a single supplier? The House will be aware of concern that present tendering practices in this State and in almost all other States have fostered a situation in which one of the major world suppliers of intravenous fluids is slowly being forced out of the market by the anti-competitive tendering practices of its major competitor. It has been put to me that, unless the States take urgent action to identify a long-term strategy under which the supply contracts can be equitably shared, then only one company will remain in business, to the long-term detriment of the Australian market.

I am further advised that, while the State is gaining a temporary advantage from these pricing practices, this situation will change once a single supplier has a monopoly, especially given the very high barriers to entry in this market. Accordingly, urgent action is needed at national level to ensure both companies are able to plan on the basis of long-term supply contracts using international markets such as North America as the pricing reference point.

**The Hon. D.J. HOPGOOD:** This is not new to me, because the honourable member brought some of his constituents on a deputation to me some time ago. It is a difficult problem to address because in Australia we are dealing with a limited market for highly specialised materials. In those circumstances it is very difficult to resist what one might call the inevitable trend of capitalism and monopoly. However, certain aspects of the tendering climate are hastening that. I want to take the opportunity of the Health Ministers' conference in a fortnight's time, assuming that the House will facilitate my attendance at that conference, to raise the matter with the other Ministers from the States and the Commonwealth.

The specific aspect of the tendering climate which is difficult is that health units are putting out to tender parcels for a wide range of drugs on a sole supplier basis. One can see some of the pricing advantages to the purchaser in doing that, because there are those who are able to satisfy our needs for that wide range of goods. That means that when one is dealing with a manufacturer who specialises in a very narrow range of goods, or perhaps in virtually only one product, that manufacturer is under a considerable disadvantage.

I will be putting to the other Ministers that we should drastically review the tendering process whereby that sole supplier basis of a wide range of drugs is reconsidered. Implicit in that, of course, is not only that Queensland, New South Wales and the others would drastically review what they do but that this State would join with them.

## E&WS DEPARTMENT COMPUTER SYSTEM

**The Hon. D.C. WOTTON (Heysen):** My question is directed to the Minister of Water Resources. Is the E&WS Department proposing to spend $38 million on a new computer system and, if so, what assurances will the Minister give that this is not a waste of taxpayers' money because alternatives are available to the department? For the past five years up to 20 people have been employed by the E&WS Department in developing an information technology strategy for the department. I am informed that the department is now proposing to spend $38 million on a new system, even though the Government owned State system has the capacity to meet all E&WS Department requirements without any further cost to the Government.

**The Hon. S.M. LENEHAN:** The answer to the first part of the question is 'Yes'; the answer to the second part of the question is 'Yes'; and the answer to the last part of the question is that I would be very pleased to provide the honourable member with a detailed briefing clearly deline-

ating all the advantages of this system, why it is required and why the Government is supporting the E&WS Department in terms of this system.

*Members interjecting:*

**The SPEAKER:** Order! The member for Bragg is out of order. The Leader is out of order.

## ABORIGINAL EDUCATION

**Mrs HUTCHISON (Stuart):** Will the Minister of Employment and Further Education inform the House what initiatives there are to increase the involvement of Aboriginal people in education and training issues? The Royal Commission into Aboriginal Deaths in Custody emphasised the need for Aboriginal people to be more involved in providing services to Aboriginal people, and singled out education as being one of the services of prime importance.

**The Hon. M.D. RANN:** The member for Stuart is absolutely right. The royal commission stresses time and again that, wherever possible, Aboriginal people must be responsible for the planning as well as the implementation of services that affect their lives and their communities, and I am very pleased to be able to announce to the House today that my colleague the Minister of Education and I this morning launched the South Australian Education and Training Advisory Committee. This is not a committee of bureaucrats nor even a committee of prominent Aboriginal educators or lecturers but is strongly representative of Aboriginal communities from throughout the State. Education and training are two of the most important strategies that enable Aboriginal people to achieve their rightful place in Australian society today, and therefore it is very pleasing to see the large increase in the number of Aboriginal students enrolling at universities.

Last night I attended a function at the University of South Australia's city campus, where several hundred Aboriginal university students celebrated the start of their academic career and, of course, earlier this year there was the announcement of the first faculty of Aboriginal studies in Australia at the University of South Australia. It is vitally important that Aboriginal people achieve the same educational levels as other people in our society and, for this to happen, our education system from kindergarten through to TAFE and university must be able to provide education that answers the particular needs of Aboriginal people.

Of course, we can do this properly only by listening to the Aboriginal community representatives who can tell us the real reason why kids face difficulties at school and college, and what we can do to make the systems better and more responsive and flexible in terms of their needs. This is why we have set up the structure through which this type of grassroots information can reach the ears of Ministers and other decision-makers directly. Five of the representatives were personally chosen by me for their record in participation in Aboriginal community activities; the remaining six are appointed through the ATSIC structure. The committee is to be chaired by Mr Frank Lampard and includes such prominent Aboriginal South Australians as Agnes Rigney, Phoebe Wanganeen, Henry Rankine and Danny Colson, amongst others.

Some people have suggested that this should include prominent Aboriginal educators. We are saying that we do have that input. The Minister of Education recently announced the appointment of Eric Willmot, a very prominent Aboriginal educator, as Director-General of Education. That appointment is being applauded around this country.

I think it is vitally important that we have this community based committee. One of the major impacts which this committee can have is to ensure that our education system fosters cultural identity, heritage and pride. As part of this, today I have asked the committee to take on as a priority the setting up of an Aboriginal Languages Institute in South Australia because of the vital importance of that in terms of Aboriginal people's self-esteem. To show the commitment of my own portfolio of further education, I am delighted to be able to announce today that, from now on, the range of major TAFE publications will incorporate Aboriginal languages. I am sure that everyone in this House will join me in encouraging this new committee to ensure that South Australia maintains its lead in providing quality education to Aboriginal students.

## PUBLIC HOSPITALS EXPENDITURE

**Dr ARMITAGE (Adelaide):** Will the Minister of Health inform the House of the effects of a 5 per cent cut from the general operating expenditure of public hospitals in South Australia? This information has already been provided by at least one public hospital in response to a direct request from the Health Commission.

**The Hon. D.J. HOPGOOD:** At this time of the year the Treasury operates in this way: it asks each of the instrumentalities of Government to indicate what it would need to do to adjust to various variations in the budget, and that would include options such as a 5 per cent, 3 per cent or 1 per cent cut.

*Members interjecting:*

**The Hon. D.J. HOPGOOD:** This is all public information. It may or may not bear any relationship to any individual Minister's budget. For example, the honourable member has given me the opportunity to remind the House that, if we for a moment take away the capital budget and look purely at the recurrent budget of the Health Commission and its various parts, we had a growth factor this year, notwithstanding the fact that this time last year health units were being asked to predict what would be the impact on them of a 1 per cent, 3 per cent or 5 per cent cut. The individual effect would depend very much on the sort of savings that various units can make in a variety of areas such as purchasing, administration and so on. I would suggest that the honourable member go away and talk to those units, as I know he does.

## IBIS AWARDS

**Mr McKEE (Gilles):** My question is to the Minister for Environment and Planning. Will the Government again support the 1992 Commonwealth Development Bank's Ibis Awards, which recognise and reward the efforts of commercial primary producers who are active in nature conservation?

**The Hon. S.M. LENEHAN:** I thank the honourable member for his question, and I confirm that, once again, the Government is supporting the Ibis Awards. I had the pleasure of launching this year's awards in the Riverland at Berri, and I would like to acknowledge and recognise the support given—and which has been given consistently for the Ibis Awards—by the local member, the member for Chaffey, who was present at the launch.

*Members interjecting:*

**The Hon. S.M. LENEHAN:** I do believe that, notwithstanding some of the interjections, there is right across the

South Australian community and all sectors of it—including the political spectrum—widespread support for these awards. The Ibis Awards are in fact complementary to the Government's Native Vegetation Protection Program, and both of these reflect the importance of maintaining biodiversity through the protection of our native flora and fauna, and indeed, the habitats of both flora and fauna.

Since the inception in 1989 of the Ibis Awards, they have attracted something like 130 entries and, indeed, all properties which are entered will be inspected by a team of judges made up of representatives from the Commonwealth Development Bank, the Department of Agriculture, the Department of Environment and Planning and, of course, personnel from the United Farmers and Stockowners Association. The names of the regional winners will be released in late June and the State award will be announced at the UF&S annual conference in late July.

In conclusion, I would like to pay tribute and compliment the various parties who have worked together since 1989 to make these awards so successful and, I think, to send very clear messages right across the community and, indeed, to many people in the urban community who are now seeing the enormous contributions of their rural cousins in terms of the way in which they are managing the environment and, indeed, remaining commercially productive.

The Commonwealth Development Bank must be acknowledged, as must my colleague the Minister of Agriculture, his department, the Department of Environment and Planning, and the United Farmers and Stockowners. I think it is a sign of the way in which we are working constructively and cooperatively together. I am pleased to say that the days of tensions and, if you like, conflict between conservation—conservationists and the conservation movement—and the rural and farming community are fast disappearing.

## ST JOHN AMBULANCE

**Mrs KOTZ (Newland):** What assurances can the Minister of Health give that he will prevent the Ambulance Employees Association from succeeding in its industrial campaign to eliminate all vestiges of the time honoured St John influence from our ambulance service? The House will be aware that the Government bowed to union pressure to have volunteers eliminated from the St John Ambulance Brigade in the metropolitan area, at considerable financial cost to the community.

I am now reliably informed that pressure from the Ambulance Employees Association is mounting to have the existing St John management sacked, St John members removed from the board and the new operation set up with the pro-union former ambulance State superintendent, Alf Gunther, appointed Chief Executive Officer. I am also informed that militant union members of the AEA are continuing at this moment their campaign of harassment against St John by defacing insignias, signs and uniforms, and damaging St John property.

**The Hon. D.J. HOPGOOD:** I read somewhere that even God cannot change the facts of history, and that is why he values historians so much, because they do it for Him. By that light, the honourable member certainly qualifies as a historian, and I cannot allow to pass without comment her suggestion that this Government in any way conspired with the union to get rid of volunteers. The plain fact of the matter is that the State Council of St John made that decision, which this Government had reluctantly to accept because there was no other decision available to it.

As for the other aspect of the honourable member's question, she asks me what assistance I can give to St John to ensure that the priory remains an active partner with Government on that matter. I would invite her to consider legislation which I will be placing before this House and which will enshrine the agreement that this Government has reached with the priory. If that legislation is supported by the Parliament, the agreement will be ratified.

## ALCOHOL INTERVENTION PROGRAM

**Mr HAMILTON (Albert Park):** I direct my question to the Minister of Health, and I believe that the member for Adelaide might be interested in it also. Will the Minister investigate the Swedish alcohol intervention program with a view to introducing a similar model into South Australia? An article in the *West Australian* of Friday 27 March (and I ask the House to bear with me as I cite it) states:

> Alcohol-related deaths might be cut by at least a third if general practitioners stepped in before drinkers reached the danger zone . . . 80 per cent of Australians visited their GP at least once a year and that was an obvious place to reach moderately heavy drinkers . . . a brief intervention scheme at a Swedish health care centre showed a 60 per cent drop in alcohol-related deaths and in total hospital admissions . . . a similar pilot project in Sydney was underway involving about 400 people who drank well over the recommended levels of four drinks a day for a man and two drinks a day for a woman.
>
> In the 'Alcoholscreen' project, patients agree to spend between five and 20 minutes with their doctor who explains the risks of heavy drinking . . . based on overseas evidence, it would help slash the $6 billion annual bill to the community for alcohol-related problems, including medical treatment.

**The Hon. D.J. HOPGOOD:** It is certainly true to say that it would appear that problem drinkers are completely immune to the disciplines of the pricing mechanism, just as it would seem that smokers are immune to the same sort of discipline. Our thrust in relation to problem drinking has had to be on a much broader front, a much broader sort of whole of life, lifestyle education approach. Clearly, that has had some returns to us.

The general practitioner has a very significant role to play in this. The general practitioner is involved in business for himself or herself, and there is no way in which the Minister of Health can issue an edict that need affect the way in which a GP gives advice and education to his or her patients—nor should it. However, general practitioners have shown themselves to be very ready to cooperate in primary health thrusts which, of course, have become important in the health programs of the States and the Commonwealth in recent times. I will take up the suggestion with the primary health people in the commission. I am sure there can be a good deal of discussion with GPs and representatives of their organisation to see whether the honourable member's suggestion has merit, as I believe it has.

## ADELAIDE WATER SUPPLY

**The Hon. D.C. WOTTON (Heysen):** What action will the Minister of Water Resources take to protect metropolitan water supplies by preventing sewerage pipes from bursting during the coming winter months when creeks and dams will flow into the main catchment streams? Two pipelines carrying raw sewage have burst recently in the catchment area as a result of inadequate maintenance on the pipes. Approximately 750 000 litres of raw sewage flowed into a farm dam at Woodside and, in the other incident, raw sewage flowed into a tributary of the Onkaparinga for 12 hours.

**The Hon. S.M. LENEHAN:** I thank the honourable member for his deep and abiding interest in this matter. Of course, every action that can be taken will be taken to ensure that we protect—

*Members interjecting:*

**The Hon. S.M. LENEHAN:** Well, Mr Speaker, I have been asked a question but it is interesting that I will not be allowed to answer it. Members opposite do not want to hear the answer. As the honourable member knows, of course there are many kilometres of sewerage pipes in the city and surrounding areas of Adelaide.

*The Hon. D.C. Wotton interjecting:*

**The Hon. S.M. LENEHAN:** Exactly. The department has a comprehensive program of asset replacement, and we are moving forward with that program. We need to ensure not only that, wherever possible, we prevent the bursting of sewerage pipes but that, where there are pumping stations and pumping requirements, those pumps are maintained and that we get an early warning if the pumps break down. When the honourable member receives his briefing on the requirements of the computer system, he will understand the enormous complexity of the workings of probably one of the largest departments anywhere in this country.

*Members interjecting:*

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

**The Hon. S.M. LENEHAN:** The standover and pseudo bully boy tactics of the member for Heysen really are quite humorous. This is obviously some kind of a move for the Deputy's job. We all know that he is making his move. His sitting there, interrupting me and poking his finger into the desk does not frighten me or, I am sure, anyone else—certainly not me.

*Members interjecting:*

**The Hon. S.M. LENEHAN:** It will be interesting to see whether the honourable member takes up my offer of a thorough briefing about the new computing system, because in—

*Members interjecting:*

**The Hon. S.M. LENEHAN:** Indeed, it has. At that briefing, he will be able to see the complexity of the way in which the department operates not only to provide healthy and safe drinking water but also—

*Members interjecting:*

**The Hon. S.M. LENEHAN:** Well, you wait and see, and all will be revealed.

**The SPEAKER:** Order! The member for Heysen is out of order, and the Minister will direct her response through the Chair.

**The Hon. S.M. LENEHAN:** Thank you, Sir. I am sorry, I was just side-tracked for one moment there. It would be easy for me to interpret the honourable member's question such that he wants me to personally ensure that there is never a breakage in any sewerage or water pipe in this city. What an absolute nonsense! Any system that provides water and removes sewage anywhere in the world will at some point in that system's history have some form of pipe breakage. There is not a system—

*An honourable member interjecting:*

**The SPEAKER:** Order! The Minister will resume her seat. The member for Heysen leaves the Chair no option but to warn him for his consistent interruptions. I now ask the Minister to complete her answer.

**The Hon. S.M. LENEHAN:** There is not a system operating anywhere in the world that does not, from time to time, have breakages in either its water or sewerage pipes. However, one of the things that I have done, in my time as Minister for Environment and Planning and Minister of Water Resources, is look closely at asset replacement and, indeed, ensure that we have a program of replacing not only our water pipes but our sewerage pipes. I am conscious of the need to ensure the protection of our water supply and, indeed, of our catchment area. As Minister, I am the one who has taken forward the decisions in terms of the protection of the Mount Lofty Ranges. I am the one who has had the courage to introduce an environmental protection levy which, indeed—

*Members interjecting:*

**The Hon. S.M. LENEHAN:** Well, I am getting to the answer that he asked me, although he does not wish to hear this. Some of the money from that environmental protection levy which we pay on our sewerage rates, as the honourable member knows, is put towards sewering the catchment area in the Mount Lofty Ranges and towards ensuring the protection of our water supplies.

It is interesting that it was not members of the Opposition who proposed some of these innovative measures, and it was not members of the Opposition who came forward with the proposal with respect to the Mount Lofty Ranges. They sit there, day after day, criticising, carping and wanting to knock everything that this Government does, and when they get an answer that they do not like they, like the member for Heysen, try to talk over the top of the Minister and shaft that Minister down, because they do not like hearing about our achievements. They do not want to know what we are doing. We are moving forward not only in terms of our sewerage programs but also in terms of a whole range of other environmentally sound programs within the Department of Water Resources.

## NATIVE VEGETATION ACT

**Mrs HUTCHISON (Stuart):** Can the Minister for Environment and Planning indicate how many agreements have been entered into by the Government under the Native Vegetation Act? Will she also advise the value of those agreements to landowners and say how much native vegetation is now protected?

*Members interjecting:*

**The Hon. S.M. LENEHAN:** I thank the honourable member for her interest in this matter. I would have thought that the protection of our native vegetation through the most progressive legislation in this country is something that Opposition members might welcome. The Government has spent about $40 million since 1985 on financial assistance for our native vegetation agreements. There are now 506 such agreements, covering 400 000 hectares of native vegetation and representing the most significant off-farm vegetation program adopted anywhere in Australia.

Broadscale clearing is now a thing of the past in South Australia. In this financial year about $15 million has been allocated for assistance payments to landowners who have been refused clearance under the old Act. The level of funding will naturally drop as the last of the clearance applications are processed and, as it does, the level of funding allocated to the new native vegetation fund for ongoing management and maintenance will increase. The introduction of the native vegetation legislation demonstrates the significant ongoing commitment of this Government, unlike every other Government in this country which does not have the form of our program and legislation. Collectively, we can be proud of our achievements in this area.

## PORT AUGUSTA TAFE

**Mr GUNN (Eyre):** Can the Minister of Employment and Further Education give an assurance that TAFE facilities at Port Augusta and other rural areas in South Australia will not be downgraded, the courses reduced or the services in any way interfered with which will provide a lesser service? At a public rally at Port Augusta last Friday the endorsed ALP candidate for the Federal seat of Grey, Mr Piltz, indicated that there was a possibility that TAFE facilities, particularly dealing with the hospitality industry, could be withdrawn in the relatively near future unless there was greater utilisation. I wish to explain to the Minister that, if such facilities are withdrawn, they will have an effect on future employment and training in these areas, particularly where the tourist industry is involved.

**The Hon. M.D. RANN:** I am delighted to respond to that question. The honourable member will be aware of a major expansion in TAFE with both State and Federal funds in recent years. Indeed, the Port Augusta College of TAFE is the recent beneficiary of an expansion with the new funding package that I negotiated with the Federal Government. The honourable member will also be aware that the Port Augusta TAFE is expanding in several areas: first, with a new facility worth several million dollars at Coober Pedy, which is currently under construction and which has a special emphasis on Aboriginal education. Secondly, the Port Augusta TAFE is one of the first in the nation—perhaps I should go further and say one of the first in the world—to be put onto the new interactive video television conferencing or TAFE channel which people from all around the country are flocking here to see, including two Ministers from other States in one day just a week or so ago. There will be no downgrading of the Port Augusta College of TAFE. I will certainly take up with the TAFE Chief Executive the question of the hospitality industry and provide the honourable member with a report.

## UNLEY SHOPPING CENTRE

**The Hon. J.P. TRAINER (Walsh):** I direct my question to the Minister of Housing and Construction. In view of the allegation expressed yesterday in the House that the Minister had been advocating that public housing be established on the Unley Shopping Centre site, can he give an assurance that he has not used his ministerial position to influence the construction of public housing on that site?

**The Hon. M.K. MAYES:** I thank the member for Walsh for his question because it is important to keep the record clear on this matter. Allegations were expressed by the member for Newland—unfortunately, she is not present at the moment—which reflected on my credentials and credibility and also on Mr Taeho Paik. Last night I had an opportunity, to quote the *Advertiser*, before a vocal crowd of 120 Unley council area residents, to make very clear to the community that initially any site development that comes up is looked at by the housing authority as potential for housing. It does not have to be public housing: it can be joint ventures with more of our development—

*Members interjecting:*

**The Hon. M.K. MAYES:** More than you could probably have at any meeting you called, let me tell you that much.

*Members interjecting:*

**The SPEAKER:** Order! Members interjecting are out of order and the Minister will direct his remarks through the Chair.

**The Hon. M.K. MAYES:** I am delighted to accord with your instruction, Mr Speaker. It was an opportunity for me to state that I have not used any influence to bring public housing to the Unley Shopping Centre site. It was looked at from the housing authority's point of view as an opportunity perhaps to build in an appropriate buffer zone, which is not included in any plan that is proposed at this time for the Unley Shopping Centre. There was also an opportunity at that meeting for the residents of the City of Unley to see the credibility of Mr Paik, who was so inappropriately and outrageously attacked by the member for Newland yesterday in this place without a right of reply.

It is intolerable that we should be faced with that sort of approach from the member for Newland. It is incumbent on her to make a public apology to Mr Taeho Paik as an individual and as a private citizen. I would expect any decent member of this House to follow that through. I look forward to hearing from the member for Newland an appropriate public apology to Mr Taeho Paik.

*Members interjecting:*

**The SPEAKER:** Order! The member for Hayward is out of order. The honourable member for Murray-Mallee.

## EMU FARMING

**Mr LEWIS (Murray-Mallee):** Will the Minister for Environment and Planning recommend to the Government that it support moves to allow Aborigines—or anyone else, for that matter—to go into emu farming ventures in South Australia? The emu is the native bird of Australia. There are now more than 20 viable farms in Western Australia, and farming these birds is well established in other countries, especially in Canada. Aboriginal communities have a special interest in establishing such ventures. However, under present South Australian law, descendants of our native South Australians are prevented from farming these indigenous non-endangered native birds.

**The Hon. S.M. LENEHAN:** This is a very important issue, especially to Aboriginal people. In fact, as recently as last night, I think, I signed a letter on this matter that addressed the very question the honourable member has raised, that is, that we in South Australia are currently looking at coming into line with other States in terms of emu farming. However, I must say that, in terms of getting the stock for such farms, it is not my intention—and although I have not made the final decision, I am aware that we are having discussions about this within the department—to approve the taking of stock from the wild.

As the honourable member has pointed out, there are a number of emu farms in other parts of Australia that would be able to provide the stock initially. Certainly, it is an issue that must be looked at in terms of the sensitivities of the Aboriginal people as well as, perhaps, the sensitivities of European communities. I take it as a very serious question and would be prepared to provide the honourable member with further information as soon as it comes to hand. I am looking very seriously at this matter with a view to coming into line with other States in the country.

## NEW SOUTH WALES INDUSTRIAL LEGISLATION

**The Hon. J.P. TRAINER (Walsh):** Following the Kentucky Fried emu question with its colossal drumsticks, my question is directed to the Minister of Labour. Will he advise the House of the effects of the New South Wales Industrial Relations Act on the labour market in that State, and will he inform the House of the South Australian Government's intentions in this area?

**The Hon. R.J. GREGORY:** Yesterday the Industrial Relations Act came into force in New South Wales. You, Mr Speaker, will recall that from time to time members of the Opposition, including the Leader, have trumpeted the values of a Bill for industrial relations established along the lines of that New South Wales Act and, indeed, a Bill based also along the lines of the New Zealand Employment Contracts Bill, which is very similar to the one in New South Wales. This Act is allegedly aimed at encouraging enterprise agreements, yet enterprise agreements are being reached around Australia in systems that do not have such legislation as New South Wales. This legislation is used to deny unions access to workplaces where their members are involved in disputes with the employer and to deny unions access to places where there are occupational health and safety dangers to workers.

*Members interjecting:*

**The Hon. R.J. GREGORY:** I note that the member for Victoria is interrupting, and he ought not to, Mr Speaker, because he is a well mannered person who ought to take your guidance from time to time and behave himself, instead of waving his arms around like a person who is a bit demented.

*Members interjecting:*

**The SPEAKER:** Order! The Chair cannot hear the response from the Minister.

**The Hon. R.J. GREGORY:** New South Wales has essential services legislation which is amongst the most draconian in Australia. The New South Wales Labour Council has established an exploitation hot line, and by midday today had received 250 phone calls from workers who had reported abuse and exploitation by unscrupulous employers. This is the sort of thing that the Opposition wants to unleash on South Australians. Workers report being sacked after several years and sometimes decades of service, without receiving any leave or redundancy entitlements. It really means that, no matter how long you have worked for an employer, now that the Act is there there is no longer any protection. The unions can be kicked out and the boss can sack the workers. It does not matter how long you have worked for an employer, there is no redundancy pay or leave pay—off you go!

As an example a vacuum cleaner demonstrator who had been driving up to 150 kilometres between jobs was being paid $3 an hour. Workers are sacked for taking a day's sick leave, even after they have produced a doctor's certificate. A pizza shop was employing at the rate of $3 an hour and for up to 30 hours a week school leavers and young people who still go to school. Building workers are being asked to take out loans to pay for their own workers compensation, even after being injured on the job.

The member for Walsh wanted to know what was our view and what we intended to do. This Labor Government will not countenance this sort of exploitation of the weak, the aged, the young and female workers. This morning the member for Coles participated in the launch of a booklet which explains quite clearly how our female workers in the work force are ignored and exploited by management. One of the speakers at the launch talked about a factory in the member for Victoria's electorate where one worker could not report injuries which happened to her because she was frightened that she would get the sack.

**An honourable member:** She should have gone to her local member.

**The Hon. R.J. GREGORY:** She should have gone to her local member. All she would have got was the baloney and palaver of a person who wanted to rip out from under her the protections of the South Australian Industrial Relations Act. What is happening in that particular factory is lousy management practices, which allow female workers or, indeed, any worker, to work while their arms are in constant pain. I find it an indictment on the Opposition that it should support such a system that would say to every young person, every unskilled person and every female worker that they can be exploited and then denies those people access to proper union protection.

## GRIEVANCE DEBATE

**The SPEAKER:** The question before the Chair is that the House note grievances.

**Mr OSWALD (Morphett):** I would like to raise two matters this afternoon, the first involving an issue that has been raised with my office on several occasions now, and I refer to the type of material being displayed on ABC and SBS television. It has reached the stage where I believe this issue must be raised in the House. I believe it is a matter of public morality as much as anything else and of getting some standards and common decency back into what we present to our young people on television.

The other night at about 25 to nine there was one television program which I watched—I watch very little television—in which we saw a half naked woman in simulated sex on screen in what would be prime viewing time. At the end of the scene we saw, as I say, half of the woman concerned. This sort of thing is not designed for television at 8.30 at night. There is a time and place for everthing. Members of the public in this day and age can go to places if they want to see that sort of film, but it is not intended to be put on television during prime viewing time.

I have also had complaints of the prolific use nowadays of the four-letter word—and everyone in this House would know to what I refer—once again at times when young people are watching television. The point must be made that, if we are going to set standards in this community and if we are going to put up with that type of entertainment, someone has to say that it should not occur on television and not in prime time when young people who can be influenced by television will in fact be exposed to it. I think it is something which this House and this Government should take up with the ABC and SBS television stations. It is something that should be stopped. If people want to see this type of entertainment, there are theatres and there are videos that they can watch in the privacy of their home. I have no problem with what people do in the privacy of their own home, within reason. However, I do not believe that our young people should be exposed to such entertainment at 8.35 p.m. on prime viewing time on television.

The other matter I would like to raise is the problem that has developed in this State amongst sporting organisations because of the Government's allowing primary schoolchildren to go to Darwin to compete in the Pacific Games. This has put many sporting organisations in an invidious position, because the Education Department, I believe without the knowledge of the Sports Institute, decided to allow SAPSASA to send children to Darwin. After this decision was made, it communicated that decision to the Sports Institute. Despite the protests of the Sports Institute, the decision had already been taken.

As an example of what this decision means, I cite Little Athletics, which might be as good an example as any. Little Athletics went to considerable trouble to ensure that it

conformed with the junior sports policy. Little Athletics had several meetings with the junior sports council to ensure that its constitution was correct. It met with the junior sports unit and had special meetings with its various members. It even suppressed detrimental comments regarding the policy made by members of Little Athletics to the media, and that is not an easy task when there are 10 000 members. It proposed changes to its national constitution to enable future participation by South Australia at the national level for an older age group.

The Education Department then stepped in and did an about-face; it changed the policy, and this meant that primary schoolchildren were able to go to Darwin, yet Little Athletics could not be involved because it had changed its constitution to conform with the directive of, and the agreement with, the Minister of Education and the Minister of Recreation and Sport. Children who were members of Little Athletics were going to Darwin through SAPSASA but could not go under the name of Little Athletics.

The question that flows from this is: if the Education Department and the Minister of Recreation and Sport are happy to send children to Darwin to take part in the Pacific Games, why are they not happy to send children to Melbourne and Sydney to take part in junior sport in other States, as has happened in years gone by? I can assure the House that, come the change to a Liberal Government, we will be reviewing this policy of interstate visits by primary schoolchildren and will be looking on the subject very favourably.

**Mr GROOM (Hartley):** I wish to place on record some responses regarding a local Messenger Press story of last week which was referred to in this House yesterday. The story localised by the Messenger Press was based on a story in the *Advertiser* of 4 March 1992 which, in part, stated:

> MPs in fight over lost funds. Two independent Labor MPs of Parliament have demanded the return of money diverted from housing developments in the northern suburbs to the controversial multifunction polis.

And those two independent Labor MPs were the member for Elizabeth and I. We wrote to the Premier. Following our letter to the Premier and discussions with local authorities, I also had discussions with the Minister of Housing and Construction, who arranged briefings for me with his officers. An assurance by the Minister was given to me, and has since been repeated, that drainage work would proceed to enable the commencement of either the Stebonheath estate housing development or a development to the northwest of the Elizabeth regional shopping centre but still within the Munno Para council area. The niceties of where the money will ultimately come from do not unduly concern me: I am concerned only that a major housing project to benefit the Munno Para area will proceed. I indicate to the House my support for the preference of Munno Para council, that is, Stebonheath estate.

The article in that context in the Messenger Press was quite accurate, and the journalist properly quoted me on all issues. No adverse remarks or criticisms have been made by me or by the member for Elizabeth at any time to any person regarding the journalist. Quite the contrary: I commend the journalist on the article and the initiative in seeing the value of linking the Economic and Finance Committee with the MFP by way of a monitoring function.

Regarding today's *Hansard* proofs, I was not in the House when the remarks were made yesterday, and it fills me with great sadness to read what was said. The only person to take things out of context and to thereupon use the privileges of this House in this way is apparently the accuser. The situation I face with the redistribution is no different from that faced by a number of other members of this Chamber. I could not help but notice at Port Augusta during the hearings of the Select Committee on Juvenile Justice the very fine way in which the member for Eyre and the member for Stuart treated their competitive situations and their different styles of representation. As a result of the redistribution, they are to be pitted against one another, but will each stand up for their new electorate, as indeed I will for mine. They are both highly talented and competent MPs, but only one can win. The defeat of one of these members will be a great loss both to South Australia and to this Parliament, but I hope not for long in either case.

It is the case that, as an Independent Labor member of State Parliament, I have signalled that I will seek from the Government, the public sector and statutory authorities a far better application and commitment to efficiency and accountability than has been the case, and I will use the new parliamentary committee system to this end. Therefore, I am not surprised at political retaliation. No-one, though, will stop me to this end or from standing up for the people and community groups comprising the new seat of Napier, and that includes the retiring member.

*Members interjecting:*

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

**Mr Brindal:** You owe the member for Hartley an apology!

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

**Mrs KOTZ (Newland):** Yesterday, we saw further evidence of the panic now gripping the Labor Party in this State, panic apparently caused by the inevitable demise that its members can see at the next election. We heard the extraordinary outburst of the member for Napier against the member for Hartley. We heard his lame excuses for 15 years of ineffective representation. We were treated also to the amazing spectacle of the boorish and bizzare behaviour of the Minister of Housing and Construction in this Chamber yesterday. It does not matter that, across the Chamber yesterday, the Minister called me a 'scumbag'. It does not matter that he told me he would get me, whatever that means. It does not matter that he has hurled all sorts of other abuse at people inside and outside this House, for nothing will now save him the seat of Unley.

Let me deal further with the issue of the Unley Shopping Centre. Yesterday, the Minister took issue with my statement of fact that his collaborator in this matter is not a ratepayer of Unley. I can assure the Minister that that is indeed fact: I emphasise that, it is fact. As the Minister is attempting to trump up this issue on the basis that ratepayers' money is at risk, I would have thought that an essential qualification for interest and involvement in this matter was that one would be a ratepayer of the Unley council.

The Minister's notice, circulated in the electorate, was addressed, 'Dear Unley Ratepayer'. However, the person who signed this notice with the Minister is not a ratepayer, and I emphasise 'not'. In fact, it appears that the Minister himself is somewhat confused about the *bona fides* of his collaborator. In a letter to the Mayor of Unley dated 11 March, the Minister could not even spell his collaborator's name correctly. He advised the Mayor that he was calling the meeting with a local resident, Mr Taho Pek. In fact, the correct spelling is Taeho Paik. Obviously, the Minister put this whole exercise together in a great hurry.

The Minister has also failed to tell the ratepayers of Unley about his conflict of interest in the matter—his own desire to see public housing on this site—in a vain attempt to shore up his own position in the seat of Unley. He has

failed to tell them about the involvement of his electorate office in introducing Mr Paik to the Unley council as a person proposing an alternative plan for the site. The public record shows that the Unley council has fulfilled all its responsibilities in this matter. Ratepayers have been poorly informed. It is the Minister who has been misleading them.

The Minister has claimed that this will be an additional shopping centre for Unley; in fact, it is a redevelopment of the existing centre. He has attempted to frighten local traders with talk of an additional 40 specialty shops when, in fact, the number is 14. The Minister's behaviour in this matter repudiates all the Premier's promises for closer cooperation with local government. But, typically, the Premier refuses to bring another incompetent Minister into line.

In October 1990, the Premier signed a memorandum of understanding with local government aimed at maximising 'the autonomy, independence and capacity for self-management of local government'. He also promised, 'We will merge with the local government sector in this State, which is independent and self-sufficient.' These are important objectives, but they are being undermined by the behaviour of the Minister—the member for Unley—who puts his own desperate attempts to save himself before the interests of local government and of South Australia.

No doubt, the Minister is reacting to a growing recognition that he does not deserve another term in the seat of Unley. He has received this message and he is now in a flat spin—and that would account for his stupid intervention in the Commonwealth Games venue for 1994. It also accounts for his intimidation of and interference with the Unley council and his threats and attempted intimidation towards me which I will not brook. This is not the first time I have stood in this House and said quite plainly that I will not take threats of intimidation.

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

**Mr HAMILTON (Albert Park):** I was interested in the previous speaker's contribution, one that she could not make without prepared remarks, as all members on this side of the House have noted. The member for Newland does not have the ability to contribute to debates in this House and she may well—

*Members interjecting:*

**Mr HAMILTON:** We hear squeals from members opposite. I have a very long memory. When I first came to this House in 1979 as a new member, I vividly recall sitting on the other side of the House and hearing members on the Government side berating my colleagues who attempted to use copious notes when contributing to debates in this House. We were taken on repeatedly by the then Speaker and Deputy Speaker and there is no question about that: the record is there for anyone who wants to pursue the matter. It is clear to me that yesterday the member for Newland was given a prepared question and, like Paddy's dog, she dished it up but could not take it and, after copping it back, started squealing again.

*The Hon. Jennifer Cashmore interjecting:*

**Mr HAMILTON:** You have had your say and, perhaps if you have the manners to listen, I can have my say without being interrupted. Talk about boorish behaviour! Let us examine the behaviour of members of the Opposition. Last year, we had an illustration of how the Attorney-General had been subjected to outrageous attacks upon him and his family. After years of snide remarks, innuendo, and rumourmongery, what did it achieve? It almost brought about the demise of the top law officer in this State. What was the end result? I will tell the House what the end result was: the Leader of the Opposition standing up in this place and apologising to the Attorney-General.

If we are going down this path of denigration—I concede that some members opposite do not do that, and I admire them for that—I want no part in it. I am not holier than thou as I have indicated in this Parliament, but there are many others who perhaps have skeletons in their cupboards, so if they want to go down this path let them do so, but it is a very slippery, slimy slope when people adopt this attitude, and it is not one that I like at all.

Let us now look at the shadow Ministry. Perhaps I am being unkind in what I am about to say. A remark made to me recently by a member of the Opposition was along the following lines, 'Some of these new Opposition members are still wet behind the ears and they have got carried away with the importance of being in the shadow Ministry.' I swear on my eyes that that remark was made to me recently.

I think there is a strong element of truth in this matter. I see my colleague the member for Henley Beach nodding assent to that. I have been in Opposition, as you have, Sir, and it is very easy to put questions on the Notice Paper. We all understand that the role of Her Majesty's Opposition is to question, probe, criticise and put forward alternatives. As a person who is a rigorous debater in this Parliament, I have no problem with that at all: I enjoy it, I think it is healthy and good for democracy. However, we do not want the standard of debate from some members opposite who do nothing to enhance the 'reputation' of members of Parliament, as I recall you saying in this place not so many years ago, Sir. I note your agreement in that matter, Sir. It is sad that we denigrate one another in this Parliament. For what reason? For political opportunism. That is the issue. Let us debate the issue on its merits, not on political opportunism and a grab for power.

**Mr VENNING (Custance):** I wish to reveal to the House that some electricity consumers in Australia are being ripped off by unscrupulous power authorities. This apparently is being done by charging premium prices for low-grade electricity. The electricity authorities produce two grades of electricity: thermal electricity, which is produced by burning coal, and hydro electricity, which is produced by water. The electricity produced by coal is of a much lower standard than that produced by water, due to a large amount of coal residue which is left in the electricity and causes problems such as:

1. blackening of the ends of fluorescent tubes, thus reducing the tube life;
2. reduced incandescent bulb life, also due to blackening;
3. electric heaters running less effectively due to coal residue being deposited on the element;
4. a black edge appearing on television screens;
5. electric stoves becoming extremely difficult to clean;
6. reduced motor life for refrigerators, freezers and air conditioners; and
7. electric irons leaving black marks on clothes.

Hydro electricity has a small amount of water residue which causes absolutely no problems with electrical appliances. This water residue is beneficial when combined with thermal electricity to produce domestic grade electricity.

The electricity supplied to Eastern States grids is usually in the proportion of 75 per cent thermal and 25 per cent hydro. The State is then supposed to blend together the two different grades to produce domestic grade electricity before selling it to the consumer. A good blending plant costs $50 000 and when installed and used correctly the coal residue is flushed out of the thermal electricity by the water

residue in the hydro electricity. This combination of water and coal is then pumped into an evaporation tank where the water is evaporated and the coal reclaimed for later use.

As the demand for electricity increased over the past 10 years, most blending plants were too small to handle the increased requirements and had to be replaced. Some authorities cut costs by not installing larger blending plants and gradually phased out their old ones. This has led to the situation where they are supplying 75 per cent of their customers with low grade electricity and 25 per cent with premium grade. The customers receiving premium grade are getting a bargain, but the ones receiving low grade are being ripped off because they are both paying the same price per unit.

How can customers tell if they are being ripped off and what can they do about it? Consumers are urged to check all their electrical appliances and lights, to contact their local authority immediately and demand to know what kind of electricity they are being supplied with. They are also asked to contact their local member—that is why I have been contacted—and demand that an investigation be carried out immediately. If these measures produce no result, they are asked to convert to gas. A full inquiry was due to be completed at 12 o'clock today, so a 'fool' inquiry will have been carried out.

**The SPEAKER:** With due consideration to the date, and not knowing whether the honourable member's speech was hydropowered or coal powered, I think that the House should give it the due consideration for the day. The honourable member for Playford.

**Mr QUIRKE (Playford):** I rise in this debate on a more serious note. I want to refer to the numerous people who have come to my office and sought assistance, as I am sure happens in the office of every other member of Parliament, in relation to estranged marriages where there has been the threat of violence either to the person concerned or to the children of the family. I will not get into too much of a debate this afternoon about the various measures that the Government has already taken and is proposing to take in respect of some of the tangential issues that come into this arena, but I will make a few comments on where government at all levels will have to be much more mindful of the problem emerging in respect of the threat of violence to individuals in our community.

We are all aware of the tragic circumstances of a couple of weeks ago when a person was gunned down in the street. Apparently, although I can go only by the media reports, that person had lived for some time in fear of just such an event. I must also say that I feel very sorry for the family of that person as I feel sorry for the family of the alleged perpetrator if (and it appears from the media reports that he has been charged with the crime) that person did commit the act.

It is in all senses of the word a terribly tragic event and ought to highlight to government at all levels the necessity of framing laws and making all sorts of protection necessary in our community. Some people have come into my office and made a series of allegations that sadly, in many instances, have shown some grains of truth. Not only have spouses reacted violently to the breakup of their marriage and to the denial of access to children but also in many instances they have shown that violent behaviour in the destruction of property, in threats and physical abuse of the people concerned and, in many instances, of all members of the family.

I am sure that every honourable member could tell stories on this subject. I am pleased to say that I doubt whether very many of them go to the lengths of the incident of some weeks ago, but there are a number of instances where persons have come to my office and asked for advice on restraining orders and a whole range of other measures to give them some simple protection. Some ex-wives of people have come to my office and told me stories of physical abuse, abuse of the children and also, in many instances, abuse by friends of the spouse coming along and offering some counselling services, including similar threats of physical and, in one instance, financial interference of such an order that that person was supposed to go along with a certain level of what could only be described as unacceptable behaviour.

I should like to see all levels of government—State, Federal and local—become much more cognisant of the fact that restraining orders are sometimes hard to obtain. The police do not take them as seriously as they should, and the Federal court, despite all the Murphy reforms, has become much more remote over the years than its original architect intended. I believe that, at all levels, the protection of the individual needs to be looked at, and the events of the other week illustrate that point clearly.

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

## FRUIT AND PLANT PROTECTION BILL

**The Hon. LYNN ARNOLD (Minister of Agriculture)** obtained leave and introduced a Bill for an Act to provide for the protection of fruit and plants from disease; to repeal the Fruit and Plant Protection Act 1968, the Fruit and Vegetables (Prevention of Injury) Act 1927, the Fruit Fly Act 1947 and the Sale of Fruit Act 1915, to make consequential amendments to the Expiation of Offences Act 1987 and the Phylloxera Act 1936; and for other purposes. 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 incorporated in *Hansard* without my reading it.

Leave granted.

### Explanation of Bill

It is to replace the Fruit and Plant Protection Act 1968 which had its origins in the 1880s. Despite various amendments, the current Act seems not to have broken from those origins and remains somewhat archaic. For example, the Act speaks of 'importation' and 'introduction' but not of sale or possession. These words recall the days of the interstate transport system before railways predominated when the arrival of goods was mostly by sea or river. Rail, in turn, has yielded to road transport which is particularly suited to perishable goods, so there now is great rapidity and diversity of interstate trade in plant products.

The measure before honourable members mirrors those changes and recognises that speed is of the essence in quarantine as it is in fire control. I do not believe it unfair to say of the present Act, that it would be hard pressed, in a legal context, to meet any dire quarantine emergency. This is largely because it requires either the making of regulations or ministerial notices before some types of action can be taken.

These remarks must be qualified by relating that South Australia has been fortunate, perhaps unique, in that the persuasive powers of departmental officers and cooperation by the public, has seen action precede legal formalities. However, it might equally be said that we are yet to face a true emergency and that the powers envisaged by this Bill ultimately must come into full play.

On a broader note, some may argue that the proposed measures are necessary as a buffer to the Commonwealth's revised quar-

antine policies. That point is as valid as the argument that the ease of contemporary travel and commerce between the States are sufficient reasons for the proposals.

Two things are quite clear—both industry and consumers (who were consulted on the issue) want to see this type of legislation, embodying the appropriate powers, retained. Secondly (and obviously), if South Australia had no such Act it would stand alone in this nation and would almost certainly be spurned as a trading partner both here and overseas.

The background to this Bill should not be concluded without stating that South Australia has developed sensible conditions of entry for a range of fresh products sought by both traders and consumers and moreover with the clear objective of reducing costs to the nation's growers and merchants, South Australia has impressed on other States, the need for rationalisation of interstate quarantine criteria. Thus far it appears to have succeeded in the most significant of areas, namely the provisions concerning fruit fly hosts.

As to specific aspects of the Bill, I believe several warrant examination. First, organisms previously defined as either diseases or pests appear under the single definition of 'disease' in the Bill. This change simply is for ease of expression in the Act and subordinate measures.

The general powers of inspectors in clause 9 have much the same intent as those of the present Act and in the main would be concerned with items illegally introduced from interstate. However, in recasting these along the lines of the Stock Act which Parliament saw fit to pass in 1990, there would be provision for the entry of residential premises under a justice's warrant. Such warrants would be desirable on rare occasions involving serious breaches of the Act or grave plant health threats. In addition, clause 9 provides for scientific testing of fruit and other items for the presence of disease or chemical residues. The objective in testing for the latter would be to substantiate any claim that a seised product had undergone a prescribed treatment before entering the State.

Proposed provisions for the reporting and investigation of diseases again are modelled on the Stock Act 1990. These are followed by clause 13 which, in prohibiting or controlling the entry of various things from interstate, mirrors the current Fruit and Plant Protection Act and adds two features. First, it is proposed that the Minister may, after appropriate consultation, permit the introduction of a disease for the purposes of research or biological control. It is possible that the current Act allows such action but it seems appropriate to clearly spell this out in the Bill. The use of sterile fruit flies in the biological control of that pest is one project that could be launched under this provision. Necessary safeguards would, of course, be attached to such proposals.

The second feature makes it an offence to purchase or take delivery of anything introduced or imported into the State in contravention of the Act. This would overcome the doubts expressed at the opening of this report and make it clear that the Act extends beyond 'importation' and 'introduction' of such goods.

Declaration by the Minister, of quarantine areas under clause 14 and the imposition of disease controls within these, are provisions taken from the current Act. These powers have been used successfully and, I might add, have been accepted by producers during outbreaks of the disease Onion Smut. The provisions have particular application to long-lived organisms such as that just mentioned. An addition to the existing powers is to be found in the proposal concerning prohibitions on the entry of material into a quarantine area.

Clause 15—orders relating to disease affected fruit or plants—is designed for the unexpected, such as the sudden emergence of a virulent exotic disease. The provisions are not unlike those currently in place but in conferring on the Chief Inspector the power to order things to be done, there is no longer a requirement to make regulations beforehand. However, that power is balanced by the proviso that the Minister must first approve the action to be taken by the Chief Inspector.

This feature sets the Bill slightly apart from the Stock Act 1990 which does not require ministerial approval of such action. In this instance however, it is recognised that unlike farm livestock, fruit and plants are grown both by commercial producers and householders. This makes eradication campaigns more socially complex and justify ministerial overview. The proviso is also in line with the green paper which broadly argued that all such powers rest with the Minister.

The concept contained in clause 18 of accredited production areas was raised by industry and while the provisions are quite broad, their application is unlikely to go beyond the objective promoted by the industry. That objective simply is to reinforce with interstate authorities the fact that a particular area is free of disease and in so doing, ease the entry of produce to another State or States.

Payment of compensation for losses due to quarantine action is modelled on a provision of the Fruit Fly Act 1947. There would be no compulsion to make such payments.

Provision for the expiation of offences in clause 21 is a further suggestion by industry. In addition, penalties for serious offences would undergo a significant increase, but within this, it is proposed to set lower penalties for illegal introductions of material for personal use.

Clause 30 picks up a provision of the current Act which has proved to be particularly worthwhile since its passage by Parliament in 1986. Specifically, the operation of the Plant Quarantine Standard under a ministerial notice has set this State ahead of others in the speedy and effective administration of interstate plant quarantine. This standard has been accepted readily by importers and has enhanced the development and policing of sensible conditions of entry or, where required, stringent restrictions.

The power to make regulations has been incorporated in the Bill but in all the circumstances is unlikely to be taken beyond the setting of fees.

This Bill will repeal the current Fruit and Plant Protection Act 1968 and also secures the repeal of the Fruit Fly Act for the reasons already given as well as two moribund measures, the Fruit and Vegetables (Prevention of Injury) Act 1927 and Sale of Fruit Act 1915. Neither of these has application to today's packaging and handling technology.

Finally, it is proposed to concurrently amend the Phylloxera Act 1936. This simple change would provide that the Minister consent to the introduction of vines into the State by the Phylloxera Board. At present the Governor gives such consent but that process in an era of numerous introductions, is unnecessarily burdensome. I commend the Bill to members.

Part 1 of the Bill ('Preliminary') is comprised of clauses 1 to 5.

Clauses 1 and 2 are formal.

Clause 3 provides for the definitions of words and phrases used in the Bill.

Clause 4 provides that, for the purposes of this Act, the Minister may, by notice in the *Gazette*, declare that a condition of fruit or plants is a disease. Such a notice may be varied or revoked.

Clause 5 provides that the Minister may, by notice in the *Gazette*, declare a place to be a quarantine station in which fruit, plants, soil, packaging or other thing may, subject to this Act, be held, examined, disinfected, treated, destroyed or otherwise disposed of. Such a notice may be varied or revoked.

Part 2 of the Bill (comprising clauses 6 to 10) deals with administrative matters.

Clause 6 provides that the Minister may, by instrument in writing, appoint persons to be inspectors for the purposes of this Act. Such an appointment may be conditional and the Minister must provide an inspector with a certificate of appointment setting out any such conditions. Subclause (4) provides that an inspector must, at the request of a person in relation to whom the inspector has exercised or intends to exercise powers under this Act, produce his or her certificate of appointment.

Clause 7 provides that the Minister may, by instrument in writing, appoint a person to be the Chief Inspector for the purposes of this Act and a person to be the deputy of the Chief Inspector. The person appointed as the deputy has, while acting in the absence of the Chief Inspector, all the powers and functions of the Chief Inspector.

Clause 8 provides that the Chief Inspector may delegate to any person (including an inspector) any of the Chief Inspector's powers or functions under this Act. Such a delegation may be subject to such conditions as the Chief Inspector thinks fit, is revocable at will and does not derogate from the power of the Chief Inspector to act in any matter himself or herself.

Clause 9 provides that an inspector may, for the purposes of exercising any power conferred on the inspector by this Act or determining whether this Act is being or has been complied with—

- enter and search any land, premises, vehicle or place;
- where reasonably necessary, break into or open any part of, or anything in or on, the land, premises, vehicle or place or, in the case of a vehicle, give directions with respect to the stopping or moving of the vehicle;
- take photographs, films or video recordings;
- require a person to answer questions or to provide information;
- require a person to produce any books, documents or records in his or her possession or control.
- require a person to produce any information stored by computer, microfilm or by any other process;
- examine, copy and take extracts from, or provide copies of, any books, documents, records or information produced under this section.

Subclause (2) provides that an inspector may—

- identify any land, building or other structure, fruit, plant, soil, packaging or thing in respect of which powers have been exercised under this Act;
- require the owner of any fruit, plant, soil, packaging or other thing to deliver it to a quarantine station;
- seize and retain anything that may constitute evidence of the commission of an offence against this Act;
- seize any fruit, plant, soil, packaging or other thing brought into a place, removed from a place, or moved from one place to another, in contravention of this Act;
- use reasonable force to prevent the commission of an offence against this Act.

Subclause (3) provides that an inspector must not exercise the power conferred by proposed subsection (1) *(b)* in relation to any residential premises except on the authority of a warrant issued by a justice who must be satisfied (by information given on oath) that the warrant is reasonably required in the circumstances.

Subclause (5) provides that where an inspector seizes any fruit, plant, soil, packaging or other thing under proposed subsection (2) *(d)*, the inspector may do one or more of the following in relation to it:

- retain it;
- cleanse, disinfect or otherwise treat it or subject it to treatment;
- submit it for scientific testing and analysis for the purposes of determining whether it is affected by disease or a chemical residue;
- return it to its owner subject to any specified conditions;
- destroy or otherwise dispose of it.

Subclauses (6) and (7) provide that a person may be required to answer a question put by an inspector or to produce books, documents, records or information notwithstanding that the answer to the question or the contents of the books, documents, records or information would tend to incriminate him or her of an offence. If a person objects to answering such a question or to producing such books, documents, records or information, the answer to the question or the contents of the books, documents, records or information are not admissible against that person in criminal proceedings (except in proceedings for an offence under this Act of making a false or misleading statement).

Subclause (8) provides that an occupier of land or premises or a person apparently in charge of a vehicle must give to an inspector (or a person assisting an inspector) exercising or proposing to exercise any powers under this Act such assistance and provide such facilities as the inspector may reasonably require.

Subclause (9) provides that an inspector (or a person assisting an inspector) who addresses offensive language to any other person or who, 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 and liable to a penalty of a division 6 fine ($4 000).

Clause 10 provides that an inspector incurs no civil or criminal liability for an act or omission in good faith in the exercise or performance, or purported exercise or performance, of a power or function under this Act and that civil liability that would, but for this clause, lie against a person lies against the Crown.

Part 3 of the Bill (comprising clauses 11 to 20) deal with the control of disease in relation to fruit and plants.

Clause 11 provides that where a person knows or has reason to suspect that fruit or plants owned by him or her or in his or her possession or control are affected by disease, the person is guilty of an offence if he or she does not report the matter to an inspector by the quickest practicable means, does not furnish the inspector with such information as reasonably required and does not take all reasonable measures to prevent the spread of the disease. The penalty for such an offence is a division 6 fine ($4 000).

Subclause (2) provides that a report is not required with respect to a particular matter if the person knows or reasonably believes that the matter has already been reported to an inspector.

Subclause (3) provides that a person who grows, propagates or processes fruit or plants for profit or gain will, if the fruit or plants are affected by disease, be taken to know or have reason to suspect that the fruit or plants are so affected in the absence of proof to the contrary.

Clause 12 provides that an inspector may carry out an investigation as reasonably necessary for the purposes of determining whether fruit or plants are affected by disease and/or identifying or tracing any cause or source or potential cause or source of disease. For this investigatory purpose, an inspector may examine, take samples from or test any insect, fruit, plants, soil, packaging or other thing.

Clause 13 provides that, subject to this proposed section a person must not introduce or import into the State a disease, or any fruit, plant, soil, packaging or other thing affected by disease.

Subclause (2) provides that the Minister may, by notice in the *Gazette*, declare that the introducing or importing into the State of any fruit, plant, soil, packaging or other thing of a specified kind that the Minister reasonably suspects is or might be affected by disease is prohibited absolutely or subject to exceptions and conditions specified in the notice. Such a notice may be varied or revoked by the Minister by further notice in the *Gazette*.

Subclause (4) provides that the Minister may, for the purposes of furthering agricultural interests, scientific research or the biological control of a disease, by notice in writing, exempt a person from complying with this section subject to conditions set out in the notice. Before taking action under proposed subsection (4), the Minister must consult widely with, and take into account the advice of, members of the agricultural and scientific communities. Such a notice may, by further notice in writing, be varied or revoked by the Minister.

Subclause (6) provides that a person who contravenes or fails to comply with this proposed section or a notice under it or who purchases or takes delivery of anything introduced or imported into the State in contravention of this proposed section or a notice under it is guilty of an offence. The penalty for this offence is split. If the offence consists of introducing or importing into the State not more than one kilogram of fruit or five plants for the person's own consumption or enjoyment or any soil, packaging or thing (other than fruit or plants) not intended for sale or use for commercial purposes, the penalty is a division 7 fine ($2 000). The fine, in any other case is a division 4 fine ($15 000).

Clause 14 provides that the Minister may, by notice in the *Gazette*, declare a portion of the State to be a quarantine area in respect of all diseases or in respect of those diseases specified in the notice. A notice under this proposed section may—

- prohibit the removal from a quarantine area of any fruit or plant of a species or kind or any packaging or other thing of a kind that might transmit a disease;
- require the owners or occupiers of land or premises within the quarantine area to take measures that are necessary for the control or eradication of a disease;
- require the owners or occupiers of land or premises within specified portions of the quarantine area to take more stringent measures than the owners or occupiers of other land or premises within the quarantine area;
- prohibit the planting and propagation of plants, or plants of a specified species or kind, within the quarantine area during a period specified in the notice;
- prohibit absolutely or subject to exceptions and conditions specified in the notice the importing into the quarantine area of any fruit or plant of a species or kind or any soil, packaging or other thing, specified in the notice;
- be varied or revoked by the Minister by further notice in the *Gazette*.

Clause 15 provides that where the Chief Inspector knows or reasonably suspects that any fruit or plant is or might become affected by disease, he or she may, with the approval of the Minister, issue such orders under this section as may be reasonably necessary to prevent the outbreak or spread of the disease to the person who owns or has possession or control of the fruit or plant or to the owners or occupiers of land or premises in the vicinity.

Subclause (2) provides that one or more of the following orders may be issued in relation to any fruit, plant, soil, packaging or other thing that is or might become affected by disease:

- requiring that it be kept at a specified place for a specified period;
- requiring that it be subjected to specified treatment;
- requiring that it be subjected to examinations or tests at specified intervals or that other specified action be taken for the purposes of determining the presence of disease;
- restricting or prohibiting its sale or supply or restricting the purposes for which it may be used;
- requiring that it be destroyed or disposed of in a specified manner;
- prohibiting the planting and propagation of plants, or plants of a specified species or kind, on specified land during a specified period.

Subclause (3) provides that where the Chief Inspector cannot locate after reasonable inquiry a person of whom the Chief Inspector intended to make any requirement for action by order under this proposed section the Chief Inspector may cause the action to be taken by an inspector or other person and recover costs and expenses reasonably incurred by action in a court of competent jurisdiction as a debt owed by the owner of the fruit, plant, soil, packaging or other thing in respect of which action was taken by the inspector or other person.

Clause 16 provides that an order under proposed Division 2 of Part 3 (comprising clauses 13 to 17) must be in writing but may be of general or limited application and may, by further

order, be varied or revoked. If it is an order that is of a continuing nature, it has effect for such period as is specified in the order.

Subclause (4) provides that where an order of a continuing nature is issued under this proposed Division on the basis of a suspicion, the Chief Inspector must, as soon as practicable, take reasonable steps to determine whether that suspicion is correct.

Subclause (5) provides that if a person refuses or fails to comply with an order issued under this proposed Division, the Chief Inspector may cause an inspector or other person to take any necessary action to give effect to the order and the Chief Inspector may recover costs and expenses reasonably incurred in such a case by action in a court of competent jurisdiction as a debt owed by the person to whom the order was issued.

Clause 17 provides that a person to whom an order has been issued under this proposed Division who contravenes or fails to comply with the order is guilty of an offence and liable to a penalty of a division 4 fine ($15 000).

Clause 18 provides that where the Minister is satisfied that, through the exercise of good management by the producers and processors of fruit and plants in a specified area, the area is free of a specified disease or diseases, the Minister may, by notice in the *Gazette*, declare that area to be free of the disease or diseases specified in the notice and authorise the use of specified statements in respect of fruit or plants produced or processed in that area when advertising, packaging or selling those fruit or plants. Such a notice may be varied or revoked. It is an offence for a person to use a statement specified in a notice under proposed subsection (1) otherwise than in respect of fruit or plants produced or processed in the area specified in the notice which carries a penalty of a division 7 fine ($2 000).

Clause 19 provides that the Minister may pay compensation to any person who has suffered loss in consequence of an order made under proposed Division 2 of Part 3. Such an application for compensation must be in writing, must be made in a manner and form determined by the Minister and must be supported by such evidence as the Minister may require. No action lies against the Minister to compel him or her to make any payment of compensation.

Clause 20 provides that a person who, without the approval of the Chief Inspector, sells or supplies any fruit or plant affected by disease or any fruit or plant subject to an order under proposed Division 2 of Part 3 is guilty of an offence and liable to a penalty of a division 7 fine ($2 000).

Subclause (2) provides that the owner of land or premises in relation to which an order is in force under proposed Division 2 of Part 3 must notify the Chief Inspector of any intended sale of the land or premises at least 28 days before the date of settlement. The penalty for non-compliance with this proposed subsection is a division 7 fine ($2 000).

Subclause (3) provides that where a person is guilty of an offence against this proposed section, a court may (in addition to any other penalty that may be imposed) order the person to pay to the person to whom the fruit, plant, land or premises were sold or supplied such compensation as the court thinks fit.

Part 4 of the Bill (comprising clauses 21 to 31) deal with miscellaneous matters.

Clause 21 provides that notwithstanding the provisions of the Expiation of Offences Act 1987, an inspector may issue expiation notices in accordance with the provisions of that Act in respect of any offence against this Act that is an expiable offence.

Clause 22 provides that a person must not—

- hinder or obstruct an inspector, or a person assisting an inspector, in the exercise of powers under this Act;
- refuse or fail to comply with any request or requirement made by an inspector under this Act;
- falsely represent, by words or conduct, that he or she is an inspector;
- remove or interfere with any identification mark or device used for the purposes of this Act.

The penalty for offending against this proposed section is a division 6 fine ($4 000).

Clause 23 provides that a person who, in furnishing information under this Act, makes a statement that is false or misleading in a material particular is guilty of an offence and liable to a division 6 fine ($4 000).

Clause 24 provides that a notice or order required or authorised by this Act to be given or issued to a person may be given or issued by delivering it personally to the person (or his or her agent), by leaving it for the person at his or her place of residence or business with someone apparently over the age of 16 years, by posting it to the person (or his or her agent) at his or her last known address or by transmission by facsimile machine to a facsimile machine number provided by that person for that purpose.

Clause 25 provides that for the purposes of this Act, an act or omission of an employee or agent will be taken to be the act or omission of the employer or principal unless it is proved that the act or omission did not occur in the course of the employment or agency. It is further provided that where a body corporate commits an offence against this Act, each member of the governing body of the body corporate is guilty of an offence and liable to the penalty applicable to the principal offence unless it is proved that the member could not by the exercise of reasonable diligence have prevented the commission of that offence.

Clause 26 provides that in any legal proceedings, a document apparently executed by the Minister certifying as to a matter relating to—

- the appointment of an inspector under this Act;
- an order or approval of the Chief Inspector or any other inspector under this Act;
- a delegation under this Act;
- the amount of costs and expenses incurred in taking any specified action under this Act,

constitutes proof, in the absence of proof to the contrary, of the matters so certified.

Subclause (2) provides that an allegation in a complaint—

- that a specified person is or was the owner or occupier of specified property;
- that specified fruit or plants were within a specified area;
- that specified fruit or plants are or were affected by disease;
- that something done was done without the approval of the Chief Inspector,

constitutes proof, in the absence of proof to the contrary, of the matters so alleged.

Clause 27 provides that an offence against this Act is a summary offence.

Clause 28 provides that where an offence against a provision of this Act is committed by a person by reason of a continuing act or omission, the person is liable, in addition to the penalty otherwise applicable to the offence, to a penalty for each day during which the act or omission continues of not more than an amount equal to one-fifth of the maximum penalty prescribed for that offence and if the act or omission continues after the person is convicted of the offence, the person is guilty of a further offence against that provision and liable, in addition to the penalty otherwise applicalble to the further offence, to a penalty for each day during which the act or omission continues after that conviction, of not more than an amount equal to one-fifth of the maximum penalty prescribed for that offence.

Subclause (2) provides that for the purposes of this proposed section, an obligation to do something is to be regarded as continuing until the act is done notwithstanding that any period within which, or time before which, the act is required to be done has expired or passed.

Clause 29 provides that it is a defence to a charge of an offence against this Act if the defendant proves that the offence did not result from any failure on the part of the defendant to take reasonable care to avoid the commission of the offence.

Clause 30 provides that a notice given by the Minister, or a regulation made, under this Act may be of general or limited application and may apply, adopt or incorporate, with or without modification, any code, standard or other document prepared or approved by a body or authority referred to in the notice or regulation as in force from time to time or as in force at a specified time.

Subclause (2) provides that where a code, standard or other document is applied, adopted or incorporated in a notice or regulation, a copy of it must be kept available for inspection by members of the public, without charge and during normal office hours, at the office of the Chief Inspector. This subclause further provides that in any legal proceedings, evidence of the contents of the code, standard or other document may be given by production of a document apparently certified by or on behalf of the Minister as a true copy of the code, standard or other document.

Clause 31 provides that the Governor may make such regulations as are necessary or expedient for the purposes of this Act including prescribing a fine, not exceeding a division 7 fine ($2 000), for contravention of the regulations.

Schedule 1 of the Bill repeals the Fruit and Plant Protection Act 1968, the Fruit and Vegetables (Prevention of Injury) Act 1927, the Fruit Fly Act 1947 and the Sale of Fruit Act 1915.

Schedule 2 of the Bill provides for consequential amendments to the Expiation of Offences Act 1987 and to the Phylloxera Act 1936.

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

## CASINO (GAMING MACHINES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 12 February. Page 2683.)

**Mr S.J. BAKER (Deputy Leader of the Opposition):** It is up to everybody's conscience as to whether or not they support this Bill. We have been through a very long debate on the issue of gaming machines. Many of the issues surrounding the introduction of poker machines into South Australia have been thoroughly canvassed on the four previous occasions when casino operations were debated prior to the 1983 success of the Casino Act and, of course, during the recent debate on the Gaming Machines Bill.

The House will be relieved to know that it is not my intention to address the same material which has been thoroughly canvassed over the past three days of debate. It must be put on the record that our consideration of this Bill was consequential upon the passage of the Gaming Machines Bill in this House. We did not intend to support this Bill if, indeed, the principles associated with the Gaming Machines Bill did not receive the approval of this House.

It is important to recognise that, whilst I believe much of the heat has gone out of the argument, and the argument has less relevance to the Casino, the Government attempted to and finally succeeded in introducing video gaming machines into the Adelaide Casino. That was against the wishes of the Parliament. A device was used to overcome the rules. I would suggest that, if we were now debating the Casino Bill in relation to the events that have occurred interstate, and if the Premier and the Casino had held their hand or stopped that backdoor method of introducing video gaming machines into this State, this Bill may have been considered on its merits today or even earlier in the session, and it may have received the overwhelming support of members of Parliament in South Australia.

Clearly, the changes that have taken place interstate and the more widespread use of gaming machines, including poker machines, has changed the name of the game quite considerably. Whilst I have reservations about the impact of gaming machines in particular areas—and I raised the matter during debate on the Gaming Machines Bill—obviously my concern is far less when considering the Casino. I do not wish to sing the praises of the Casino, but it obviously has been a major tourist attraction to this State. In view of the fact that gaming machines will now be a way of life in all the Eastern States, I do not think too many people will reject the fact that the Casino should also have poker machines and not just the video gaming machines that were brought in through the backdoor. However, that is a matter for each individual member to consider, and I am speaking on my behalf, not on behalf of the Opposition.

There are questions about how successful video gaming machines have been in the Casino, and I hope that the Minister can provide details to the House of the turnover and net profit to the Government since they were introduced. I would also like to know how the clientele of the Casino has been affected and whether the machines have been as successful as the backdoor manoeuvring suggested. When the attempt was made to introduce video gaming machines by regulation, we understood that this would result in a windfall to the Casino. We understood that the reason why the Premier was willing to bend the rules was that a large amount of revenue would result from them to assist the Government and that their presence would enhance the range of games available to people at the Casino and, therefore, it would boost the trade which was flagging as a result of economic circumstances.

We have not had that evidence to date, and it may be that it is not appropriate to consider the results of recent days because, as all members would realise, the dollar is getting much tougher, people have less discretionary income, the level of poverty is rising and people are now looking to the bare essentials of life and are not looking to do the many things that they used to be such as going to the theatre once a week or eating out once or twice a week. Many of those habits have changed quite dramatically as a result of the current economic circumstances.

From a personal point of view, the introduction of poker machines into the Casino does not hold the level of opposition nor present the same threats that I perceived in 1983. If we are looking at some benefit from the current economic situation, I guess that people are looking more carefully at their own budgets and how they spend their money, and that must be to the good of South Australia and Australia in the long term. With those few remarks, I personally support the Bill that is presently before the House.

**Mr S.G. EVANS (Davenport):** I oppose the Bill on the basis that a promise that was made to this Parliament was broken, even though subsequently the Parliament voted against a motion I moved to stop the introduction of video gaming machines (which really are poker machines) in the Casino. There is no doubt that at the time the Casino Bill was before the Parliament, if the true intent to had been known, the Bill would not have passed and the Casino would not exist.

I do not believe that the Casino has been of great benefit to the ordinary citizens of this State. Although it employs a lot of people—it has employed up to nearly 1 500, but I believe it is now about 1 200—I believe it did not create much new employment because jobs were lost elsewhere. We all know that hotels and some other forms of entertainment were affected. The Casino's benefit in years to come will be less because other casinos will be built in different parts of Australia until we have something like the French situation where there are 147 casinos. We may never get to that number because we do not have the population in our land or near to our country, but there is no doubt that as other States build casinos the Adelaide Casino will struggle because, in many people's eyes, we are a backwater—and that is unfortunate.

The vast majority of our Federal colleagues live on the eastern seaboard and do not really give a hang about what happens to a State like ours. Western Australia has great wealth, corporate as well as primary industry—and in that I include minerals, mining, oil and gas—but South Australia has a problem. As much as there might have been an initial small benefit in the Casino, I do not see it as being of great benefit in the future. I think that those who operate it realised that and were hoping that we would not approve poker machines in clubs and hotels because they wanted a monopoly and guaranteed income. Not all the profits come to the people of this State, as much as we are told that they do.

**Mr Ferguson:** Pokies will.

**Mr S.G. EVANS:** The argument about poker machines has been concluded for the time being in this place, but it is true to say, as the member for Henley Beach said, there will be some benefit for local areas such as Port Lincoln, up the river, Murray Bridge or wherever. The benefit will be to the people who are employed locally and, if more people are employed locally, they buy their groceries and other goods locally. In other words, there is much more

chance of the money going around in that local circle compared with the situation in respect of the Casino.

The big rollers who come to the Casino do not necessarily spend a lot of money in our community. It is something like the old time tourist statement: they wear a clean shirt, bring a dollar note and do not change either. However, it is true that the high rollers have spent a lot of money in the Casino, and the source of that money often worries me. Members have heard me talk about that in debate earlier, and I will not return to it.

Some members who supported the Bill to establish the Casino, did so on the basis that poker machines would not be permitted. The Government put into the legislation, which the Parliament approved—and I was one of those members (and think I was a little foolish like other members for accepting promises)—a definition for poker machines, as follows:

> . . . means a device designed or adapted for the purpose of gambling, the operation of which depends on the insertion of a coin or other token—

and then words in brackets, which we should have all torn to pieces at the time—

> (but does not include a device or a kind excluded by regulation under the ambit of this definition).

What the Government put before the Parliament by way of regulation, no doubt after some probing by the Casino people—

**The Hon. Frank Blevins:** Begging!

**Mr S.G. EVANS:** Begging is a better word. I appreciate that coming from the Minister. The Casino people were begging to have machines in the Casino. So, the Government provided a definition for a video gaming machine to allow the Casino to have four different types of game. As one of the games played on those video gaming machines is called draw poker I thought that it could be construed to be a poker machine just in that sense. However, their begging paid dividends, and the Casino now has 750 machines. The Casino became a bit excited over my motion when I tried to stop the machines being there—

**Mr Ferguson:** You held them off for 12 months.

**Mr S.G. EVANS:** Yes, I held them off for a while. I remind one gentleman who has a fairly high position in the Casino's management that his statement to me at a cocktail party—and he will read this or will be told about it by people in the Casino—will not be forgotten, and that is all I need to say about that. Section 25 of the 1983 Act—and this was approved by Parliament—under 'Miscellaneous' (page 123) provides:

> No person shall have a poker machine in his possession or control (either in the premises of the licensed Casino or elsewhere).

There is no doubt as to the intention. The intention was that the Casino would not have video machines, as they are called, or poker machines: they are one and the same thing, operated by a different method. I oppose the Bill. Some people would say, 'Look at the expense.' Parliament did not worry about the egg producers or others when they lost their right to have a licence which, in many cases, they had bought from others to keep up their quotas. In some cases, they lost enough to put them out of business. They would end up with nothing. However, the mob down the road are not in that position. The individuals can still get jobs somewhere. Those who put their money into it will still find they have directorships or ways of preserving their own homes; they will not lose everything. They will still have the video machines.

Parliament has decided that the definition of 'video machine' takes those machines outside the realm of being poker machines. I do not agree with that. The Casino will still have its 750 or more video machines, and it will still be able to have its advertising, which annoys me, saying, 'There's a pot of gold at the end of the rainbow; come in here and you might win.' It will still be able to do that. It will be able to say, 'We are different from clubs and pubs: we have video machines. Clubs and pubs have only those funny old poker machines.' It will be able to argue that to its clients and say, 'Come to the Casino and play video machines. Don't go to pubs and clubs, because they have only poker machines, and they are more popular.'

I see no reason why we should give the Casino the opportunity to have all forms of gaming machine at this stage. I would not be offended if we gave the clubs and hotels a couple of years to become established with the full range of poker machines, if this legislation is passed in the other place and returned here. We could then say that the Casino has had a short period for its video machines, and we could then open up the Act to allow it to have the full range, so that a more level playing field was achieved. I have been told that I might be invited to the Casino for lunch—not to eat there but to be put on the spit. I will take that chance.

The Casino has gone through tougher times, as has everyone else who is in business. It is not necessary for this Parliament to say to the Casino, 'You have had a privilege for a long while; we will make sure that you have the same rights as clubs and hotels at this stage, if they get it.' We could do that later. I hope a majority of members will vote against this Bill and leave the Act as it is. The Casino has its video machines, and we would not want to put it to the great expense of buying other machines. We are told it costs a lot of money to buy video machines, so we do not want the Casino spending extra money if it is tight, as the Casino representatives have told us. I ask the House to oppose the Bill. I feel very strongly about it.

**Mr BECKER (Hanson):** I support the Bill. I can remember that some years ago when we discussed the likelihood of establishing a casino in South Australia, particularly in Adelaide (although we looked at alternative sites south of the city), I said that a casino would never be a casino without poker machines. When the Casino legislation was introduced, I did not support it, because I thought at the time, as I believe now, that a casino is not a casino without poker machines. I had the opportunity to visit several of the casinos in Las Vegas and to spend a considerable time with members of the Gaming Commission discussing the viability, security and auditing of casinos, etc. I was strongly advised that, if a casino was to be established in Australia, given our very small population, poker machines would be necessary to establish a base to provide a cash flow. That is essential to any casino.

We have been lucky so far with the Adelaide Casino because, apart from its location, the wonderfully refurbished old Adelaide Railway Station building is one of the most attractive venues I have seen in my travels. I have had the opportunity of late to visit several countries, as most members would know. Wherever we went, if there was a casino in the hotel or nearby, I would put my head in to compare it with the Adelaide Casino. I have not seen anything in any country that would come anywhere near the openness, spaciousness, attractiveness and manner in which the Casino is conducted. It is very important that people can walk into the Adelaide Casino and feel quite safe. We are not jostled or pushed around; we are not in a smoke-filled environment. To be quite honest, it is comfortable. That the Casino is kept so clean is a tribute to the management and staff. I do not feel grotty when I visit there, as I have felt in the casinos in Cairo and Swaziland, Africa. It is that attractive-

ness—the clean and fresh environment that gives the impression that the place is well run and that the people are caring.

Many people are opposed to gambling and would not understand that description but, if someone is to be given a licence to conduct gambling, it is important to know that it is in the hands of responsible and reliable people. The casinos in Las Vegas are typically American—big, bawdy and glittery—but there is something special about the Adelaide Casino. The Labor Party passed a resolution at a State council meeting in 1988 or 1989, if I remember rightly, in support of poker machines for the Adelaide Casino. It surprised me that it has taken so long for the Government to enact that policy decision. The first move was to allow the Casino to have video poker machines. I did not think that was the right decision: I thought the Casino management might have erred on the side of caution when agreeing to the provision of video poker machines, as I call them, but the management backed its judgment by spending approximate $30 million on refurbishment.

On Sunday, I went to the Casino for lunch, deliberately to have a look at the effect of the machines, which have been there for some time. I was amazed that a considerable number of those machines were not used during the afternoon. I was even surprised at the low attendance, but all sorts of factors, such as the weather, can impact on any one day. I am told that the Casino is still popular on Fridays and Saturdays. I might have attended on one of those odd occasions when the Casino was not busy. Something about video poker machines does not attract me and, no doubt, a vast number of others. The Keno machines were quite popular, as was the game of Keno. That indicates that the small gambler—if I can use that phrase—was providing a necessary cash flow for the Casino because it seemed to me that only about half the tables on which the main games are played were being used.

The member for Davenport referred to the highrollers, and I think he misunderstands the situation. Part of the success of the Casino—and part of the reason why one establishes a casino and provides certain facilities—depends on the highrollers, as they are called, who are looking for new areas, new cities to visit and new casinos in which to compete, and who provide the necessary turnover and the challenge to any casino management.

The Adelaide Casino has done well but has had to expend a considerable sum to attract highrollers to this city, particularly from South-East Asia. It can be an expensive process. Of course, over the years, it averages out, and some profit is returned to the Casino management. However, at the same time, the people who are brought in from overseas use the overseas airlines, the Adelaide Airport and the local hotels. No doubt that has helped the Hyatt International establish its hotel facility near the railway station; it is one of the finest Hyatt hotels in the chain, one of which we are very proud.

We cannot attract that type of investor unless we have some other facility. If Adelaide is eventually to become an international conference and convention centre, attracting international tourists—and I hope we are working in that direction—we need to have a good spread of four and five star hotels, and we cannot attract developers to establish five star hotels unless we can provide a reasonable assurance that they will get patronage.

The Casino has supplemented the tourist development policy. It has supplemented the initiatives in promoting Adelaide's five star venues as well as venues for people who seek accommodation of a lower standard, be they backpackers or those who require three or four star accommodation. The Casino has served South Australia, and it has made some contribution to the State coffers in terms of profits and the share of its operations. I see no problems in now giving the Casino the right to have poker machines because, if we are to allow poker machines in South Australia, the Casino is the place for them. I suggest that the Casino should have $2 or $5 machines, five reelers and machines that use 20c coins and upwards.

As this legislation supplements other legislation that was passed by this House last evening, I see hotels and licensed clubs having smaller poker machines; the question whether they be 5c, 10c or 20c machines will be decided in the future. However, in the Casino machines that use more than one 20c coin can be installed. In fact, machines using coins up to the value of $1 are standard, and in Las Vegas we see machines into which we can put a $5 note and play for much bigger prize money. They are the facilities that should be provided in a casino of the standard of the Adelaide Casino.

The former member for Alexandra, Hon. Ted Chapman, and I disagreed violently over poker machines for the Adelaide Casino, and we might as well keep it on the record that Ted would oppose poker machines for his casino—as he would always call it—because he did not think that the Casino should attract that type of patron. I am afraid that the Casino must be made available to all the public; it must be made available to anyone who wishes to visit it and have a legitimate gamble if they want to—no-one is forcing people to gamble; no-one is encouraging them to do it, but the facility is there.

The Casino has good, sound management which is restricted by the supervisory authority and all sorts of rules and regulations—some of them quite draconian, in some respects. But at least we have a casino of which we are proud. I know that the Casino management will handle responsibly the introduction of poker machines.

I also want to put on the record that I dissociate myself from any remarks made in relation to the Knights of the Southern Cross. Through the Leader, they have contacted me and expressed concern, and I assured them that nothing derogatory was said about them or their investment in the Casino. I have always known that they participated. The Knights of the Southern Cross, including Peter Taylor and Bernie Pittman, have worked extremely hard to establish the Southern Cross Nursing Home in my electorate of Plympton. Over the years, I have come to know them, and I have watched the growth and development of that nursing home, including the units that are provided for those who desire to reside in that facility. They are charged with the responsibility of investing surplus funds and raising moneys. Nobody could deny them the opportunity to invest in any type of shareholding that they could obtain.

They have proved that they have been shrewd investors, having a strong portfolio of South Australian and national companies as well as investing their money into bricks and mortar in the Adelaide Casino. I want to assure Peter Taylor that no harm was ever meant by anybody in the previous debate in that respect. As I said, I consider the management of the Adelaide Casino to be sound and responsible; it will handle the introduction of poker machines in the manner we would expect.

**Mr MATTHEW (Bright):** I shall refer to what I believe is the most significant clause of this Bill. That clause advocates the deletion of section 25 of the Casino Act 1983, which provides:

> No person shall have a poker machine in his possession or control (either in the premises of the licensed casino or elsewhere). Penalty: Twenty thousand dollars.

That section was included in the Act after the most intense scrutiny available to any Parliament, that is, a select committee; the select committee of 1982 investigated the poker machine area and its report was tabled in this Parliament. I propose to remind members of some of the details of that report, which was tabled on 12 August 1982. To illustrate precisely why the section was included in the first place, I cite part of the summary of the select committee report, which states:

The Licensed Clubs Association made the only submission seeking the introduction of poker machines. The committee finds that many of the bland arguments put forward are strongly denied by Detective Sergeant L. Hanrahan of the N.S.W. Police Task Force whom the committee accepts is a witness of truth.

The Committee further accepts his evidence that the rigging of poker machines in New South Wales clubs has resulted in an estimated $20 million being skimmed from the machines. The committee also finds that the Licensed Clubs Association itself has an obvious vested interest in promoting the cause of poker machines and consequently its submission must be viewed in the light of the evidence tendered to the committee by the Deputy Commissioner of Police in South Australia.

On this evidence alone the committee rejects the submission of the Licensed Clubs Association and in addition it is the committee's belief that neither Parliament nor the people of South Australia would accept the introduction of poker machines. The committee rejects the Licensed Clubs Association submission that it has had inadequate time to present its evidence to the committee or that the committee had insufficient time to determine the issues so as to make a responsible judgment on the matter.

Therefore, the committee recommends that clause 27, which prohibits the possession or control of a poker machine by a person in this State, should be retained.

Clause 27 finally became section 25 of the Casino Act 1983. Therefore, members of Parliament today are being asked to determine whether that recommendation of the 1982 select committee should continue to be adhered to. They are being asked effectively to say that the recommendation put forward by that committee is no longer valid and that things have changed sufficiently in the past 10 years to render it so. I contend that the recommendation made by that committee in 1982 is as valid in 1992 as it was then.

The committee in its recommendation referred to three individuals to whom I intend to turn my attention throughout part of this debate. The committee referred to the Deputy Commissioner of Police in South Australia. That Deputy Commissioner of Police was none other than Deputy Commissioner David Hunt who is today the Commissioner of Police in South Australia, the same Police Commissioner who was not afforded the opportunity to view a copy of this Bill, the same Police Commissioner who established himself as a witness of truth, the same Police Commissioner who established himself as someone who had knowledge of the poker machine industry in Australia and of organised crime in other States and also in South Australia. I suggest that that Commissioner was not afforded that opportunity or commonsense approach because some of the things he would be able to reveal might have thwarted the process of this Bill and the one that the Parliament passed yesterday. I suggest that the points that the Commissioner raised then are just as valid today.

The committee's report mentions a Mr Vibert. It is interesting to turn to part of the evidence submitted to the committee by Mr Vibert. Mr Vibert was the lobbyist who was acting on behalf of the Licensed Clubs Association on that occasion before the select committee on the Casino Bill. Mr Vibert, in part, said that he had been actively involved in assisting the direction of moneys to political candidates of a number of Parties. He indicated that he had been involved in personally making a payment of $15 000 and Ainsworth made a payment of $15 000. Those moneys were actually directed to the Labor Party. He also indicated that arrangements had been made for Ainsworth Consolidated to make payments to the National Party and the Liberal Party in Queensland.

It is interesting to note that that same lobbyist has been acting on behalf of interests which wish to have poker machines in Victoria. That same lobbyist has admitted before inquiries in Victoria that once again the industry is actively involved in putting money towards political Parties and candidates in order to attract sympathy for their cause. While on the subject of Mr Vibert, I wish to turn briefly to evidence that was put before the select committee by Mr Bob Bottom, a well known investigative journalist in Australia. Mr Bottom says of what he believes to be warning signs in relation to the poker machine lobby:

It is a serious situation. The poker machine lobby set out with the financial backing of Ainsworth Consolidated Industries, the major suppliers of poker machines in this State, and the Bally Corporation of the United States, which has not been previously disclosed, to finance an operation to lobby Governments to legalise poker machines in Victoria and Queensland. I do not know about South Australia, but that State was not necessarily excluded. It is that type of conduct that I object to. There are grounds for grave concern about that particular operation.

The committee's report further states:

This evidence was substantiated by Mr E. Vibert, who appeared before the committee on behalf of the Licensed Clubs Association of South Australia. Mr Vibert was questioned on his involvement with the poker machine lobby and whether he had made any payments to any political Parties.

The evidence is detailed at some length in the transcripts of the hearing of that select committee. It is also important to refer to the other evidence that the committee considered. That was evidence provided by Detective Sergeant L. Hanrahan of the special task force of the New South Wales police. In part he said:

Thus, the clubs are a lucrative skimming target, particularly the poker machines, where the total annual turnover and profits in this State run into many millions of dollars.

Later he said:

The New South Wales Police Force formed a special task force in September 1981 to deal specifically with and detect crimes in relation to clubs and poker machines in New South Wales. However, according to Detective Sergeant L. Hanrahan of that squad, although the manipulation or rigging of poker machines is extensive and is costing the club industry between $18 million and $20 million per year, there is no enabling legislation to provide the police with powers of enforcement.

While this was a select committee on the Casino Bill and Detective Sergeant Hanrahan's evidence concentrated at length on problems faced by clubs, because they do not have casinos in New South Wales, there is enough there to spell out concern. At the end of the day the evidence provided by Detective Sergeant Hanrahan, by Mr Vibert, particularly pertaining to what in my view amounts to bribery or blackmail of political candidates and Parties, and by the then Deputy Commissioner of Police in South Australia, who today is our Commissioner of Police, formed the collective reasons why the select committee of this Parliament in its wisdom recommended that there should be no poker machines in the Casino.

Today we are being asked to consider throwing out the evidence of that committee as now being irrelevant. It is a very important matter to ask a Parliament to throw out the evidence of a select committee and its recommendation as not being valid. I suggest to members that nothing has happened in those 10 years to change the evidence of the Police Commissioner, to change the evidence of the New South Wales police or to change the evidence of Mr Vibert. Indeed, in 1992 we have Mr Vibert still saying that money is used to try to procure political favours and poker machines in other States and we still have the Police Commissioner in South Australia questioning the role and wisdom of having poker machines in South Australia. I do not believe

that members of Parliament can lightly dismiss the evidence of that select committee. I join others in urging the Parliament to vote against the Bill.

**The Hon. H. ALLISON (Mount Gambier):** I shall be brief. I speak to this Bill probably as much out of pique as anything. I am expressing what may prove to be a token resistance, but I wish to express my concern at what I regard as the somewhat disdainful and almost contemptuous manner in which electronic gaming machines were introduced in the Casino towards the end of last year. As the member for Bright said, in referring to the Casino Act 1983, at page 116, the definition of 'poker machine' is:

> . . . a device designed or adapted for the purpose of gambling, the operation of which depends on the insertion of a coin or other token, but does not include a device of a kind excluded by regulation from the ambit of this definition.

Clause 25 of that Act provides:

> No person shall have a poker machine in his possession or control either in the premises of the licensed casino or elsewhere.

I also bring to the attention of members of this House the fact that the Premier himself has said repeatedly, upon questioning in this place and also by members of the public, that he had no intention of allowing poker machines, or electronic gaming machines as we now euphemistically call them (they are still poker machines: you have only to look at the name on the machines, which is I think 'draw poker', when you go into the Casino to scrutinise them) into the Casino or elsewhere in South Australia while he was Premier. How things are changed.

All of us in this House realised towards the end of last year that poker machines were being introduced into the Casino. They were being installed by regulation and not by legislation, and I regarded that as being installation of poker machines by stealth. As I said, the members of this House who protested were either ridiculed or treated with disdain, and that is not the way for people to carry on business in South Australia. Parliament's opinions and intentions should have been heeded. However, they were aided and abetted by members of the Government, and obviously the Premier, as Leader of his Cabinet, must have consented to the installation of those machines in the Casino.

Another strange stroke of irony is that in my very substantial Casino and gaming machine file upstairs I have letters addressed to me by members of the Australian Hotels Association and representatives of the Liquor and Allied Trades Association, both of them begging me and other members of the Parliament not to allow electronic gaming machines to be installed in clubs in South Australia. How things are changed.

The signatories to those letters are the very same signatories to the letters that members have been receiving soliciting the installation of those electronic gaming machines in all hotels and clubs in South Australia. The gaming scene in South Australia has changed very substantially with the advent of the electronically controlled machines into the Casino at the end of last year, and everyone believes that there might be a substantial profit.

I simply repeat to hotel and club proprietors and owners that it will still be the quality of their service that will determine whether people patronise their establishment. It will not be the possession of a gaming machine if everyone in South Australia has access to those machines. It was the member for Davenport's private member's Bill which recognised the monopoly that would be created by the Casino should it have electronic gaming machines and which made him introduce what he regarded as a fair play Bill. If it is good for the Casino, it is good for every licensed premises in South Australia to be given the same opportunity to offer gambling facilities.

**The Hon. Frank Blevins:** Hear, hear!

**The Hon. H. ALLISON:** While the Minister says 'Hear, hear!', I do not agree with that premise. I believe that in the long run it will act detrimentally to other forms of gambling that are already well established in South Australia, such as horseracing, dog racing, the Casino and the well established Tatts Lotto. There is a limited amount of money and, in fact, a diminishing amount of money in South Australia, given the current economic circumstances, and what goes into an alternative form of gambling such as electronic gaming machines will, of course, be denied to other forms of gambling. There is a limited financial resource, and it means simply that the Government of the day will still have its take and it will still reap revenue from gambling, but it may diminish from other sources if it increases from electronic gaming machines.

Having added those brief comments to the debate, I simply point out to members that I for one will be making a protest vote against the manner in which the electronic gaming machines were introduced into the Casino in South Australia and let my case rest.

**Mr SUCH (Fisher):** I wish to make a brief contribution. I am not a heavy gambler and gamble infrequently. I have been to the Casino a few times, and the way in which the Casino is run is a credit to that organisation and to this State. I believe that if adults want to gamble, that is up to them. Accordingly, I will be supporting the proposition before us. The Casino is a specialised gaming facility, and I believe that people who go there know what they are going there for and should have a reasonable range of gambling activities from which to choose.

I do not see my role as seeking to prevent adults from exercising their freedom of choice. Unless there is some obvious harm to other individuals, to people in the community, I believe that adults should be allowed to exercise their right to gamble. We frequently hear people talk about a level playing field: I believe that it is only fair and reasonable that the Casino should be able to have a range of electronic and other poker machines so that people who go there can have the choice. I support the amending Bill.

**Mr LEWIS (Murray-Mallee):** I thank you for your indulgence, Sir. I had intended to make a contribution to this second reading debate but my sentiments are almost identical to the remarks I heard the member for Mount Gambier make only a few minutes ago, and it is therefore not necessary to repeat those arguments. While people may subscribe to the views expressed by the member for Fisher just now, and while it is legitimate to provide adults with the opportunity of doing what they please, that is always subject to the right of others to express a different viewpoint.

In this instance it is not reasonable to say that playing with these kinds of gaming devices is free of any victim and that it is done in all innocence. It may be done in innocence, but the victims are not only those who are predisposed to become compulsive gamblers and addicted to gambling but also, and more particularly, the family of the person so addicted, in that the addiction results in the destruction of the family over time. The children most definitely suffer, as does the spouse. The other innocent victims of that process are the taxpayers, since the money to be derived from the revenue as gambling tax will not meet the cost of picking up the welfare tab that results. The children have to be fed, clothed and sheltered as, presum-

ably, does the spouse, even if we ignore the fact that the victim of the compulsive gambling habit destroys his or her life and loses whatever it was he or she possessed prior to gambling.

So, it is not as plain and straightforward as members who hold the same views as the member for Fisher would have us believe. What annoys me is that, a matter of minutes ago, I went to the library and read an edition of the *News*—the newspaper that has only just finished publication in this capital city of ours—published in May 1985, in which an article appeared quoting the former Minister Jack Slater as stating that there were no circumstances in which poker machines would be introduced into the Casino; for one thing, the public did not want them and, for another, the Government could not see that there was any advantage in them. That was generally agreed at the time, and there was no further public debate about it. Assurances were given on all sides, particularly from members of the Government benches, that it would not happen.

Yet what do we have before us now? We have a Bill to enable a greedy, unprincipled, amoral Government to further extend the opportunity to collect revenue at the expense of other taxpayers in the process, because the revenue so generated will not equal the welfare costs which result, and those welfare costs will be met by the same population, albeit through a different tax bucket.

The welfare costs will have to come from Federal revenue and, where the welfare is provided by State Government agencies, from general revenue, into which the gambling revenue goes. The Government's books look better, no-one can identify how much has been spent on welfare cost related to gambling and, in consequence of all that, we think that we are home free. Well, we are not: we are worse off, not better off, and that is because some Springfield socialists and other libertine twits think that it is fair and reasonable for them to be able to indulge themselves regardless of the consequences to others.

*The Hon. Frank Blevins interjecting:*

**Mr LEWIS:** Yes, it is a more updated version of 'Chardonnay socialists'. I would not be half as harsh in my criticism of Government or half as adamant in my opposition to this measure had the Premier and the Government kept their promise, at the time the Casino was first given a licence, to establish a database, through research, of the effects of gambling, and had they done a sociological analysis of those effects, as well as a macroeconomic analysis of those effects on the public purse (from where the revenue comes to pay the welfare related costs and the offsetting revenue from gambling taxes derived from the different forms of gambling are paid) and where it is otherwise spent.

Gamblers Anonymous has said that it will cooperate in that exercise. All agencies throughout the community who must deal with these problems, such as the Adelaide Central Mission, have offered to cooperate, yet the Government has done nothing—nothing at all. It does not want to admit that there is a problem, and it has broken the promise that it gave to do that research. That is why I must strongly condemn not only the Government but also any member of this place who sets out, through this legislation, to further widen the opportunity of creating the misery to which I have drawn attention and which I have seen in other places. I urge the House to oppose the measure.

**The Hon. FRANK BLEVINS (Minister of Finance):** I thank all members who have contributed to the second reading. I want to point out at the outset that this is a very small Bill, which is consequential on the Bill that we passed last evening in relation to video gaming machines. The argument is simply: do you want the Casino to have the opportunity of having poker machines as well as video gaming machines? That is really the essence of the argument. Some amendments on file suggest that the Casino should have neither, and that is a legitimate point of view to put, but obviously I will oppose that and support the Bill. It seems to me that it is not unreasonable that, if clubs and hotels are to be allowed poker machines, the Casino should be allowed to have them also.

It was stated on a number of occasions that, somehow, the video gaming machines had been introduced into the Casino by stealth. I cannot understand how bringing something to Parliament is stealth. Either House of Parliament had the opportunity to disallow those regulations. It seems to me that, if you bring the matter to Parliament, there is no way that you can be more public. I cannot think of any other way. It was stated that some members suggested in 1985 that they did not like poker machines and that they would never agree to them in this State and, at the time, that was the majority view of the Parliament and it was reflected in the legislation. But that in no way binds future members of Parliament to adhere to that view, nor does it suggest that that view should command a majority in the Parliament for ever and a day. Quite frankly, that proposition is nonsensical, as a person is perfectly entitled to change their mind if they wish. Different and new members of Parliament are entitled to form an opinion as to what they think of poker machines or any other issue, and they should certainly not be bound by people who have long gone.

It is not that my Party has a view on this question, because the rules of our Party do not permit a view to be imposed upon members of Parliament on this matter. But I know that, over the past 102 years, my Party in the House has changed its view on a number of things. It has been pro-nationalisation, anti-nationalisation, pro-privatisation, pro-White Australia then the reverse of that pretty quickly—well, not that quickly actually; it happened after many decades—and so on. Parties evolve in their views. If the position was that the policy laid down 102 years ago could not be changed and that people and Parties could not change their views, we would not need annual conventions. We would still be working off the 1891 document. Of course, that is nonsense.

So what has changed? Well, some members of Parliament have changed, and some members' views have changed and evolved. Victoria and Queensland now have poker machines, so that is a change which people can consider. The technology has changed rapidly over the past five years to the extent where even the police in New South Wales have changed their view and have stated that there is no real problem with corruption in that State, where they do not even have central monitoring because of the technology. So the police there have changed their point of view also. I believe that the proposition is very simple: if poker machines are to be allowed into clubs and hotels—and, certainly, as far as this House's opinion is concerned, that ought to be the case—the Casino ought to have the same rights. I urge members to support the second reading.

The House divided on the second reading:

Ayes (26)—Messrs Armitage, D.S. Baker, S.J. Baker, Bannon, Becker, Blevins (teller), Crafter, De Laine, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Ingerson, Ms Lenehan, Messrs McKee, Mayes, Quirke, Rann, Such and Trainer.

Noes (17)—Messrs Allison, P.B. Arnold, Atkinson, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G.

Evans (teller), Goldsworthy and Gunn, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Venning and Wotton.

Pair—Aye—Mr Klunder. No—Mr L.M.F. Arnold.

Majority of 9 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

**Mr BECKER:** Is the Minister able to give the Committee some indication of when this legislation will be enacted and when the Casino will have poker machines?

**The Hon. FRANK BLEVINS:** No. If the member for Hanson can give me an assurance that this legislation will go through the Upper House, I may be able to give him a rough timetable. At the moment I think a few of these things still have to be worked out. Assuming the legislation goes through the Upper House, it will be proclaimed certainly no earlier than the Gaming Machines Bill that passed this place yesterday. We would not want to give the Casino a further unfair advantage over clubs and hotels in this State, so it would be done so that the machines could be introduced in the Casino at the same time they are introduced in the clubs and hotels.

Clause passed.

Clause 3—'Interpretation.'

**Mr S.G. EVANS:** I move:

Page 1, lines 15 to 19—Leave out the dash and paragraphs *(a)* and *(b)* and insert 'by inserting after its present contents (to be designated as subsection (1)), the following subsection:

(2) Notwithstanding anything in the definition of 'poker machine' in subsection (1), a regulation cannot be made excluding from the ambit of that definition a device designed or adapted for the purpose of gambling—

*(a)* that simulates any of the games commonly known as draw poker, blackjack or keno;

and

*(b)* that, after the insertion of a coin or other token required to operate the device, requires the player, as part of the simulation of the game, to make one or more choices that affect the outcome of the game.

The amendment seeks to go back to what we were told would happen when the Casino legislation was introduced, that is, not to have coin operated gaming machines in the Casino. I am testing the Committee again by providing in the amendment a definition that would rule out the definition of the video gaming machines that presently operate in the Casino.

I do this because I feel quite strongly that a promise has been broken, even though the Minister may have argued, in another place to which I am not allowed to refer, that the attitudes of Parliament, politicians and society change and the type of machines change. Earlier the member for Hanson said that there are poker machines in the vast majority of the casinos of the world.

I visited 22 countries to look at different forms of gambling and I can say that that is not fact: the vast majority of casinos in the world do not have video machines or poker machines (I call them all poker machines); some countries have what are called fruit machines where one can win goods and that type of thing but not money. So, there is a difference. They are usually in shops or business premises, and they are a different form of operation—similar to our beer ticket machines. All I am seeking to do with this amendment, very simply, is to just not have video machines at the Casino, as was originally intended.

**The Hon. FRANK BLEVINS:** The very simple amendment, as described by the member for Davenport, obviously would have very serious consequences for the Casino in removing those video gaming machines that are already there. I understand the argument, because it does grate on me a little that the Casino has had the monopoly for so long, and has begged on bended knee to maintain that monopoly. If people look back at newspaper clippings, they will find that I said some years ago that I would not mind introducing poker machines only into clubs in this State—I did not mention hotels—so that they would have a monopoly on these for three years, and then they could be introduced into the Casino. That was a bit of wishful thinking. It is not the way of the world, so I certainly did not pursue it.

I oppose the removal from the Casino of the video gaming machines. People can choose whether or not they want to enter the Casino and whether or not they want to play these video gaming machines. I do not think anybody is compelled to play them, other than the compulsive gambler. By definition, a compulsive gambler is compelled to gamble, but that is a problem that occurs in many different aspects of life. It is not necessarily proper to have laws or to prescribe things because at times they can be abused. For example, motor cars are abused at times, but that does not mean that we should ban all motor cars and so on. This question must be taken on an individual issue basis, and I think the Casino is a perfectly proper place in which to have video gaming machines.

**Mr BECKER:** I, too, oppose the amendment, for the reasons I stated during my second reading contribution. I believe it only fair that the Casino be given the opportunity to have poker machines—

**Mr S.G. Evans:** This is not to do with poker machines: this is video machines.

**Mr BECKER:** Video machines or whatever—you might as well delete the whole thing. It is not on. I just cannot understand anybody wanting to have a casino in a city the size of ours without poker machines. I have not had the opportunity, as has the member for Davenport, to visit 22 countries, but I am working on it. So far I have not seen a casino without them, but it depends where you go. I have not looked at anything like the 22 that the member for Davenport has seen. I urge the Committee to reject the amendment. I appreciate the sentiments put forward by the member for Davenport in his longstanding attitude towards poker machines, but I regret that I cannot support him on this occasion.

**Mr LEWIS:** The member for Hanson is mistaken. Of course, I would encourage all members to support the member for Davenport in what he is trying to do. I well remember the member for Hanson in previous contributions, less than 10 years ago in this place, arguing exactly the opposite.

**Mr Ferguson:** He has changed his mind!

**Mr LEWIS:** I am sorry that the member for Henley Beach has such a short memory that he cannot remember that; or do I misunderstand him?

*Mr Ferguson interjecting:*

**Mr LEWIS:** I cannot understand how he could accompany the Minister of Recreation and Sport in his recent trip overseas seeking support for our 1998 Commonwealth Games bid and not see casinos in those places.

**Mr Becker:** We did not have time!

**Mr LEWIS:** Of course, that is something he might have to account to me for when I check with the Minister of Recreation and Sport as to whether he had sufficient time whilst he was there. There are a number of casinos, but that is a trivial part of the argument. If we are fair dinkum as a Chamber in this Parliament about the desire expressed by many members to provide the opportunity to clubs and locally owned hotels to have gambling devices to help them raise revenue in their business premises and for their clubs and communities, we must ensure that there is a certain uniqueness available to them so they can attract patronage

and provide certain facilities. Not only does this Bill give the Casino a level or fair playing field, you might say, or an equal go at that device, but it also provides an overwhelming advantage on two points.

First, the Casino is already in existence, and it has the space in which to put the machines immediately, whereas hotels and clubs do not have that space, and there will be a lead time involved, so they will miss out on the rush flush of money into the new devices whilst they are novelties. The clubs and pubs in the communities around South Australia will miss that novelty income. The Casino will get it, and that is crook. Secondly, patrons of the clubs and pubs in our communities will never be allowed to play black jack, two-up, roulette and whatever else it is that is played in the Casino at present and ever since the licence was granted. For those two reasons the Casino has a distinct advantage over—

**The Hon. Frank Blevins:** You mean legally?

**Mr LEWIS:** I do not know what the Minister knows. The Minister must know of some illegal gaming, and I am surprised in that case that he has not mentioned it to the Minister of Emergency Services and had the gaming squad or whatever it is in the Police Force that looks after these problems investigate it and close these places down. Goodness me, if it is unlawful—

**The Hon. Frank Blevins:** Only a rumour.

**Mr LEWIS:** Has such rumour been reported to the police?

**The Hon. Frank Blevins:** I only just heard it.

**Mr LEWIS:** You mean you heard it from the member for Henley Beach? It surprises me that the Minister can take such disclosures so lightly.

*An honourable member interjecting:*

**Mr LEWIS:** I cannot believe that it would have been the Speaker who told the Minister. I think he counsels wiser regard for the law than that. We must not provide to the Casino the opportunity that will otherwise be afforded it by this means, and I urge all members to support the proposition of the member for Davenport, at least out of fairness to the pubs and clubs.

Amendment negatived.

**Mr S.J. BAKER:** I understand that there are about 750 video gaming machines in the Casino. What is the present revenue flow, and what profit is returned to the Government as a result?

**The Hon. FRANK BLEVINS:** That question would be better directed to the operators of the Casino. It is a business, and the Government's take from the Casino by way of taxation is a published figure. Questions about the breakdown of the income from poker machines or other forms of gambling should really be asked of the company that operates the Casino rather than the Minister.

**Mr S.J. BAKER:** I reject the proposition that we ask the people responsible for running the Casino. I would have thought it was appropriate for the Parliament to know exactly what is the situation. I remind the Minister that the method used to bring in video gaming machines made members of the Opposition quite irate. I also remind the Minister that the desire to get these video gaming machines into the Casino in the first place in the belief that there would be large revenue implications for the Casino and, presumably, for the Government resulted in what I class as the breaking of the rules.

Members on this side have reflected on the circumstances surrounding the entry of those machines into the Casino. I would have thought it was absolutely vital to the deliberations of this Committee that it should be informed as to how successful the machines have been. Obviously, they have not been as successful as was anticipated. It would be appropriate for the Minister to provide the details, and it would be appropriate for the Casino, under the circumstances, to provide them to the Minister.

**The Hon. FRANK BLEVINS:** Being a champion of free enterprise and of rights of a business to conduct that business, the Deputy Leader, I would have thought, would be a little more sensitive to the niceties of business.

*Mr S.J. Baker interjecting:*

**The Hon. FRANK BLEVINS:** We are are talking about what?

**Mr S.J. Baker:** We are talking about a monopoly.

**The Hon. FRANK BLEVINS:** The audited accounts—

*Mr S.J. Baker interjecting:*

**The Hon. FRANK BLEVINS:** That's okay. It is still private enterprise. However, leaving that to one side, the audited accounts of the operations of the Casino are available. The Deputy Leader is quite capable of getting them for himself. However, because I am such a pleasant person, I will do whatever is necessary—I am not quite sure what at the moment—to obtain that information for the Deputy Leader. I would have thought the Deputy had more respect for private companies than he has demonstrated.

**Mr LEWIS:** The Minister's initial response left me aghast, but his more reasonable approach now leaves me feeling inclined to treat him with less contempt. We are providing a licence, because we know a potential evil is involved. We are providing a licence to a commercial enterprise to engage in a particular activity and give them a monopoly to do that in allowing the Casino to operate in South Australia. It is not a matter of private enterprise being able to conduct its business without scrutiny, because it is a particular kind of business: it is not just any ordinary business. When hotels obtain a licence, we require them to declare how much revenue they get from their liquor sales and pay a licence fee proportional to that. The licence to operate the video gaming machines in the Casino is not part of a general licence: it is for a specific purpose.

The regulations were made explicitly to enable the machines to be introduced. So, goddamn it, we are entitled to know, and the Casino is accountable to provide that detail. If we are not, clearly this place and the Government have learnt nothing from the fiasco with the State Bank and other Government instrumentalities. It does not behove either the Minister or anyone else in the Casino to protest that it is private knowledge of which no member of the general public should be allowed to be aware. Indeed, it is a responsibility of the Minister to provide the information to the House if we are to continue to believe that the licence is being exercised responsibly.

I make some comments as an aside to the matter. I bet the amount of revenue generally generated by the Casino has not increased anything like the amount that was claimed it would when it introduced these devices and, in fact, that they are an embarrassment in terms of an investment now; I do not know. However, the amount of money that is being collected as tax on their revenue and, therefore, the amount of overall revenue the company has received from operating them would demonstrate to everybody whether or not those machines have been a profitable investment. It is important for us to know in order to allow people contemplating investment in similar gambling devices to take the information into account in deciding whether they will sign a lease or purchase the necessary equipment, that is, to buy or lease the machines.

Quite apart from that, there are those of us who want to know how the money has been spent in the Casino and what games of chance have had money invested in them over time—and by category. This is the only way we can

expect to discover that information. We would not have licensed the Casino if it were a simple private enterprise exercise: it is not. So, I thank the Minister but remind him that it is his duty to obtain the information, and I, along with my Deputy Leader, look forward to receiving it.

**The Hon. FRANK BLEVINS:** I am not for one moment suggesting that we want to conceal anything from the Parliament. My view on life always has been—to the annoyance of some members opposite—that as much information as possible on as wide a range of matters as possible should be made public. I would have thought that there were some courtesies or niceties to be gone through, but apparently not. As I said, I would be happy to supply to the Deputy Leader information under whatever authority is available to me. I can assure the Committee that it is not my desire to protect the Casino. I am not a particularly great friend of the Casino, even though I laboured hard and long to have it introduced, nor, I am sure, is the Casino a great friend to me. We have a business relationship that is—

**An honourable member:** That's as far as it goes.

**The Hon. FRANK BLEVINS:** That is strictly as far as it goes. Whatever I have to do as a Minister, for the Casino, I do: what I do not have to do, I do not do. The Casino can manage as best it can in the cold, harsh world. However, I would have thought there were some niceties about asking for precise details of what bit of the Casino's business turns over what. If that is not the case, it does not bother me in the slightest.

Clause passed.

**Mr S.G. EVANS:** I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to prohibition of advertisements.

Motion carried.

Clauses 4 and 5 passed.

New clause 5a—'Prohibition of advertisement.'

**Mr S.G. EVANS:** I move:

Page 2, after clause 5—Insert new clause as follows:

5a. Insert new section as follows:

25a. A person must not publish, or cause to be published, an advertisement for the licensed casino or for the services or facilities provided on the premises of the licensed casino. Penalty: Five thousand dollars.

I move this new clause with a deep belief that gambling establishments should not be able to advertise their facilities. A law passed in this State does not affect the Casino for the purposes for which we were told it was originally built, that is, to encourage people to come from other States and lands to spend their money here and go home broke or with some of the money that others have spent. It was a tourist attraction. The member for Hanson has already made that point. The idea was that not many locals would use it.

However, through advertising we understand that about 80 per cent of the Casino's clientele are local people. The advertising of the facility has encouraged locals to use it. I have made the point at other times in this place that English law is that those who wish to gamble may do so, but they must seek out the gambling facility. Some members may ask about horse racing, trots, dogs or sport. I am not tackling that at this stage and I will not tackle it in the future. I will come back at the pubs and clubs some time down the track with regard to advertising in recent times.

The English interpretation of gambling is that where there is a straight-out gambler spinning the wheel or throwing the dice, that is gambling. Horse racing, dog racing and such things constitute betting. In fact, two people or more can sit down in a restaurant in the United Kingdom and play cards and the owner of the restaurant can charge only the maximum figure for the use of the table. At the time I was there it was 45 shillings. That was the maximum that could be charged, and people could play all night at the table. That was seen as betting. The owner of the premises could not take anything off the top; there was nothing for the bank. The two, three or more people played against one another using their own skill, and it was not against the law. I am not advocating that we should do that here, but members might be interested to know that was the case.

I do not believe that any member of this Parliament condones some of the advertisements being put out by the Casino. We can come to some of the other forms of gambling at another time. However, on this occasion we have an opportunity to do something about it with the Bill before us. I encouraged advertising. I thought that we would get the Victorians or people from Perth or wherever to come here and spend their money. The advertisements showing the pot of gold at the end of the rainbow or someone going on holiday with all the luxuries that can be created because they had a win at the Casino are not good. If we interpreted that 100 per cent under the Fair Trading Act, I am sure it would be seen as unfair advertising because it is giving the impression that people can win at the Casino more often than they can in reality. We know why most people gamble. As has been said here, people gamble by buying lottery tickets, backing a racehorse or having a bet on what might happen in the Parliament—but not inside the Chamber, as that is not allowed.

Having said that, I think it is wrong to allow the Casino to go on as it is, and we have an opportunity to stop it. The Casino will not like it. It will tell us that most of its trade comes from South Australia. If we insert this new clause in this place, we can talk about doing it in what one might call reasonable terms. I would not allow the Casino to advertise at all in South Australia if I had my way. Some control must be put on the way it operates. I do not believe that any member of this place condones some of the advertisements that it uses. I believe that all of us sit back and ask, 'Did our colleagues who have moved on since the Bill went through really mean that we are to have forced down our throats that this is a great place to go because we might win some money?'

I do not wish to say any more. I feel strongly about this matter and I will call for a division if necessary. A principle is involved. I suggest that, if it gets through this place and before it goes to the other place, somebody might come forward with another proposition that might put greater responsibility on that organisation over the way. I accept that it is a good type of operation and that it is of some benefit to tourism, despite some of my rather cynical comments about it, but it has had a bit of a shot at me and I have now returned the compliment. I think that this Parliament should consider the issue.

**Mr LEWIS:** I share the concern expressed by the member for Davenport. If the Casino were subject to the Trade Practices Act, it would be seen to be engaging in not just unfair advertising, but advertising which is grossly deceitful.

*The Hon. T.H. Hemmings interjecting:*

**Mr LEWIS:** Because it gives people the mistaken impression that by going to the Casino—

*An honourable member interjecting:*

**Mr LEWIS:** Then it ought to be prosecuted. The advertisements lead the simple and naive to believe that they can go there and become wealthy when the odds of winning are statistically determined across time to ensure that the player cannot win against the house. Otherwise, there would be no

point in conducting the business. For the advertisements to be couched in the terms in which they are, to create the impression that they set out to create in the minds of the simpler members of our society is deceitful in the extreme. No-one else could sell a product by advertising it to do things which it patently is incapable of doing and get away with it.

Why should this business be allowed to do so? I think it iniquitous that it advertises its gambling in that fashion at all. If it were to advertise the fact that you can go there for entertainment, to have a meal and to enjoy the fact of being there and not to focus upon winning money or upon the excitement, which is the very thing that leads to the development of compulsive gambling in those predisposed to it, I would not object. But I do object, because it does focus upon those things. It appeals to the naive avarice of the more simplistic amongst our number in the community at large and, to that extent, is dishonest. It is about time that we called a halt to that and allowed it only to advertise the fact that you can get a meal there, that your surroundings are pleasant, and so on. Advertising gambling in these circumstances is quite wrong.

**Mr BECKER:** I oppose the amendment and suggest that the member for Murray-Mallee read the proposal, which provides:

> A person must not publish, or cause to be published, an advertisement for the licensed casino or for the services or facilities provided on the premises of the licensed casino.

I take that to cover everything the Casino does, from meals through to having a piano player in the bar. As far as I am concerned, I see no harm in the advertisements that have been displayed on television or in the printed media advertising the facilities of the Casino. If it is a legal product, facility or service, it should be allowed to advertise. After all, we live in a free society, and if my organisation does not support a free society, there is something wrong—but I am quite sure that we do.

We cannot inhibit the Casino from advertising. Of course, if it is not allowed to advertise in this State, what about the rest of Australia or overseas? That is where it does its advertising—overseas—to attract people here. It is all part of tour packages. You cannot restrict an organisation such as the Adelaide Casino in this way. The member for Davenport is one of the hardest workers not only in his electorate but in various fields of voluntary organisations, particularly charities, and many of these organisations advertise raffles.

When we pick up the *Australian*, particularly the *Weekend Australian*, we are reminded of that by the advertisements featuring raffles for Porsches and other luxury cars, but the TAB, racing clubs and football clubs have special features to get people to attend. At Football Park there is a TAB agency, as there is at the Grand Prix. You can bet on the Grand Prix. Why should all those organisations be allowed to advertise when the Adelaide Casino cannot?

What about the Lotteries Commission? The member for Davenport may remember that, when the lotteries legislation went through, I think it was Sir Thomas Playford who said he was opposed to advertising lotteries. It was a long time before I came here. I do not believe that advertising the lottery did any good. Lotteries are no longer held, but the Lotteries Commission advertises its scratch tickets and the types of products it has. What is wrong with that? I believe that you should be allowed to advertise whatever your product is if it is legal, and the Adelaide Casino should not be discriminated against in this way.

**Mr LEWIS:** If it would help the member for Hanson to understand, the provision contained within the member for Davenport's amendment is law in South Australia. It relates to this constituency: it does not make it impossible to advertise outside South Australia. We do not make laws for anywhere other than within the boundaries of this State. If the Casino seeks to advertise its games of chance, and whatever else it has, interstate and overseas to attract tourist dollars here, well and good. This amendment would not prevent that.

The other point made by the member for Hanson, in the mistaken belief that it is a valid argument, is the point that it is legitimate to advertise horse racing, football and the Grand Prix. These are all events to which a person may go to take an interest in the proceedings without being in the least provoked into gambling on the outcome. Gambling is not an essential part of the process and is not at all promoted as such by the South Australian Jockey Club, for instance, when it advertises a racing meeting.

It is not promoted by the Grand Prix Board when it advertises the Grand Prix. It does not advertise the bet you can place on the result of the Grand Prix, whereas the Casino exists to provide gambling and only gambling. I have said that, if the Casino had taken a more responsible view, I would not be so much in favour of such a proscriptive proposition but, because it has not and because of the way in which it has conducted itself, I am concerned, and I believe that we need to ensure that it displays better manners and a greater measure of responsibility in the future than it has in the past. It is not appropriate to try to convince people to lose their money, but that is what is happening at present by allowing advertisements of the Casino to go to air in the way they are at present.

**The Hon. FRANK BLEVINS:** I have no sympathy at all for the amendment, for the reason I stated when the Gaming Machine Bill was going through the House yesterday. It would be an unnecessary restriction on free speech. As this is a conscience vote for members of the House, I am free to express that. I have made quite extensive comments in Parliament previously, albeit in another place earlier in my career, which put on record my views on censorship. However, I do have some sympathy with the criticism of advertising by the Casino.

As I mentioned in the debate yesterday, these people who have no restrictions on their advertising and who choose to abuse that by advertising in a completely inappropriate way are risking measures such as this. I would have very little sympathy for them. I cite the tobacco industry, for one, which has the restriction, because I think that it lost the battle when it had the Alpine ad with the very young lady with the packet of 12 Alpine tucked in her bikini. That is when it lost many people who would otherwise have defended its right to advertise. The liquor industry likewise is in some danger of having restrictions placed on some of its advertising because of the style of some of the advertisements.

I believe that the Casino is likewise vulnerable. I draw attention to what happened a couple of years ago when the Casino Supervisory Authority quite properly 'requested' the Casino to take an advertisement out of the interstate press, because the advertisement was absolutely irresponsible. From memory, it was something along the lines of 'If you can't afford to send your child to school, come to the Casino, and win your school fees.' What type of clown authorised an advertisement such as that? Where is the nous of those people who are in charge of these things for the Casino? That invites this kind of amendment.

The fact that people abuse the rights of free speech is regrettable, but I would certainly not want to inhibit it any more than it already is, and I think that in many areas it is inhibited far too much. I oppose the amendment, but I

hope that someone draws to the attention of the Casino the comments of members contributing to this debate, because I think those comments have a great deal to commend them.

**The Hon. JENNIFER CASHMORE:** I support the amendment. I had not intended to speak to it until I heard the Minister's assertion that, if it were carried, it would represent a denial of free speech. I cannot accept that that is a valid response to what is a thoroughly responsible desire to restrict—to limit and in fact totally curtail—the way in which South Australians are being influenced by casino advertising.

I am sure that the Committee would be aware that in the United Kingdom it is illegal to advertise casino gambling. As far as I am aware, that restriction applies throughout Europe. I cannot speak for North America, although I know that a decade ago when I was in Canada there was no such thing as a casino. When I made inquiries of the Minister of Tourism in British Columbia, a Province which enjoys a very highly profitable tourism industry, the Minister said, 'We would not contemplate gambling or, indeed, in that case, liquor being available on Sundays, because we do not wish to corrupt our young people or make them in any way vulnerable to influences which could be damaging.'

That was 10 years ago, and I am told that they now have a casino. Nevertheless, the way in which a society frames its laws expresses society's values, and I cannot believe that our values are so dramatically different from those of people in the United Kingdom that we can allow unlimited advertising of a facility—namely, the Casino—which has such a potentially damaging effect upon society. It is for that reason that I believe the Casino's capacity to advertise should be curtailed, and it is for that reason that I support the amendment.

**Mr BECKER:** I want to rebut a couple of things which the member for Murray-Mallee said, and I do so at a risk, because I know that this could go on all night.

**An honourable member:** Good idea.

**Mr BECKER:** Don't be so silly; let's get on with the issue. There is more pressing legislation to be dealt with. I have been to the Casino on several occasions, and I have never had a bet. You do not have to go to the Casino to have a bet or gamble. There are plenty of other things to do there such as enjoy a very pleasant meal at a reasonable price, listen to music in the piano bar—

**An honourable member:** That is not advertised.

**Mr BECKER:** The Casino is advertised the same as any other club or organisation is advertised. I go to the Grand Prix because I like to watch car racing, but I also know that I can have a bet on Nigel Mansell if I want to, so that does not matter at all. As I have said, I do not think the argument has been demonstrated at all. If we are going to follow the logic of the member for Murray-Mallee and, to some degree, what the Minister said in complaining about the advertisements of the Casino, I hope somebody gives the message to the Lotteries Commission that I am sick and tired of seeing that poor dog scratch itself to death.

**Mr S.G. EVANS:** I am sorry that the member for Hanson takes that attitude. I suppose that the dog could be barking up the wrong tree, too. The member for Coles makes the point about gambling. I do gamble. I have bought a X-Lotto ticket tonight. I thought it was my lucky day and that I might win this amendment. I will never forget when I looked at gambling facilities overseas and I spoke to the Italian Finance Minister, with whom I think we would agree. When I asked what was his Government's attitude towards gambling, he said the same as every other Government in the world says: 'We all think it is bad. We only license it where we think we can make some money.' I think that is a fair enough explanation.

The member for Hanson raised the point about food and drink. The reason it is there is that, under the law, you are not allowed to advertise cheap alcohol and food to encourage people to go to casinos. You are not allowed to discount the price of food to a low level in order to encourage people to go there. At the end the Minister said that he understands what some of us are on about and that he hopes the Casino heeds our comments. Some of the advertisements it uses are bad; they are not in good taste and are misleading, and we should not allow that. As I said, I will divide on this debate but, if nothing else, if we get the message over to it that there is a concern in Parliament—

**The Hon. Frank Blevins:** You can't get through to them.

**Mr S.G. EVANS:** The Minister has indicated that we cannot get through to them; they are that stubborn or pigheaded. If they are, they will learn a lesson in the end, because the next generation of parliamentarians who follow us—some of the younger ones—know what has happened to their young friends through some of the activities that have developed in our society. As their children start to grow up you will see the pendulum swing the other way, and places such as the Casino will pay the penalty. If it does not have enough brains to understand now that it has a sole right to a form of 'entertainment' that society would not have accepted a few years ago, something which is now allowed to operate—if it does not understand that and does not protect it and act responsibly—it will eventually be forced by the Parliament to toe the line.

The Minister referred to one advertisement that had to be removed. I believe that it is irresponsible in its approach to the privilege which Parliament has given it, and I would ask members to support the amendment, which would ban the advertising of the Casino's operations within the State, whereas outside the State it could advertise whatever it wished.

**Mr S.J. BAKER:** I reject the amendment, based on the fact that there are various forms of gambling and, to a large extent, casinos are allowed to advertise in various shapes and forms overseas, even in Europe. Anyone who goes to Europe as a tourist is given pamphlets and material giving details on how to find the appropriate venue. They may not indulge in television advertising, so where do you draw the line? Irrespective of how people feel about particular products, we are not here debating the rights and wrongs of tobacco advertising, about which a determination has already been made, nor are we debating the rights and wrongs of alcohol, because that is still an allowable product to advertise. Here, we are trying to turn back the clock. It is a freer system than we have had in the past. I do not believe it does this Parliament any good to say that the Casino cannot do it but that everybody else can, when we know that the gallops, trots and the TAB will all be out there plugging their products. It is either all in or all out as far as I am concerned. We have not debated the merits of the other forms of gambling—just this particular form of it. I reject the amendment.

**The Hon. FRANK BLEVINS:** I will send a copy of the *Hansard* report of this debate to the Casino Supervisory Authority. I assume that the amendment is lost.

The Committee divided on the new clause:

Ayes (13)—Messrs Allison, P.B. Arnold, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans (teller) and Goldsworthy, Mrs Kotz, Messrs Meier, Oswald, Venning and Wotton.

Noes (29)—Messrs Armitage, L.M.F. Arnold, Atkinson, D.S. Baker, S.J. Baker, Bannon, Becker, Blevins (teller),

Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Ingerson, Ms Lenehan, Messrs McKee, Matthew, Mayes, Peterson, Quirke, Rann, Such and Trainer.

Majority of 16 for the Noes.

New clause thus negatived.

Title passed.

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

*That this Bill be now read a third time.*

The House divided on the third reading:

Ayes (27)—Messrs Armitage, D.S. Baker, S.J. Baker, Bannon, Becker, Blevins (teller), Brindal, Crafter, De Laine, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Mr Ingerson, Ms Lenehan, Messrs McKee, Mayes, Quirke, Rann, Such and Trainer.

Noes (15)—Messrs Allison, P.B. Arnold, Atkinson and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans (teller) and Goldsworthy, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Venning and Wotton.

Majority of 12 for the Ayes.

Third reading thus carried.

## STATUTES REPEAL (EGG INDUSTRY) BILL

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

Consideration in Committee.

**The Hon. FRANK BLEVINS:** I move:

That the House of Assembly insist on its disagreement to the Legislative Council's amendments.

**The Hon. JENNIFER CASHMORE:** The amendments moved by my colleagues in the Upper House are ones which we feel must be upheld. Therefore, the Opposition is quite firm in its position. My colleague the member for Chaffey, who has a particular interest in this matter, will outline precisely why we insist on our position. There are matters of principle from which we simply refuse to budge. The Liberal Party has a long history of holding firm on these issues, and at this stage we do not propose to renege on our past undertakings.

**The Hon. P.B. ARNOLD:** The Opposition strongly supports the position of the Legislative Council. As I said yesterday, some 30 per cent of the egg production in South Australia intends to remain outside the cooperative movement. As such, we believe that the assets of the former board should be equally divided on a pro rata basis between the egg producers based on the hen quotas. Although the Minister of Agriculture does not agree with that, we believe it is the only fair way to do it. For the Minister to say that the Egg Board has accumulated its assets as a result of people actually paying for the eggs is the same as saying that the profits of BHP belong not to the shareholders of BHP but to the people who bought the steel. Of course, that is absolute rubbish, and we strongly support the position of the Legislative Council.

**Mr LEWIS:** Anyone who thinks that bicameral Parliaments do not have advantages has only to look at what we have before us now to find an illustration of the truth and value of bicameral Parliaments. It certainly provides a saner, more reasoned look at what the effects of legislation will be, and the justice of that legislation. This Government is so greedy for money at present—

*Members interjecting:*

**The CHAIRMAN:** Order!

**Mr LEWIS:** —that it would screw the egg producers of this State for the assets for which they have already paid. The nature of the position taken by the other place in this debate with respect to this legislation is to protect the interests of the egg producers. The Government wants to appropriate those assets to its own purposes and force the egg producers, after it deregulates through this legislation (egg marketing in this State), to pay rent for the facilities for which they have already paid through payment of levies on every egg they have produced and sold according to law under the Egg Marketing Act. Talk about double whammy! I really do not know where the morality of members opposite and the Minister can be.

*Members interjecting:*

**The CHAIRMAN:** Order!

**Mr LEWIS:** Crocodile tears! It is to my mind quite untenable for the Government to expect to be able to get away with it. I believe that we should accept the position taken by the Legislative Council and reject the position taken by the Minister in opposing that position.

**The Hon. T.H. HEMMINGS:** If we are going to talk about what a bicameral Parliament is—and I am quite happy to talk about that in this debate—this Committee should look at the Legislative Council's attitude to this Bill based upon our rejection of its amendments. But what do we get? We got a reasonable response from the member for Coles who, in effect, quite freely told us that she knows very little about it—and I accept that. Then we got a kind of argument from the member for Chaffey which, in effect, said that the Liberal Party had made this commitment and therefore it is forced to hold that line. I accept that. However, then we got a classic case. If ever there was an example that the Electoral Commissioner should have abolished the seat of Murray-Mallee, we had it then. We had nothing but a tirade of abuse from the member for Murray-Mallee aimed at the Minister—

**Mr LEWIS:** I rise on a point of order, Sir. Not only are the remarks irrelevant under Standing Orders but I ask you to rule on the Standing Order about the way in which the member for Napier has reflected on all electors in Murray-Mallee by the remarks he just made.

**The CHAIRMAN:** Order! I am not able to uphold that point of order.

**The Hon. T.H. HEMMINGS:** Let me make one point. I have nothing but sympathy for the electors of Murray-Mallee.

**The CHAIRMAN:** Order! The member for Napier must return to the substance of the debate.

**The Hon. T.H. HEMMINGS:** Yes, Sir. If I am going to consider the attitude of the Legislative Council based on this debate—and I am a free agent—all I can say to the member for Murray-Mallee is that, if that is the only argument he can put forward in defence of the stand taken by those members in the other place, I am forced to support the Minister in rejection of the amendments.

**The Hon. E.R. GOLDSWORTHY:** It does not appear that we will be able to vote before dinner, but I cannot let the member for Napier get away with that tirade against my friend and colleague the member for Murray-Mallee who, quite rightly, put the case for the people he represents here. We know the charges that have been laid against the member for Napier recently: he has done nothing for 15 years—

**The Hon. H. Allison:** Yes, but he has done it well!

**The Hon. E.R. GOLDSWORTHY:** He has done it very well.

**The CHAIRMAN:** Order! I would ask all members to return to the substance of the message from the Legislative Council, which concerns the Statutes Repeal (Egg Industry) Bill.

Progress reported; Committee to sit again.

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

## STAMP DUTIES (EXEMPTION—MOTOR VEHICLES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 March. Page 3343.)

**Mr HOLLOWAY (Mitchell):** On behalf of the Government, I oppose this Bill. Let me say from the outset that every member of this House would have sympathy for those people who have had a motor vehicle stolen. However, what we have to consider are the intended and unintended consequences of this Bill, and that is what is before us at the moment. The member for Davenport is seeking to remove the imposition of stamp duty on a vehicle that is purchased by a person as a replacement for a vehicle that has been stolen. As he pointed out in his second reading speech, the member for Davenport wrote to the Premier about that matter on 15 August last year, and the Premier replied:

> Based on information available at this stage, I must conclude that a change to the current exemption criteria in the Act is not warranted at this time.

That reply was based on the administrative problems that would result from this Bill. The most important point that I need to make in this debate is that, within the marketplace, there is already a solution to this problem, that is, motor vehicle insurance. At present, a large number of insurance companies issue motor vehicle policies that provide for the replacement cost of a vehicle, which includes the reimbursement of onroad costs, such as stamp duty.

From a quick check around, I can say that some of the companies that offer such a policy are the SGIC, the RAA, AAMI, JM Insurance and Accidents Insurance Mutual—some of the major companies that insure motor vehicles. Those insurers cover stamp duty and the cost of insuring a new vehicle—if a vehicle is stolen. In other words, in the marketplace, there is already a solution to this problem. I would also like to point out that other insurance companies, although not specifically providing in their policies that stamp duty will be met, when pressed meet the stamp duty cost. That is the most important point that we need to make in relation to this Bill.

The other reason why we should oppose this Bill is the precedent it would set. Stamp duty is effectively a capital transfer tax—a tax based on the transfer of capital goods. It has a fairly broad base and is an extremely important form of tax for State revenue. Apart from payroll tax, it is the largest single item of taxation that a State Government has within its taxation armoury. If we start making exemptions and narrowing that base, we will have to ask the question, 'Where do we stop?' One only needs to consider some of the other cases we might have to consider if we provide an exemption from stamp duty for a replacement when a vehicle is stolen. What about vehicles that are involved in a car accident? Why stop with cars? What about houses? Stamp duty is payable on the transfer of a house. What if the house is burnt down, and so on? One could extend the argument about providing exemptions and concessions in cases of hardship. In relation to stamp duties and taxes that are based on capital transfer, it is important that we should not narrow that tax base unless there are exceptional reasons for doing so.

The other point I should raise in relation to this type of taxation is the matter of fraud. All of us would be aware of instances of car insurance fraud, particularly in relation to staged accidents for third party insurance. One of the reasons why the SGIC has had such a good record in reducing third party premiums in recent years is that it has had a real crackdown on car insurance fraud. It is true of any form of taxation that, once we start putting exemptions and provisos into the Act, we open the door a little for fraud. Without too much imagination, one could think of a case where this Bill might be used by someone to avoid the payment of tax. I will admit it is probably a fairly remote possibility but, nonetheless, once we start playing around with exemptions, that possibility must be considered.

Another factor we need to consider in this debate is the cost. The member for Davenport said that this Bill would cost about $1.5 million. We need to ask whether that is a wise use of $1.5 million. First, it ought to be pointed out that, as insurance companies, in many cases, already repay the cost of stamp duty, if this Bill were passed, a large proportion of that $1.5 million would inevitably go to the insurance companies. So, we would not be helping those people whose cars were stolen: we would simply be helping the insurance companies that insure their vehicles. Some of the money might go to a few victims who did not have their car insured, but I think one would have to ask why someone would not insure a vehicle of any value in this day and age when people are aware of the incidence of car theft. We must ask whether it would be a wise use of such money, or could it be used in a better way?

If I were responsible for the disbursement of $1.5 million to victims of crime, I could think of a number of people whom I would regard as more needy victims, in particular the victims of personal violence as a result of criminal assault. The member for Davenport made some rather derogatory comments about the matter of victims of crime. This Government needs to apologise to no-one for its record regarding victims of crime. Indeed, the Attorney-General of this State has an international reputation for his contribution to the subject of victims of crime. This Government has pioneered many worthwhile reforms in that area.

*Mr Brindal interjecting:*

**The SPEAKER:** Order!

**Mr HOLLOWAY:** All members would have sympathy for those who have been a victim of car stealing. However, a perfectly workable solution exists in the marketplace at the moment, that is, the insurance of motor vehicles. Under most insurance policies of most companies, the stamp duty payable on a replacement vehicle is covered. That is the best way for us to go. We should not be tinkering with the Stamp Duties Act; that will open it up to exemptions and claims in other areas, and we might weaken what is already a very narrow basis of taxation on which this State depends.

*Mr Lewis interjecting:*

**Mr HOLLOWAY:** The member for Murray-Mallee laughs at that. If the honourable member wants to debate the topic of State taxation at any stage, I will be very happy to enter that debate. But he would be well aware that State Governments are reliant mainly on payroll tax, stamp duties, and fees and charges for most of their revenue. I think it would be nice—and many have argued this ever since Federation—if the base of taxation for the States was widened so that the States could be less reliant on forms of taxation such as stamp duties. However, while we are reliant on such forms of taxation, it is important that we protect the integ-

rity of that system. If we are going to spend $1.5 million, we should be careful that people benefit and not, in large part, insurance companies. For the reasons I have outlined, I oppose this Bill, and I ask other members to do likewise.

**The SPEAKER:** Order! The Chair, unfortunately, has been delayed in making a ruling on this Bill. However, I have now had an opportunity to peruse it, and I should have taken action before it was debated. In my view, clause 2 imposes a duty and is, therefore, a money clause. Such a Bill may be moved only by a Minister and, therefore, I rule that it may not be further proceeded with and must be withdrawn from the Notice Paper.

**An honourable member:** Oh, what a pity.

**The SPEAKER:** Order! The honourable member is out of order. I am on my feet, and interjections are out of order at any time.

## CITIZEN INITIATED REFERENDA

**Mr LEWIS (Murray-Mallee):** I move:

That a select committee be appointed to consider the desirability or otherwise of having citizen initiated referenda and in particular to consider—

*(a)* the frequency (at what intervals) such questions should be put;
*(b)* the form of any such questions (that is, to disallow any law, change a law, make a new law);
*(c)* how to decide if a question should be put;
*(d)* whether attendance at the poll should be voluntary; and
*(e)* any other matter relevant.

The proposition before the House is that a select committee be established; it is not to debate the merits or otherwise of having citizen initiated referenda. It is to enable us to find out from the community at large whether they want citizen initiated referenda and, if so, how CIR would be incorporated in law. To oppose this proposition would be to deny that fundamental right in democracy of people who wish to express a view about a change in the way in which the law can be made or unmade.

**The Hon. J.P. Trainer:** Abnegation of responsibility.

**Mr LEWIS:** Not at all. The member for Walsh interjects that it is an abnegation of responsibility. That is nonsense. If that were so, this House would not have debated, let alone passed, a Bill to establish local government in South Australia. It would have taken that responsibility upon itself, and there would be no local government. All we do by enacting law to establish local government is to devolve power to the community to make decisions about the conduct of affairs at community level. We realise in the process that what might suit, say, Port Lincoln does not necessarily suit Peake and, for that matter, what might suit Wirrabara will not suit the people living in Walsh. It leaves the decision with the people. If we believe in democracy, we ought to provide the people of South Australia with the opportunity of presenting to a select committee evidence and opinion about the desirability or otherwise of citizen initiated referenda and the form it should take if the committee finds a majority view of the people submitting evidence to it that CIR ought to be introduced.

That is my view. Of course, I acknowledge that there are other views. Given that there may be other views within this Chamber is no reason whatever to deny a large and growing number of South Australians the opportunity to express their view about this process. Not only is it that we should be supporting the establishment of a select committee for this purpose to enable the people to put their opinion before it about law—whether it be statute or subordinate legislation passed by this Parliament—but also, and at least as importantly, it is the way in which the same process could apply to local government regulation. A referendum could be held within a local government area *per se* on whether or not the ratepayers—indeed, those on the electoral roll in that local government area—wanted something that their council had not given them. The means by which they could get it would be provided, presumably, through a process made available in a citizen initiated referendum on the question.

So, it is not about the merits of whether to have citizen initiated referenda for the constituency of South Australia alone; it is also whether or not we believe such referenda should be possible within a local government area. No matter whether we feel strongly about our future role as members of Parliament being usurped, as the member for Walsh apparently feels at this point, before hearing any argument on the matter, we should nonetheless, if we see ourselves as having responsibilities delegated to us through the electoral process on behalf of those people who put us here, give them the opportunity to have a say about this matter.

I suggest that the select committee take evidence not only about the principle of whether or not to have citizen initiated referenda and whether to have them within the jurisdiction of either local government or State Government—or both—but also to consider other matters. The committee's terms of reference would clearly need to canvass the frequency or the intervals between which the referendum question would be put and how that would be determined, whether it be a month, a year or two years.

Naturally, I have personal preferences about that, but we should hear what the people of South Australia think, if they support the notion. We should ascertain whether we would have it on the same day as, say, local government elections or whether it should be on another day. A day that I believe would be more appropriate to fulfil this duty, or to exercise this right and responsibility in free will, would be our national holiday. In my judgment, that ought not to be the day upon which a penal colony called New South Wales was established but the day upon which Australia truly became a nation; the day upon which its Parliament first convened as a nation, that is, that day in May and not January of every year.

In my judgment, that would be the best thing we could do on that day as citizens, apart from otherwise celebrating it as a holiday. There is no question about the fact that in other countries the holiday for the day on which their nation was founded is a day fixed on that day, in that month, every year. Imagine having Independence Day in the United States or the Philippines on a day other than 4 July. It is ridiculous, yet in this country we celebrate a national holiday and say that it will be the Monday nearest 26 January. That is ridiculous.

It is important that we give up celebrating our day as a nation upon the day on which we founded a penal colony, and, without regard for those who were living here at that time, dispossessed them of their lands and their natural rights as human beings. I feel no joy in celebrating Australia Day on that day in January. I would be very much more gratified if it were to be in May: on that day when our national Commonwealth Parliament first met. We can look closely, then, at the frequency with which we should have such referendum questions put.

The second point we as a committee need to consider in taking evidence from members of the general public would be the form that questions put in such referenda would take; whether that should be restricted to disallowance of the law, to changing an existing law, or proposing that a new law be made, etc. I happen to believe that referendum

questions ought to be capable of being put for all of such matters.

However, I do not know what the majority of citizens would want and that is why a committee to take evidence is an important way of determining the matter in a bipartisan fashion. In addition, I believe that, if the committee found it desirable to have citizen initiated referenda, it should take evidence about how to decide whether a question should be put to referendum; whether one person petitioning the head of State is enough or whether there should be some greater number than one citizen and, if so, what number?

Having established that number, how should the people petitioning to have a question put to referendum be dispersed throughout the community? Should we have a minimum percentage of electors on the roll in each of a given number of electorates of the House of Assembly to determine whether we allow a question to be put at public expense to the people for their determination? That is the course I would favour. Other members of the general public and other members of this Chamber may have the view that it needs to be only a given percentage of the total electoral roll for the State, regardless of the dispersal of those people across the communities of the State.

I do not mind that, but it is important that we take evidence about it and come to a conclusion as to how to determine whether a question should be put. Naturally, if it were a question restricted to the jurisdiction of local government, the manner in which petitions seeking a referendum are received—to determine whether there is enough support to warrant it—must be determined, and an appropriate amendment to the law considered accordingly. I believe also that, since it is initiated by the rank and file of our society—the citizens—it should also be possible for anyone who is a citizen on the electoral roll to choose whether or not he would cast an opinion in the referendum in support of or in opposition to any proposal in that referendum.

I do not believe that it would be necessary to have compulsory attendance at the poll on the day the referendum is taken. I presume, of course, that in all this it would be a question put on a given day through the same structure of polling as is used in our general election. Other members of this place and, indeed, other citizens of the State may hold the view that it ought to be done totally by postal vote, and we should take evidence about that point. That is the reason for part *(d)* of the proposition, which says:

whether attendance at the poll should be voluntary . . .

to cast a vote. It does not necessarily follow that, to have a poll, we all, or some of us, must attend at appointed places. There may be other matters relevant to the whole process which I have not listed in the substance of those that ought to be considered by the select committee and, accordingly, any other matter considered relevant could be brought forward to the select committee by any member of the general public; hence the reason for including that matter in the motion.

In summary, I believe that citizen initiated referenda ought to be seriously considered now, given the large numbers of people seeking to determine questions about the jurisdiction of this State Parliament as well as local government and subordinate legislation; and that, in the process, we should examine the frequency with which questions ought to be put in the event that the committee recommends favourably. Also to be considered is the form which those questions ought to take, that is, whether to disallow a law, change an existing law or require the Parliament, district council or city corporation to make a new law; how a question ought to be put; and what support ought to be indicated for such a question before we go to the expense of drawing up the necessary documents.

Finally, we ought to consider whether attendance at the poll should be voluntary or compulsory, or whether some other process may be appropriate, for example, signing for the ballot paper, say, and returning it to the Electoral Commission within a week of taking it from the post office. We could examine the way in which this is done in other countries, and I am sure that citizens of this State would be very happy to provide us with the necessary evidence to enable us to come to a sensible conclusion.

**The Hon. T.H. HEMMINGS (Napier):** I have heard some ridiculous propositions advanced in this House over the years, but I think that this one takes the cake. The member for Murray-Mallee's opening comments were that we cannot vote against this select committee, because we need to hear the voices of the people, or words to that effect. So, the honourable member was not prepared to argue the merits of whether or not we should have a select committee: he was saying that, this ridiculous, whimpish proposition having been put forward to the House, we should automatically follow it and let the people decide. When I look at the collective salaries paid to those who occupy this august Chamber—

**Mr Ferguson:** $6 million.

**The Hon. T.H. HEMMINGS:** Yes, with back-up and everything else, it is $6 million apparently to enable us to prattle on about a select committee and allow the people ultimately to decide. We will have referenda going on all over the place.

**Mr Ferguson:** Running out of our ears.

**The Hon. T.H. HEMMINGS:** Running out of our ears, falling over them out in the streets—there will be a myriad of people with clipboards going around taking surveys, all to satisfy the member for Murray-Mallee and, if the honourable member were to be supported by his colleagues, that would be their view of government. They will all trot over here to the Treasury benches and keep issuing a string of referenda. I do not think that is the view of the members opposite. I can accuse most members opposite of some really silly things, but I think that there is nothing like that. No-one apparently worries about the cost; there is nothing about the cost in what the member for Murray-Mallee is putting forward.

I know at least six people on this side who wish to speak to the motion and I know that the member for Walsh, who is an expert on the American Legislature, will be giving us chapter and verse of those States that went down this stupid track, but I will leave that to the honourable member. However, let me give an example which came to mind while I was dozing off when the member for Murray-Mallee was speaking. Let us say that a gentle, little old white-haired lady living in Green Street, Elizabeth Park, has some strong views about our State flag. She does not wish the State flag to have a blue backing; she wants it to be green because she is environmentally friendly. Under this proposition, she can petition the Governor and go right through on a referendum. All of us would be throwing up our hands in despair, saying, 'What has gone wrong?' Here we go—and we know what machinery is like: once it starts grinding forward, no-one can do anything about it. The cost is incredible; it is mindboggling.

Let us say that this little old lady who lives in Green Street, Elizabeth Park (she is fictitious; I know most of the people who live in my electorate, but there is no little old lady living in Green Street), because of her declining years,

does not have all her faculties. That is not even being taken into consideration. I would have been prepared, half-heartedly, to show some support if there was something in this motion that talked about those who can petition the Governor having to go through some medical examination. One tends to think that sometimes the member for Murray-Mallee should go for a medical examination. No, I am being somewhat churlish there, and I apologise.

We then went through the discussion about the postal vote. The member for Murray-Mallee suggested that this referendum could be covered by way of a postal vote. Let us look seriously at the cost of a postal vote for all the people in this State who are eligible to vote and can record a postal vote. I would not mind if the member for Murray-Mallee and all the people supporting this matter were prepared to give up their rather generous postal allowances—which the taxpayers pay—to help out with that but there is nothing in the motion about that. I would even be prepared to listen to an argument from the member for Murray-Mallee indicating that he would be prepared to man the booths free of charge to ensure that it went through. The whole thing is fraught with danger. What should happen—

*Mr Lewis interjecting:*

**The Hon T.H. HEMMINGS:** What about the democracy of the people? I should ignore the member for Murray-Mallee's interjection, but if we are talking about democracy we know that at a general election the people in this State vote for 47 people in the House of Assembly and, if the members of the Liberal Party put forward a better case than the members of the Labor Party, they get elected as the Government of the day and they then make decisions and listen to the views of the people, carrying out those views in the form of legislation. I thought I heard the Deputy Leader say, 'That's right', and it would be the first time that he has been in here when I have agreed with him. That is what democracy is all about—not abrogating your democratic rights in this Parliament—

*Mr Lewis interjecting:*

**The Hon. T.H. HEMMINGS:** The member for Murray-Mallee has hoodwinked his constituents. He now sits in this place; let him act like a responsible member of Parliament and not waste our time putting forward such a stupid motion. If he feels that we should have a national holiday on a certain day, let him argue the case first with the Government and then through the forum we are now using. He should not say to the people, 'You tell me what to do. I don't know what to do and I am relying on you to tell me.' Once one goes down that track one opens the floodgate to all the trivial things that some people wish to inflict on their fellow citizens in the community.

Let us look at the motion. Considering its content, it would be a five year select committee. The motion states that we should have referenda to consider:

*(a)* the frequency (at which intervals) such questions should be put;

*(b)* the form of any such questions (that is, to disallow any law, change a law, make a new law)—

I thought that that was what Governments were all about; they are charged with the responsibility of making laws, changing laws or doing whatever—

*(c)* how to decide if a question should be put—

and at the end of it we decide whether we will put a question to the people—

*(d)* whether attendance at the poll should be voluntary—

how will one make that effective—

*(e)* any other matter relevant.

That is what the proposed select committee would look at. As you can imagine, Sir, the number of people who would wish to appear before the select committee would take up the whole of the Riverside building. If by chance this motion were carried and my Party appointed me to the select committee, do you know what I would do, Sir? I would resign on the spot because I could not face being a member of such a select committee, all for the princely sum of $12.50 a meeting. Sir, it is enough to make one turn to crime, and I hope that everyone opposes it.

**Mr M.J. EVANS (Elizabeth):** The member for Murray-Mallee has put forward an interesting motion. It is a topic that has been before the people of Australia many times. Indeed, many political Parties have, in various stages of their history, endorsed this concept. I believe that at various times even the Party which the member for Napier represents in this place has at times supported the concept of citizen initiated referenda. If one wishes to look at extreme examples of this mechanism at work, one can look to various States in the United States where the concept is taken to its ultimate extent. In many ways, in some of those States, it is obvious that if the system is allowed to be bogged down by numerous referenda it ceases to work; but in other States we have seen many examples where citizen initiated referenda have brought before the Parliament of a State in the United States, and indeed in parts of Europe, some very interesting and important legislation.

I certainly have no fixed view on whether or not this form of referenda should be introduced into Australian politics. It is a step which should not be taken lightly. It is a very serious matter because of the commitment of resources and the change in the impact it would have on this Parliament. However, I believe that it is a topic that is worthy of investigation. In this respect alone I agree with the member for Napier—a select committee is not the appropriate mechanism to employ here. The House already has established a number of select committees, and I believe that it is a topic that should be referred to specialists in this area. In that context I think the proposal should be referred to the Legislative Review Committee of the Parliament, which is certainly charged with examining affairs and matters like this. Accordingly, I move:

Leave out all words up to and including 'referenda' and insert in lieu thereof the following words—

That this House resolves to refer the matter of citizen initiated referenda to the Legislative Review Committee.

I commend my amendment to members and, should it be carried, the motion as amended to the House because I believe that the matter is worthy of investigation, in particular by the joint House committee charged with considering matters of this kind.

**The Hon. JENNIFER CASHMORE** secured the adjournment of the debate.

## MOUNT LOFTY RANGES MANAGEMENT PLAN AND SUPPLEMENTARY DEVELOPMENT PLAN

**The Hon. D.C. WOTTON (Heysen):** I move:

That this House resolves to refer the following matters to the Environment, Resources and Development Committee as a matter of urgency—

*(a)* the number of property owners suffering losses arising from the Mount Lofty Ranges Management Plan and Supplementary Development Plan;

*(b)* the nature and extent of losses;

*(c)* what options are available for redeeming losses; and

*(d)* what alternative techniques may be available to minimise disruption to landowners resulting from the plan and supplementary development plan.

I thought that this motion would come before the House tomorrow, and I had hoped to put more information to the House at that stage. However, I am pleased to be able to move this motion because I believe it is of vital importance to the people who live in the Mount Lofty Ranges. The future management of the Mount Lofty Ranges is an extremely complex and sensitive issue, as I am sure all members of this House would recognise. Some short time ago I convened a public meeting in Echunga to provide the opportunity for people to question a panel that was made up of the heads of Government departments and organisations which included local government and the UF&S.

**The Hon. T.H. Hemmings:** How many turned up?

**The Hon. D.C. WOTTON:** It was an excellent meeting and was very well attended. I cannot recall exactly, but I think somewhere in the vicinity of 500 people turned up at that meeting. It is a great pity that the Minister did not see fit to accept the invitation to attend that meeting because I believe that if she had she would have a much better understanding of what this motion is about. On that occasion the opportunity was provided for people to question and comment on their concerns about the outcome of the management plan and the SDP.

We realise that both plans are available for consultation at this stage, and I know that a considerable number of people and organisations within the Mount Lofty Ranges will take the opportunity to make appropriate representation during that period. There is considerable concern, particularly on the part of those who will be genuinely disadvantaged as a result of the plans. As I said, it is a pity the Minister was not at that meeting to hear firsthand some of the concerns that were expressed.

I am aware that the opportunity will be provided to speak in more detail on this matter during debate on the Real Property (Transfer of Allotments) Amendment Bill which, I understand, will come before the House for debate next week. At that time I intend to put forward some examples that have been brought to my attention where people will suffer considerable loss as the result of the introduction of these plans.

It is not my intention tonight to refer specifically to examples that have been brought to my attention. I believe it is only when people realise just how significant some of those difficulties are that they will understand the importance of the motion and the suggestion that the Environment, Resources and Development Committee consider the matters to which I have referred.

I have no idea—and I do not believe that anybody else knows—of the extent of this problem. We really do not know how many property owners are suffering losses as a result of this plan. By bringing it to the attention of this committee (and I believe that the committee to which I have referred is the appropriate forum to do this work), it will have the opportunity to determine the extent of the concern within the Mount Lofty Ranges. It is also important that it considers the nature and extent of losses and the options available for redeeming losses.

I am not able to refer in detail to the legislation to be debated next week, but I simply indicate that the introduction of the transfer of allotments system—and it is to be known under a different name as the legislation will point out—is only one of a number of alternatives which may be considered to provide some form of compensation for families and those people who are severely disadvantaged. I have no idea—and I do not think the Minister has any idea—whether that system will work. We will have to consider whether it is appropriate that an opportunity be provided to see whether it will work.

I point out that, if the legislation passes, it will be the only form of compensation available to assist these people. It is vitally important that we look at other options that might be available for redeeming such losses. It will also provide the opportunity for the committee to look at alternative technologies available to minimise disruptions to landowners resulting from the management plan and the supplementary development plan, and it is important that that should happen.

As I said at the outset, this is a very complex and sensitive issue. I have spent all my life in the Adelaide Hills. My family is the fourth generation to have lived in the same area and to have worked the same property. As a result of that, I know something of the respect that landowners have for the ranges, and I believe quite genuinely that the majority of people who have been fortunate enough to farm sections of the Adelaide Hills recognise the responsibility that they have in ensuring that the good agricultural area is retained for further agricultural pursuit. Also, I believe that the majority of people recognise the responsibility that we have to ensure that the water catchment is protected. Many discussions have revolved around that subject over a very long period.

As shadow Minister of Water Resources, I find it difficult to come to grips with the matter of protection of the watershed catchment area. I say that because no hard data is available to indicate the extent to which water quality has deteriorated, if it has deteriorated at all, over a period of time. It would be much easier if that data were available. I can assure the House that I have spent a considerable amount of time speaking with Government authorities and officers of various departments seeking such information. I have also been very interested to learn from discussions that have taken place where people have sought information that would make it easier for them to make a decision. The advisory committees set up as part of the whole Mount Lofty Ranges review have found it difficult to obtain that information.

Members of the House would realise that the Mount Lofty Ranges review has proceeded over a period of nearly five years and has involved an enormous number of people who, over that period, have given up their time and knowledge in a voluntary capacity. The exercise has been very costly as far as the taxpayers are concerned. A number of estimates have been placed on the overall cost of the review. The official estimate was $4 million, but I would suggest that it was much more than that, probably closer to $5 million or $6 million, when one considers the amount of time provided by officers of various departments in working towards a solution. Advisory committees and other committees have been established in more recent times made up of representatives of local government and heads of departments, etc., and those people have been working closely with the Minister to bring down a satisfactory plan.

A draft was brought down in December last year, and that really was a form of consensus. At that time the local government consultative committee was very much aware that it had to give a certain amount to achieve a compromise, and that compromise was in the form of a draft plan introduced in December last year. Considerable concern was expressed because the Minister went further than the recommendations contained in the draft without appropriate consultation. I believe it was a great pity that that happened because, up until that time, there had been a general feeling amongst those involved that they were happy to work on

that draft plan on an appropriate basis for further consultation. I am pleased that, in more recent times, the Minister has come back somewhat from her original position to one that is very similar to that which was provided for in the draft plan of December. I hope that that will provide an appropriate basis for consultation, and I am sure that that would be the wish of the people of the Mount Lofty Ranges.

Returning to the purpose of the motion, a considerable number of people are disadvantaged. It is appropriate that an independent parliamentary committee determine how many people are involved, how they can be assisted and the alternative technologies that may be available to minimise disruption to land-holders resulting from the management plan and the supplementary development plan. I believe it is essential that this happens, and I would hope that the majority of members of the House would support this resolution, particularly on the part of those people who live in the Mount Lofty Ranges.

**The Hon. D.J. HOPGOOD** secured the adjournment of the debate.

## STATUTES REPEAL (EGG INDUSTRY) BILL

Adjorned debate on motion of Hon. Frank Blevins (resumed on motion).

**The Hon. E.R. GOLDSWORTHY:** As I said prior to the dinner adjournment, after an abusive outburst from the member for Napier against my friend and colleague the member for Murray-Mallee, from one who has so traitorously and treacherously deserted his friend Mr Groom, whom he was supporting in Napier—

**The CHAIRMAN:** Order! The topic of this matter is the egg industry Bill. Secondly, members will be referred to by the names of their electoral districts. The member for Kavel.

**The Hon. E.R. GOLDSWORTHY:** I was simply debating in the same tone as the member for Napier. I apologise to the Committee and to the Chair for the low tone of my remarks: it was set by the previous speaker. I will try to lift the tone of the debate.

*An honourable member interjecting:*

**The Hon. E.R. GOLDSWORTHY:** Well, it has really been down in the gutter from the honourable member. I must say that I was more than disappointed with the way he deserted his former friend and colleague, for whom he was the numbers man. It is most important that we deal with the egg industry Bill fairly. I cannot for the life of me understand why the Government cannot see the justice of spreading the assets that come from the sale of the meagre assets of the board—sharing them fairly among all egg producers on the basis of their hen quotas. I cannot conceive anything fairer than that. I am sorry that the member for Napier is so consumed by something or other—perhaps remorse—that he cannot see the justice of that, because it is eminently just. Of course, we on this side of the House insist on acceptance of the amendments of the Upper House.

**Mr S.G. Evans:** And justice.

**The Hon. E.R. GOLDSWORTHY:** Yes, and justice. We are standing for the basic principle of justice, as we always do. I am tempted to remark that poor old Mr Groom, the member for Hartley, got less than justice from his former colleague. We insist that these amendments be supported, and we intend to stay with that position.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs P.B. Arnold, De Laine and Gunn, Mrs Hutchison and Mr L.M.F. Arnold.

## UNIVERSITY OF SOUTH AUSTRALIA (COUNCIL MEMBERSHIP) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 March. Page 3322.)

**The Hon. JENNIFER CASHMORE (Coles):** The Opposition is pleased to support this Bill, which is the final act—if any legislative act can be so described—in the establishment of the University of South Australia. The university, which was formed by the amalgamation of the South Australian Institute of Technology and the South Australian College of Advanced Education, came into being in January last year, with interim provisions for a council which was composed of members, 10 in each case, from the governing bodies of the amalgamating institutions. The term for that interim body will expire fairly shortly and it is, therefore, important that Parliament passes the Bill and ensures that the university continues in good status and is well served by its statutory structure.

The council was required to report by the end of 1991 on the operation of the Act, making specific recommendations on the long-term structure of the council. The Bill deals with the implementation of those recommendations. They provide for a structure which is quite distinctively different from that of the existing universities. The University of Adelaide, the first established university in this State, has a senate which is comprised of all graduates and graduate staff and which elects members to the council, and those members can be chosen quite freely from the South Australian community. Likewise, Flinders University has no restriction on who can be elected by convocation of the council, and membership of the convocation includes all graduates and members of staff who are graduates.

The legislative review committee of the new university proposes that six members should be appointed by the Governor on the recommendation of the Minister after consultation with the Leader of the Opposition; two members of Parliament should be appointed by the Governor pursuant to a joint address from both Houses of Parliament—this proposal differs from the practice in the other two universities, whereby four members of Parliament are elected, two from each House—and 10 members as described in clause 6 of the Bill should be elected.

My colleagues have thought deeply and there has been considerable and vigorous debate about the proposition that six members of the council should be appointed by the Governor on the recommendation of the Minister after consultation with the Leader of the Opposition. There is a general feeling amongst my colleagues that the best form of academic institution is one that is independent, as far as possible, from government influence. Nevertheless, we recognise that the university which we are considering tonight is a unique body. Along with other universities in Australia, it comprises bodies which have merged from the previous technical and further education sector. In some cases, these mergers have been marriages which are already foundering on the rocks, notably in the case of Armidale.

**The Hon. M.D. Rann:** Not ours.

**The Hon. JENNIFER CASHMORE:** No, not ours: Armidale University. Because of the nature of the merging institutions and the considerable numbers of graduates who would form either a convocation or a senate—whatever it is called—one has to acknowledge that that would be,

administratively, an extremely difficult body. Therefore, the Liberal Party recognises the simplicity and administrative ease, which has a lot to recommend it, in the proposition that the Minister has put before the House on the recommendation of the University Legislative Review Committee. Nevertheless, whilst there is no evidence whatsoever that the Minister has stacked or would contemplate stacking the council, we believe that should be guaranteed by the way in which the legislation is drawn.

The Minister dismisses the possibility of such a proposition in his second reading speech; he acknowledges it as undesirable. Our view is that, in order to ensure that it simply cannot occur, not only should there be consultation between the Minister and the Leader of the Opposition, but that the Leader of the Opposition should indicate agreement to the candidates proposed by the Minister. Another feature of the Bill which concerns the Liberal Party is the proposal to abolish the office of visitor.

**Honourable members:** Hear, hear!

**The Hon. JENNIFER CASHMORE:** I am pleased that there are others in the Chamber who are concerned about this proposition and who, like many, if not all, on this side of the House have considerable respect for offices which, though ancient, are still relevant and which, though symbolic, still have a useful function to fulfil. The reason given by the university for repealing the provision for the office of visitor is that it has been the subject of representation by litigious staff and students who are involved in disputes with the university.

Another reason that has been put forward is that it is inappropriate that a narrow section of society (namely, students and staff of the university) should have access to a quasi judicial body to which the rest of society has no access. I do not believe that that argument can be sustained. For example, the Administrative Appeals Tribunal gives members of the Public Service rights of appeal which are denied to other citizens, which simply are not provided to the rest of society. It seems not unreasonable that the office of visitor should be maintained, notwithstanding it is an ancient office which is now being accommodated in a very new university.

The Liberal Party believes that that office provides the opportunity for an important safeguard against abuse within a university of any of the university's functions. It also believes that there is a need for an independent person to exercise judgment and, as is the case with all the visitors that I have known, be in a position to exercise accumulated wisdom in assisting the university to resolve any disputes. The Liberal Party also believes that the role of the council is so important and the budget of the council is so significant that at least two of the members who are appointed to it by the Minister should be chosen on the basis of their financial expertise.

**Mr Such:** Not just that.

**The Hon. JENNIFER CASHMORE:** As my colleague said, 'Not just that.' Whatever other qualities they are able to bring to the council, they should be able to assist it in the exercise of responsible financial management. The other clauses empower the university to offer awards jointly with other universities. That continues to be an important and useful provision in the light of amalgamations and the newly emerging importance of career paths and opportunities for acquiring qualifications taking into account previous educational achievement.

One aspect of the Bill requires that statutes and by-laws made by the university council must, once confirmed by the Governor, be placed before both Houses of Parliament where they may be disallowed. That is a feature of the present Act and of the Acts of the other universities. This Bill repeals provisions which require changes to statutes dealing with academic matters and matters relating to internal operations and discipline within the university to be laid before Parliament. It is reasonable that internal matters should be the province of the university rather than of the Parliament, and the Opposition has no objection to that clause.

Before proceeding to the broader issues in the Minister's second reading speech, I think it is appropriate, on behalf of my colleagues, that I pay tribute to Professor Alan Mead, the interim Vice-Chancellor, and to Professor Denise Bradley, the interim Deputy Vice-Chancellor, who has now been confirmed in her position, for the sterling work they have done in the first year of the university's existence. Professor Mead has worked untiringly and has had the difficult task of helping to ensure that the direction of the former South Australian Institute of Technology is appropriately joined with the direction of the former South Australian College of Advanced Education.

One might suggest that the two institutions were in some ways curious marriage partners. On the one hand, we have a long tradition of technical education in the former School of Mines and Industries, which became the Institute of Technology, with an orientation towards practical and technical subjects and the professions. On the other hand, we have a teacher training institution spread over several campuses with a quite different ethos and approach. Those two cultures have had to merge. In the process I believe there has also been some adjustment from a gender perspective.

The South Australian Institute of Technology could fairly have been described as a male dominated institution by the very nature of its purpose, commencing last century and continuing into this one, whereas the South Australian College of Advanced Education certainly represented the trends of the times in which it was established: the emergence of the women's movement in the 1970s and the use of educational institutions to educate women in matters that went beyond academic texts. Quite a bit of adjustment has been necessary on both sides and that adjustment will continue. I believe that the University of South Australia is recognised nationally as adjusting infinitely better than some other institutions which are finding the road very heavy going indeed.

The Minister's second reading explanation contained some very interesting, indeed fascinating, information about the achievements of the university. I should like to select one or two of those achievements and respond to them because of their importance to the State. The achievement of establishing Australia's first university faculty of Aboriginal and Torres Strait Islanders studies is most important. It is particularly pleasing that it occurred in this State, which houses in its museum the finest repository in the world—the finest in Australia would have to be the finest in the world—of Aboriginal cultural objects.

The existence of the faculty of Aboriginal and Torres Strait Islanders studies provides, in my opinion, the opportunity for a much greater world focus by ethnologists and anthropologists on indigenous peoples. That study is of considerable fascination in North America and in Germany and provides a great opportunity for cultural tourism in South Australia and New Zealand. The fact that students from the United States, Israel and Iceland are coming to the School of Physiotherapy for postgraduate study is a recognition of the fact that the university is a leader in physiotherapy research.

I make the point that, whilst this is an academic achievement, it is also an economic achievement in so far as every

student who comes to our universities and other educational institutions earns the State export income. A further opportunity for the earning of export income is the joint venture with the Department of Agriculture and the university in the development of a seed placement test rig. As the Minister says in his second reading explanation, the effectiveness of seeding procedures and their effect on crop yield will be greatly enhanced as a result of this test rig: again, more export income for South Australia and a wonderful demonstration of the economic benefits to a community that values and cherishes its tradition of scholarship and research.

The same can be said about the partially parallel stump jump mechanism, which could save farmers around $100 million a year in tillage fuel costs. All this makes very exciting reading, and I should like to see far greater publicity and promotion given to these achievements of the university. Another that is of particular interest to me is the research and development work by the energy/engines group at the university's School of Mechanical Engineering. That achievement prompts me to refer to the considerable energy research grants to the university that were won by South Australian scientists.

These were announced last month (on 10 March) and totalled $250 000 to seven scientists in different disciplines at the University of South Australia. The State Energy Research Advisory Committee made the grants in recognition of projects under way at the university to find ways of conserving energy and reducing pollution. The grants ranged from $34 000 to develop energy saving strategies for industrial variable speed drives, to $15 000 to research and test theories identifying people or companies predisposed to taking up energy efficient practices and principles. That, again, is tremendously important to the economic development of South Australia.

One major research project that is probably, in its economic impact, more important than all the others, I would estimate, is the research project funded through the Australian Mineral Industries Research Association into the chemistry of processing sulphide minerals. Because of my interest in this subject, I contacted the Australian Mineral Foundation to obtain an industry response to this research project and learned that Professor John Ralston from the School of Chemical Technology at The Levels, working closely with the Gartrell School of Applied Geology, Mining, Engineering and Metallurgy, has attracted this grant, which is of potentially enormous significance to Australia.

As you, Madam Acting Chair, would no doubt know because of the nature of your electorate, Mount Isa, Broken Hill and Olympic Dam have much sulphide material in their ore. Any process that improves the economies and efficiencies of metal sulphide recovery and separation is very important to the mineral industry in Australia and to the national economy. The significance of that research is so great that it has been reported in the 13 March 1992 edition of the *London Mining Journal*, a very prestigious publication. Under the heading 'Research—Australian Flotation Research' the report reads:

> The University of South Australia is combining conventional metallurgy with sophisticated chemical techniques to develop strategies for improving recovery and grades from nickel, zinc and lead sulphides. The program is reportedly one of the biggest of its kind in Australia and one of the largest chemical research programs current in the international mineral processing industry.

The fact that this is happening in South Australia is of enormous credit to the University of South Australia. Numerous other achievements are identified in the Minister's second reading explanation, upon which I will not comment because of the time. I do want to say, as a member of the House of Assembly Select Committee into Primary and Secondary Education, that the role of the university in the preparation of teachers is one of the most, if not the most, critical role that it plays. The changing of status from a College of Advanced Education to a university will have occupied the considerable attention of the staff and, no doubt, the students, but the work of the university in preparing students for teaching in South Australia will have a huge impact on this State in the next century.

The importance not only of theories of education but actually of training people to teach, to go into classrooms and to deal with children, is paramount. I know that the Minister of Education would join me in expressing some wistfulness that the independent nature of universities makes it very difficult for Governments or for outsiders to influence the nature of that teacher training process. I think, therefore, there needs to be a closer association and cooperation with the product of the process and (I hate to use the word) 'consumers'—children and parents whose views are important and need to be taken into account when undergraduate teaching programs are being developed.

I was presented today with a very useful document from the Office of Tertiary Education entitled 'South Australian universities—a thumb-nail sketch'. In order to appreciate the size of the University of South Australia and, therefore, its importance in our community, I seek leave to insert in *Hansard* a purely statistical table identifying the total number of students in Australian universities, the percentage of the total and the staffing of those universities. As *Hansard* will be a reference in times to come, it is appropriate that this table be incorporated, and I seek leave to do so.

**The ACTING SPEAKER (Mrs Hutchison):** Is it purely statistical?

**The Hon. JENNIFER CASHMORE:** It is.

Leave granted.

Total Students 1991

| | No. | % | EFTSU | % |
|---|---|---|---|---|
| University of Adelaide | 12 446 | 29.0 | 10 835 | 32.1 |
| Flinders University | 9 962 | 23.2 | 7 836 | 23.2 |
| University of South Australia | 20 579 | 47.9 | 15 081 | 44.7 |
| | 42 987 | 100.0 | 33 752 | 100.0 |

Commencing Students 1991

| | No. | % | EFTSU | % |
|---|---|---|---|---|
| University of Adelaide | 4 939 | 27.5 | 4 310 | 30.1 |
| Flinders University | 3 590 | 20.0 | 2 865 | 20.0 |
| University of South Australia | 9 437 | 52.5 | 7 137 | 49.9 |
| | 17 966 | 100.0 | 14 312 | 100.0 |

Staffing 1990

| | Academic | | Non-academic | |
|---|---|---|---|---|
| | No. | % Female | No. | % Female |
| University of Adelaide | 938 | 22.6 | 1 639 | 56.8 |
| Flinders University | 581 | 33.0 | 1 086 | 69.3 |
| University of South Australia | 1 016 | 36.9 | 901 | 54.6 |
| | 2 535 | 30.7 | 3 626 | 60.0 |

Government Funding 1991 (including student contributions)

| | $ m |
|---|---|
| University of Adelaide | 127.7 |
| Flinders University | 78.0 |
| University of South Australia | 123.1 |
| | 328.8 |

**The Hon. JENNIFER CASHMORE:** I conclude by referring briefly to the fact that when the Act was before Parlia-

ment in 1990 the Upper House insisted on a review of health science education. The fact that some of the health science disciplines remained within the University of Adelaide and others were separated from it and became part of the University of South Australia was a matter of considerable concern for those who regarded the multi-disciplinary nature of health science as being important in the teaching process.

I will be questioning the Minister during the Committee stage about the results of that review and the outcomes, and what efforts, if any, the Government is making to ensure that that multi-professional education is being maintained. The quality of that education has a profound impact on the quality of health services in South Australia. I conclude by commending the university and its staff for what has been achieved in its first year of operation, wishing it well under its new and definitive statute, and expressing the hope and expectation that the Opposition's view about changes which need to be made to strengthen the process of council appointments and to retain the office of visitor will be supported by the House.

## STATUTES REPEAL (EGG INDUSTRY) BILL

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 10 a.m. on Thursday 2 April.

## UNIVERSITY OF SOUTH AUSTRALIA (COUNCIL MEMBERSHIP) AMENDMENT BILL

Second reading debate resumed.

**The Hon. T.H. HEMMINGS (Napier):** I rise both to praise the Minister and then to damn him, because, whilst there are certain aspects of this legislation which are extremely praiseworthy, other sections strike at the very core of the democracy in which we have the pleasure to live. In praising the Minister, some fine words were spoken in his second reading explanation and, referring to the fact that this is the final step by Parliament in establishing the University of South Australia, the Minister said that he knew there was a great deal left to do within the university in setting its sights on the future as a major South Australian institution. I have no problem with that, and in her contribution the member for Coles outlined many of the areas concerning which we should be praising not only the Minister but also the University of South Australia.

I would like to thank the Minister, who made it possible for me to inspect the joint venture, the seed placement test rig, which is a joint venture with the South Australian Department of Agriculture and the university has been developed and will aid vital research into maximising the effectiveness of seeding procedures and their effect on crop yields. I thank the Minister for allowing me to see that at first hand. The other area which the member for Coles mentioned was the partially parallel stump jump mechanism, which was developed by the university. I had the pleasure of seeing that at first hand also. When one looks at the cost savings to agriculture for not just South Australian farmers but Australian farmers—

*The Hon. Jennifer Cashmore interjecting:*

**The Hon. T.H. HEMMINGS:** That is right, and I echo that interjection by the member for Coles. The member for Coles covered other areas. Other fine words were spoken by the Minister when he said:

> So it is clear that this new university is already making its mark in the international research field and is already making a significant contribution to the scientific and technological development in South Australia. I think the university deserves the congratulations of this House on its efforts so far.

A little more than international research is being undertaken, and a little more than scientific and technological development is taking place here in this great State in which we live. There is a little about history here which we should all be jealously guarding and protecting and, in effect, the Minister has acquiesced to demands by the university council in relation to the office of visitor to the university.

The member for Coles mentioned in her contribution that the relevant clause will be opposed, and it should be opposed not only in the sense of direst opposition. The member for Coles is good at numbers, and she will get an ally on this one, so I would frantically try to work out some other amendments if I were she, because you cannot merely oppose something. There is a valid argument in what the university is saying in relation to where this office of visitor to the university is being abused. I have no problem with the Minister actually mentioning that in his second reading speech, but one does not just walk away from it and say that, because it is not working and is being abused by people at the university, one should get rid of it. That is the coward's way out. We all know that the Minister has been pretty poorly lately, and I would suspect that he therefore acquiesced to this outrageous demand by the university.

**Mr Ferguson:** In a moment of weakness.

**The Hon. T.H. HEMMINGS:** In a moment of weakness, as my colleague the member for Henley Beach says. I would like to place on record a meeting I had with the Minister this morning, when I had to remind him of his roots and of his claim of a direct line which can be traced to Ethelred the Unready—I accept all that: it is on his maternal grandmother's side, by the way. It is all very well to boast of royal lineage, but with that lineage comes a certain responsibility, and one is expected to live up to and promote that line to which one belongs. I have also had to remind the Minister that, when both his grandparents were made homeless by the bombs of the Third Reich in the Second World War, the Queen Mother was there to offer not only condolences—

*The Hon. Jennifer Cashmore interjecting:*

**The Hon. T.H. HEMMINGS:** The point I am making is that, if one has an affinity with the concept of the office of visitor to the university, one should then carry that commitment through to legislation. I would have thought that was obvious. Perhaps the member for Coles is a little astounded that I am actually supporting something that she is putting forward. As I was saying before I was interrupted, when the Third Reich dropped its bombs and made the Minister's grandparents homeless, believe it or not, there was the Queen Mother to provide royal comfort and condolences.

**The SPEAKER:** I draw to the attention of the member for Napier the need for relevance, and on a perusal of this Bill I see no reference at all to the Queen Mother or the royal family, so I would ask the honourable member—

*The Hon. T.H. Hemmings interjecting:*

**The SPEAKER:** Order!

**The Hon. T.H. HEMMINGS:** There is a tie up, Sir.

**The SPEAKER:** I would ask the honourable member to link his remarks to the Bill.

**The Hon. T.H. HEMMINGS:** The link is in clause 14, which repeals the office of the visitor to the university, that is, the Governor, who represents our Queen of Australia, our royal family, and that is the linkage. It is also my duty to remind the Minister and to place on record the fact that

he gave a commitment to me this morning—bearing in mind I have no political clout—that he would accept any mechanism that would maintain that cornerstone of university life, that is, the office of visitor to the university. The Opposition's answer to just oppose the clause is not sufficient. If some people are rorting that office of visitor to the university, then by all means let us do something about it.

If there are staff and students who are seeking to use the visitor as a further court of appeal for disputes with their institutions, I have every sympathy with the university and the Minister. But, that is not sufficient ground for this university, which claims to be one of the leaders of all the universities in this State and which proudly vaunts its technological skills, scientific leadership and vision of the future, to forget the common roots that we have with our great royal family. That is why I have made reference to the Queen Mother.

Sir, I am sure that it would be of great interest to you and the rest of the House to learn that in most British universities the visitor is the Queen Mother—over 90 years old and still prepared to carry out that great and glorious tradition. Yet, here we have a piece of legislation that will wipe it off forever in this university. I was expecting that the Opposition would do something more than just oppose the clause. I beg the Opposition to come up with something that we can support, and, if it does, I assure it that, if necessary, I will cross the floor.

**Mr SUCH (Fisher):** I will make a brief contribution in support of the Bill. As the lead speaker, the member for Coles, said, the Opposition supports the Bill. The first good thing to be said this evening is that there is bipartisan support for the Bill, and I think it is very important that this university—one of our key institutions—has the support of all members of this place. The university is relatively young, but we recognise that the institutions of which it is comprised have very long and proud traditions. In seeking to establish a council, the university is confronted with one of its most difficult tasks because it has to balance not only its internal but also external aspects.

The Bill creates a university council that is different from that of other universities. That is quite appropriate because I do not think that the University of South Australia should seek to be a carbon copy of the other two universities. It should not seek to be different just for the sake of it, but I believe that it should treasure its difference. It should be equal to but different from the other two universities. I believe that the proposed council is a reasonable compromise, and I am pleased that the Minister has accepted the suggestion put forward by the Opposition in relation to some of the clauses in the Bill so that the agreement of the Leader of the Opposition is required in respect of persons appointed by the Governor on the nomination of the Minister. I believe that that will get rid of any taint or suggestion that there could be stacking of appointees. I commend the Minister for agreeing to the suggestion and for once again keeping with the bipartisan support for this proposal.

It is pleasing to see that recognition is given to general staff. I believe that it is easy to downgrade the contribution of general staff. I personally take a very strong dislike to people who do that because, whatever their role within this or any university, the general staff, whether they be clerical or otherwise, are vital and critical people within that institution. So, it is pleasing to see that within the council there are to be two representatives of the general staff who are to be elected by the general staff. Similarly, there will be student representation on the council, and I believe once again that that is a positive approach that will acknowledge that students are part of the university. That might seem strange, but that recognition has been a long time coming in some institutions.

The Bill also provides for co-opting, and I think that that is a useful provision because there are people in the community who would be willing to serve and who could be asked to contribute to the running of the university via membership of the council. I notice that fewer members of Parliament will be on this council than is the case with other universities, and there are differing viewpoints on that. Being a member of another university council, I do not hold a strong view either way on that. However, I just note that the University of South Australia presumably believes that quality is better than quantity.

I am pleased that there is no prescription about gender or other attributes, other than the two matters to which the Minister has agreed in relation to financial expertise. I hope that we are getting towards a situation where issues such as gender, race and so on will not be issues of contention; that we can look forward to a time when, if all the members of the council happen to be women, Aborigines or people of migrant background, it will produce no comment whatsoever. I think it is a useful omission not to go down that track of being prescriptive and saying that so many members must be males and so many must be females. I think that this is a mature adult approach, and I trust that within the composition of the council there will be generous and adequate representation not only of women but also of persons of Aboriginal and migrant background.

As was indicated earlier by the member for Coles, one of the great attributes of the University of South Australia in respect of the institutions that gave rise to it was the role and focus on Aboriginal people and their culture through Aboriginal studies. That was the case in both the old Institute of Technology and the South Australian College of Advanced Education. I think that in the current climate, when there is a lot of talk about racism in our community (which undoubtedly exists), we should not overlook the positive developments and the progress that has been made within those two institutions, which are now part of the University of South Australia.

For a long time those institutions did much good pioneering work and continue that work in terms of teaching about the richness of Aboriginal culture and training Aboriginal people, and long may that continue. In that sense, I believe the University of South Australia is of special significance, and I say this not to decry the efforts that are being made by the University of Adelaide or Flinders University in respect of Aboriginal persons but to note the particular contribution of the University of South Australia and the institutions that gave rise to it.

In looking at the composition of the council, I believe that no individual or group will be able to dominate, and that is most important. It is a fallacy to believe that within universities there is no politics. Universities are one of the most politicised institutions around. I believe that on the council there will be a reasonable balance between administration, teaching staff and academic staff. In fact, at least four academic staff, in addition to the Vice Chancellor and others, will be elected to the council by their fellows. I believe that on the council will be a reasonable balance of the groupings within the university and a reasonable representation of people from outside it. It is noted that there is no strong emphasis on anything approaching a convocation, and I believe that that is quite appropriate because the use of a convocation to generate members on a council

can be very expensive, time consuming and difficult to operate.

One of the traditional difficulties with university councils relates to the representation by students. As I indicated earlier, it is pleasing to see that there will be several students on the council. The University of South Australia will have the difficulty, because of its multi-campus character, of trying to ensure that the student representation is fair across those campuses. That is something of which I am sure the university is mindful.

The other difficulty which arises in respect of student representation is that often the student representatives on university councils are not strictly representative in the sense of representing the total student body. Often the people who stand for election as the student representative tend to be the people who have some particular commitment to an ideology or a particular focus on life. Often the student representatives tend not to be representative of the wider student community. The answer to that dilemma is that the students must involve themselves and make the effort to ensure that the people who represent them on the council are genuinely representative of the total student body.

In conclusion, I believe that the University of South Australia offers a unique opportunity, given its origins and the contribution from the institutions that gave rise to it, to generate a new vigour, vitality and creativity in tertiary education in this State. I look forward to the continuing contribution of the university to the life of South Australia. I believe that education is one of the keys to economic recovery. Of course, it is much more than that, but I trust that the university will continue and develop even further its commitment to teaching and research.

Whilst we are focusing here on a university council we should always be mindful of the purpose of a university, which is teaching and research. I take the opportunity to wish the University of South Australia well. I congratulate the staff and students and its new council, whoever the new members may be, and take pleasure in the fact that this measure has the support of all members of the House. I commend the Bill to the House.

**Mr FERGUSON (Henley Beach):** I also rise to generally speak in praise of the Bill before us. I congratulate the Minister, who can truly be dubbed the 'Father of the University of South Australia'. I commend him on the proposition before us, except for one area to which I will return later. The member for Napier very adequately covered the excellence of this university and referred to the technology and some of the things that are a matter of excellence so far as the university is concerned. I also commend the comments of the members for Coles and Fisher with respect to their contributions to this Bill.

I can reveal the fact that I have had a sneak preview of the proposed amendments by the Opposition. I know I am not allowed to refer to them but, having had a sneak preview of them, I am at liberty to say that I will support them. They seem to be very sensible so far as this proposition is concerned. In a bipartisan way, when the opportunity presents and the Opposition comes forward with sensible suggestions, we should all go forward and accept what it puts up, and in this context they will add to the quality of the proposed legislation. However, I do take issue with what the Opposition proposes with respect to clause 14.

I concur with the thoughts of the member for Napier. I believe that the visitor to the university should remain. In his second reading explanation, the Minister referred to apparent vexatious litigation that has been taken out against the Queen's representative. As I said the other day, there is probably over 150 years of parliamentary experience in this place, and we should be able to put together a form of words to maintain the visitor to the university while excluding the litigation to which she is apparently being subjected. Even if she is being subjected to that litigation, like my colleague and other members opposite from what I can understand from the debate so far, I would not like to see the visitor eliminated from this piece of legislation.

Until such time as a referendum is conducted in Australia and we have the opportunity as a nation to decide whether or not we should acknowledge the Queen, I believe we are duty bound in this institution to support the monarchy, especially in relation to the connection with this university. It is not unusual for monarchs to give patronage to universities and to visit them. We can trace back this form of visiting universities by the monarchy to 300 BC. I refer specifically to King Alexander the Great who visited the University of Alexandria 300 years before Christ was born. The city of Alexandria was set up in 332 BC and was founded by the Ptolomites. Thirty-two years after the initial establishment of that city, the university was founded. We know from our history books that King Alexander visited the university and that patronage was one of the reasons the university actually went from strength to strength.

Kings and queens have visited the universities long before Parliament evolved as an institution, and their original role was to settle disputes. That was one of the reasons monarchs visited universities from time to time. We know that, in the days before Parliament, disputes were settled by the monarch. There used to be a long line of people who would visit them; they were given an audience, and would put their proposition before the monarch as to their particular grievance, and he gave out instant justice, on the spot.

**The Hon. Jennifer Cashmore:** And she did, too!

**Mr FERGUSON:** Whether the monarch was male or female, justice was dispensed on the spot. We know that universities were set up in the British Isles in about the twelfth century. The influence of universities has been greatly extended by royal patronage, and King Henry VIII was a typical example. It is well known that he provided the finance for the college of the university, and that university went from strength to strength.

There has been a very deep and abiding link between the people of South Australia and the monarch herself. Who could forget the words of our Prime Minister, Sir Robert Menzies, during the royal visit in 1963, as follows:

> It is a proud thought for us to have you here and to remind ourselves that, in this great structure of government which has evolved and of which our Parliament is a part, you are the living and loving centre of our enduring allegiance. Ma'am, you today begin your journey around Australia. It is a journey you have made before. You will be seen in the next few weeks by hundreds of thousands—I hope by millions—of your Australian subjects. Mothers will hold their children up to have a look at you as you go by, and they themselves and their husbands will have a look at you. This must be something which to you is almost a task. All I ask of you in this country is to remember that every man, or woman or child who even sees a passing glimpse of you go by will remember it—will remember it with joy—will remember in the words of the poet who said—'I did but see her passing by, and yet I love her till I die.'

We have known of the Australian public's affection for the royal family, and it would be an indignity if the office of university visitor was cast off, so to speak, and the royal connection to the university was no more. I hope that I can talk for long enough so that the Opposition can draw up an amendment under which this Parliament can ensure that we maintain the royal connection to the University of South Australia.

This is the one matter on which the Minister and I differ. I was extremely disappointed that the Minister could not see himself agreeing to maintain the office of visitor to the university. I hope that, if we cannot come to an agreement on this proposition, the Minister accepts the argument which, we have been told, is to be put by the Opposition, that is, that the clause remain as is and is carried. I hope that the Minister will give deep consideration to this matter and that, before the Bill reaches another place, an amendment will be drawn up to stop the vexatious litigation that is taking place in relation to the Queen's representative. I also hope that the office of visitor will remain because our history indicates that royal patronage of the universities has advantaged them.

I believe that the universities should continue to take advantage of this royal patronage, and we should take every opportunity possible to retain the links with royalty. Before this Bill reaches another place, a suitable amendment could be drafted to assist every member on both sides of the House, because it appears to me that everyone is in agreement in relation to this proposition. This is one of those rare moments in history. I have been in this place for over a decade, but I have rarely seen a situation where we reached total agreement. The amendments proposed by members opposite, in the main, look pretty good, and I think we can agree to them. We as a Parliament should express the view that we want to maintain the office of visitor to the University of South Australia, thus maintaining the links between that institution and royalty.

**Mr BRINDAL (Hayward):** The night before the Battle of Agincourt, Henry V, in commending the troops, said:

We few, we happy few, we band of brothers.

And, in deference to the member for Coles, he should have said 'and sisters'. I feel that everyone in this House must feel like that; after the contribution of the member for Henley Beach, few members in this House can ever have witnessed a flight into the realms of fantasy as has just been presented in this House. I think we owe a debt of great gratitude to the member for Henley Beach: he has taken the depth of debate in this House to new levels.

**Dr Armitage:** Heights.

**Mr BRINDAL:** No, levels. I will rush to my history books, because the member for Henley Beach told us that Alexander the Great was the first visitor to the university. I must check that, because I understood that the Ptolemies, who were the last Pharaohs of Egypt, Cleopatra being the last Ptolemy, were descended from the general who took over Egypt after Alexander died. So, unless Alexander was one of those deity-type beings who suffered resurrection, I do not see how he could have visited the University of Alexandria if, in fact, he were dead. I accept that the member for Henley Beach has done his homework, so I will have to rush to my encyclopaedia to see whether history has it wrong, whether the member for Henley Beach has it wrong or, indeed, whether I have it wrong.

I was disappointed in one aspect of the contribution of the member for Henley Beach: I was disappointed to see the lack of discipline and unity that appears to be prevailing on the Government benches. To hear the member for Henley Beach scurrilously attacking the statesmanlike stance of his Minister at the table is something new in this Parliament. Normally, members on the Government benches have iron clad discipline and intransigence to the point where we on this side sometimes think that they might be blinkered. However, to hear the honourable member attack, as he did, the Minister at the table for his merely wanting to get rid of the office of visitor at the university is really unusual in this House.

Similarly unusual in light of the statements of the Rt. Hon. Prime Minister Paul Keating are the royalist tendencies which are so often and so vocally exhibited by the members for Henley Beach and Napier. I am sure that, when the Queen requires courtiers to attend her on her next visit to Australia, this House will unanimously recommend the members for Henley Beach and Napier. There cannot be in Australia two more avid followers of Her Majesty.

**Dr Armitage:** They'll both need jobs then.

**Mr BRINDAL:** People who are so avid in their loyalty were often called sycophants, but I would never apply that title to those two members. I commend this Bill to the House and I commend the Minister on the initiative that was shown in the establishment of the University of South Australia. It was a brave and visionary move to try to combine so many diverse schools and campuses, as are embodied in the university, and to create, from those diverse bodies, one new university, the largest in South Australia.

As a person whom this Parliament has seen fit to place on the council, I can tell members that that council has started and is working very well. Elements of that council which have been added by the Minister and which are unlike any of the other university councils have indeed worked and are embodied in the Bill. This Bill is the final putting together of the body of legislation and of all those things which surround the council. It is an excellent initiative.

Although I am inclined to the Minister's view that the office of visitor is not necessary—I hate to chide the member for Henley Beach, but he has got it wrong—it is the custom in this State that the Governor shall be the university's visitor, and that applies to all universities. The office of visitor is not necessarily reserved for royalty or for royal representatives. In fact, the reason why I was anxious to get rid of the office of visitor was that I feared that, if this Government was re-elected after the member for Napier retired, he would probably seek the office of visitor for the University of South Australia, and that was a fate that I would not wish on any university, let alone the university to which I am attached.

I commend the Bill to the House. I commend the Minister for the work he has done, but no less do I commend all members in this place who have used their best endeavours to see that this university is established and has a reasonable and good piece of legislation to form its framework. I think that the university will go from strength to strength and become a model for other universities.

In closing, I should like to report that the university has established what I believe is a first in South Australia, that is, an independent audit function and committee which reports directly not to the Vice-Chancellor and the administration but to the council. There are those who would believe that was the result of such things as the State Bank situation and Adelaide University's suddenly discovering that it did not have any money to build all the buildings that it wanted to build. Those who thought that were probably quite right in their assumption, but I believe it is commendable that the council of the new university is reacting to the perceived need for public accountability and that the university intends to act in a responsible way which will give to the people of South Australia a feeling that the public moneys applied to that university are well spent. I commend the Bill to the House.

**Mrs HUTCHISON (Stuart):** I shall be brief in my remarks and I will make them relevant to the Bill. I should like to

add my congratulations to the Minister and to all those who have been involved in the consultative process that was necessary to bring such a Bill before the House. I am aware that there has been a lot of work in the consultative process to make sure that this Bill is very strong and responsible.

I will address my remarks to two areas of the second reading explanation. The first has already been referred to by the member for Fisher. The university has established Australia's first university Faculty of Aboriginal and Torres Strait Islanders studies. All members will be aware that I have a high proportion of Aboriginal people in my electorate, and I know from speaking to those people that they are extremely pleased that finally there has been recognition of the Aboriginal and Torres Strait Islander people in South Australia with the new University of South Australia. I commend the university and the Minister on the establishment of that faculty.

The other area that I should like to address is research and development. For a long time South Australia has been noted for its research and development, and it is now gaining much more international recognition. I pay tribute to all those who have been involved in that, particularly in the energy and engines group in the university's School of Mechanical Engineering. That is attracting international interest from Government and private organisations in Argentina, Belgium, Canada, Germany, Italy, Japan, Malaysia, New Zealand, Norway and Singapore. Natural gas is seen as the main fuel of the future. Therefore, it is extremely important to South Australia and to this nation that that research work is carried out in South Australia. I see that as a very viable proposition for the future for all of us—that is, internationally, not just nationally.

The last point I should like to make, particularly in terms of my electorate of Stuart, relates to the Whyalla campus of the University of South Australia. I am pleased that the country has a section of the University of South Australia, which is operating very successfully. I foresee that an upgraded number of courses can be taken by country students without their having to travel to the city. That has been a very good step for the University of South Australia.

I am also aware that this is one of the four universities nationally that is providing work through the ABC channel. This is a new initiative for this university, and I applaud it. I congratulate the Minister and all those involved, because it will have some wonderful ramifications for all of us in future. In summary, I am extremely pleased to speak in this debate. I see this as a very important piece of legislation for the State of South Australia and also for Australia as a nation. I commend the Bill to all members.

**The Hon. M.D. RANN (Minister of Employment and Further Education):** I guess that never have I been so praised by my political opponents and so damned by my friends. I regard this as a very important Bill. The University of South Australia was set up in 1990 following a tremendous amount of consensus work involving a series of amalgamations that involved the University of Adelaide, Flinders University, the former South Australian College of Advanced Education and the South Australian Institute of Technology. I am pleased that in finalising this legislation—we had legislation of an interim nature—the original import of the Bill, which was to establish a university that reached out to Aboriginal communities and to areas that had previously been disadvantaged in terms of university education, has been enhanced and, indeed, preserved.

The university has the strongest provisions for equal opportunity and access and equity of any university in this country. It is a university designed to invite rather than impede, to include rather than exclude. I am delighted about the new Faculty of Aboriginal and Torres Strait Islanders administration. Last night I met students at the City campus and today I was at the Underdale campus. I am convinced that there will be a national focus for Aboriginal studies and research.

As regards some of the other areas, I join the member for Coles in paying tribute to Professor Alan Mead, John Macdonald, Virginia Kenny, Denise Bradley, Andrew Strickland and others for their role in establishing the new university, and I applaud the council of the University of South Australia for its excellent work in its first year and a half. On the contentious matters before the House, I believe that it is important for Ministers at times to admit that they are wrong. Tonight, I am prepared to accept all the Opposition's amendments.

I have sat here weighing up the arguments of friend and foe alike, and the message has trumpeted through to me that it is vital that we preserve the office of visitor to the university. Therefore, I am proud to say that I have been convinced by the strength of the arguments. I am a little confused about Alexander the Great's visit to the Levels campus, but I will look up the history books at a later stage. I commend the Bill to the House. What we are doing tonight in good spirit is making history.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Establishment of the council.'

**The Hon. JENNIFER CASHMORE:** I move:

Page 2—

Line 32—Leave out 'after consultation with' and insert 'with the agreement of'.

Line 33—After 'Parliament' insert ', at least two of whom must have expertise in financial management'.

The justification for the changes was expressed in the second reading speech.

**The Hon. M.D. RANN:** We are prepared to accept those amendments.

Amendments carried; clause as amended passed.

Clauses 7 to 13 passed.

Clause 14—'The Governor to be the visitor to the university.'

**The Hon. JENNIFER CASHMORE:** The Opposition and, I gather, the Government oppose this clause, which repeals section 23 of the University of South Australia Act, which reads thus:

The Governor is to be the visitor to the university with the powers and functions appertaining to that office.

In the knowledge the Minister and his colleagues see the merit of retaining the visitor, and in light of the time constraints on the Committee, I simply put the case and oppose the clause.

Clause negatived.

Clause 15—'Power to make statutes.'

**The Hon. JENNIFER CASHMORE:** May I briefly use clause 15 to question the Minister about the status of the review undertaken into health sciences at the university by Professor Malcolm White and Professor Jean Blackburn and ask: what is the outcome in terms of Government commitment to the maintenance of the multi-professional health science education?

**The Hon. M.D. RANN:** The health sciences review was considered very important during the legislation phase in 1990. Because members felt that there were various issues of contention in terms of the amalgamation, as to where pharmacy would be located, whether pharmacy would stay at the University of South Australia or go to the University

of Adelaide, the health sciences review was undertaken by two very eminent Australians. They decided to leave the structures as they are, but the Vice-Chancellors together, in the form of SAGE, which was the committee, are to consider coordinated activities and cooperative developments.

SAGE has written to me and to the Minister of Health asking for nominees for the working party on cooperative and future developments. Dr Blaikie, the head of the Health Commission, and Adam Graycar have been nominated for that first meeting, which I understand is imminent. We look forward to continuing reports from SAGE and to a balanced development and furthering the excellence of our health education system. It was a very helpful review in terms of where we we are going in health sciences education. I know that the Vice-Chancellors will be drawing upon that.

**The Hon. JENNIFER CASHMORE:** I am pleased to have the Minister's response in terms of general support: that confirms the value of the effort in multi-professional health sciences education, but I just make the point that in the early 1980s the Government committed $250 000 a year to that kind of education in health sciences, and progressively over recent years that commitment has been reduced. I realise that this is a question only the Minister of Health could answer, but I should like to make the point that, if the value of multi-professional health education is to be maintained, simply lip service to its importance is not sufficient, and the Health Commission will need to continue to make grants to enable staff to be employed for that health service education standard to be maintained. I make that point and leave it at that.

**The Hon. M.D. RANN:** Obviously, last year about $13 million of State funds was spent on the important area of nurse education, which often tends to be overlooked when health professionals talk about health education. Of course, those responsibilities are to be taken up by the Commonwealth. On other matters I will certainly take up the member for Coles' question with the Minister of Health.

Clause passed.

Title passed.

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

*That this Bill be now read a third time.*

**The Hon. JENNIFER CASHMORE:** As the Bill comes out of Committee, I believe that it is improved. Admittedly, the improvements are small but, I think, significant. I wish the Bill speedy passage through the other place and wish the new Vice-Chancellor (Professor David Robinson) and the new council well in the administration of the university.

**The Hon. M.D. RANN (Minister of Employment and Further Education):** I should like to join the member for Coles in wishing our newest university the very best for what I believe will be a most vigorous future, one that will achieve national and international eminence for the new university. I wish the council and its new Vice-Chancellor the very best for a very productive future in this State.

Bill read a third time and passed.

## ADJOURNMENT

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

That the House do now adjourn.

**Mr BRINDAL (Hayward):** I rise on a matter that I believe has become of increasing concern to members of the Opposition and, I hope, to you, Sir, and members on the Government benches, and that is the degeneration in the level of the standard of debate in this Chamber by some members of the Government back bench. In this Parliament I believe there is a danger that we are always too glum and serious and treat ourselves as if the fate of the whole known world hinges on every word we say and, were this Chamber or any other Parliament to degenerate into pomposity and an overweaning opinion of its own self-worth, either individually or collectively, there would be something very wrong. However, I believe that there is a profound difference between this Parliament's having the ability to treat itself with a certain lightness but, at the same time, a certain gravity, a bit of bubble in the liquid, if you like, and treating this Parliament as a joke.

I am afraid that over the past few weeks I have come to the opinion that certain members on the Government back bench regard this place as little more than a joke. I for one deplore that, and I hope that all members on the Opposition benches would equally deplore it. I am sure that you, Sir, as guardian of the traditions and privileges of this place, may well be equally disquieted, and I would hope that those members on the Government benches who are here for the better government of South Australia would be equally appalled by the habits and behaviour of certain of their members.

I hope that, if any members on the Government benches such as the member for Stuart opposite, who may be present in the Chamber, or others who may be listening, take the point of this grievance seriously, they may say something in the privacy of their Caucus to some of these members. I think we know to whom we are referring. Those members do themselves no service, and they do this House a great disservice. Although they may not be in the Chamber at all times, people in the media are listening, and people in the public at times may be in the galleries, and they do us and them no service. Even more importantly, they do a disservice not to themselves but to those who come into this Chamber after them. Some of them may be on the verge of retiring; this may be their last hurrah but, hopefully, in the centuries ahead, a great many other people will come into this Chamber and take it seriously, and will consider that their job here is to serve the best interests of South Australia. In denigrating this place as a last great joke before they leave, the members to whom I have referred do us no service.

The member for Napier has on his wall downstairs an adage which is quite prominent (if one walks past his room one will see it) and which says, 'Old age and treachery will overcome youth and skill'. I am quite sure that we have all got notices that we might keep in our offices, and there are many funny little notices that we see in all sorts of places. However, there is a danger in taking those notices seriously. I fear that the member for Napier has taken that notice rather to heart, and I would like to record my absolute abhorrence at the contribution which the member for Napier made in a grievance speech yesterday and which was directed towards the member for Hartley.

It is quite clear that, if those utterances had been made in any Chamber other than this and under any circumstances other than under the privilege and protection of this House, the member for Napier would now find himself in serious trouble with the law. What he did was beyond all bounds. You, Sir, know, and I hope that every member of this House knows, that the ancient privilege of freedom of speech that we enjoy was not a privilege that Chambers such as this earned lightly. It was earned at the death of many people who came into Chambers such as this, spoke

up in defiance of the authority of the time and suffered death as a consequence.

It was earned for these Chambers so that, in deliberating on legislation and the good of people, we might speak frankly, fearlessly and honestly. But it was not a privilege that was earned merely for the purpose of some cheap thrill or for the purpose of jibes or escaping the law of the land. When I see one of my colleagues coming into this place and using this Chamber in such a way, I find that abhorrent, and I think that those expressions should find their way, as I know they will tonight, into the *Hansard* to record that abhorrence.

Every member in this House has a duty to speak for their electorate district. We are all elected by an electorate district, and our first responsibility must be to those people who elect us to their service. However, we have a higher duty and a right, which is to speak and consider every matter in this place in the best interests of all South Australians, whether they are the ones who elected us by voting for us or those in our own districts who happened to be misguided enough to vote for the other Party. We are still elected to speak for them.

Similarly, we have the right and duty to speak for the best interests, as we see them, of all South Australians. The member for Hartley may have done what he did in this place because he has had latterly a desire to find a seat in another district, but that does not matter. The motivation for his interest in the northern districts does not matter. What does matter is that he is interested in what is happening in the northern districts and, like every other member in this place, he has a perfect right to speak of what he sees as a need and to ask for the things that he thinks are needed in any part of this State.

Yesterday we saw the unusual spectacle of the Minister at the table defending himself over his right to speak as a local member on behalf of his electors. I did not question that aspect of what the Minister said yesterday, and I never will. However, it is amazing to me that the Minister can rightly promulgate the view that it is his absolute right to speak for his electors. Yet, not half an hour later one of the members of his back bench got up and absolutely castigated in such an abhorrent way another member who was doing a very similar thing—who was exercising the right and duty that is conferred on him by the people of South Austalia as an elected member of this House.

If that is the level to which the middle benches of the Government have stooped, then, in relation to the people who are verging on retirement, I hope that the election is sooner rather than later, because it is my honest belief that they have ceased to contribute usefully to this House. I would therefore wish them gone rather than continue the harm which they are currently doing. A couple of my colleagues were very cruel when they described one of these members as a wart on the backside of democracy. I think that is cruel. I really do not think you could describe honourable members in such terms but, really, they bring such denigration upon themselves when they are so ready to use cheap tricks and jibes and to denigrate others.

I hope I can take a joke, and I can appreciate the contributions of honourable members. However, I grow a little tired of honourable members who are so laudatory of the Queen that it starts to become a rather sick joke. It is true that the monarch is the monarch and is our constitutional head of government. There is a Standing Order which provides that we must not use the monarch's name irreverently. While I would never accuse any of my colleagues of doing so—and I know you, Sir, would stop them if they did—some of their praise is such that you wonder when it becomes irreverence.

I conclude by completing as I started: by saying that I value the traditions of this place. I do not know for how long I will be here. I may not be here after the next election but, however long I will be here, I value my ability to participate in the proceedings of this House and in the deliberations of an institution as ancient and honourable as this. Whether I am a oncer or whether I go for many terms—and I hope I do—I hope that this Chamber will always have the institution at heart.

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

**The Hon. M.K. MAYES (Minister of Recreation and Sport):** I thank the House for the opportunity to grieve, and the opportunity particularly to follow behind the member for Hayward, because I think he has very similar views to mine about the right of members to represent their constituents in a democratic, appropriate and proper way. I understand from what I have seen in the media, particularly the local media, that he, too, has taken up issues on behalf of his constituents in their interests for the preservation of democracy against matters which may be raised at another level of government. Of course, I understand that he has done that with the interests of those constituents in mind, and I never question that.

The interesting thing about some of his colleagues is that at the moment they are questioning my intentions in representing my constituents in a matter that is of great concern and public interest to them in the electorate of Unley. The opportunity for me to grieve this evening allows me the time to set the record straight and clear the air in regard to this issue, in particular with regard to the redevelopment of the Unley Shopping Centre.

I think the attitude of the council has been awful, bordering on appalling, in its attack not only on me but on other residents who had good intentions. This must raise serious questions about the council's capacity to understand how democracy operates at local government level. I think that certain individuals are involved in this; in fact, several people on the council have now announced that they will be Liberal candidates at the next election. I believe that they have some influence in the council in relation to what has transpired over the past few weeks in regard to this redevelopment proposal.

I think that, as the senior executive of the council, there was influence by the Town Clerk in this issue. Unfortunately, the way the council handled the issue and demolished what was a locally listed heritage item and an asset to the community which had a lot of history, without allowing the local historian, Yvonne Routledge, to assess it in the early hours of the morning, again suggests that the Chief Executive Officer of the City of Unley does not have an appreciation of the value of those assets in this city and does not appreciate what many constituents value about their district. It has been said that the deft hand of bureaucracy works in my electorate, in the City of Unley.

I now refer to the interesting way in which this matter was dealt with yesterday. I make it clear, on the record, that I am not opposed to the redevelopment of the Unley shopping centre—quite the contrary. I think it is in desperate need of redevelopment and refurbishment. The question relates to the manner in which the local government authority acted in this matter and the development proposal that is before the Planning Commission at this time. The council has branded me as being interfering and having a potential conflict of interest. In fact, a variety of accusations have been made about my intentions in representing my constit-

uents. It has even been suggested that it is a political act and a manoeuvre to increase my profile.

Those very calls were picked up yesterday by the member for Newland who, I believe, in a disgraceful attack questioned the credibility and intentions of what I regard as a very honourable act on the part of a local resident, Mr Taeho Paik. With good intention and concern for his immediate environment in his local suburb, he raised the issue with me and then went to see the mayor, with a set of plans that he had drawn up as a student of 24 years. He suggested that the plans which were proposed by the Woolworths Corporation and which had the support of the Unley council be reviewed to provide greater facility and improved buffer zones between the shopping centre and the residential area which surrounds it, between the senior citizens centre and St Johns and between the proposed shopping centre of Mancorp and the new proposal for the Unley shopping centre.

As a result of that, Mr Paik's name was dragged through the mud. His credibility and intentions were questioned, and it was suggested that he had a conflict of interest. The member for Newland picked this up with great delight and, I have to say, showed a lack of experience. In fact, I believe she reflected very poorly on her capacity to understand the basis of democracy and the way in which this House operates, and the particular privilege that she has as a member—a privilege above that of the ordinary citizen to defend themselves against accusations that are made under privilege in this place.

I said it was a disgrace, and I see that that word is used in a headline in today's second edition of the *Advertiser*. I think it is a very appropriate headline. I call on the member for Newland to make a public apology—to have the guts, the and courage to stand up and apologise to Mr Paik. Last night approximately 120 residents—ratepayers and traders—attended a meeting at the Unley Senior Citizens Centre hall, and they endorsed what Mr Paik had done. In fact, at the end of the meeting they passed a vote of thanks and congratulated him. Several residents actually got to their feet and said that they were delighted that there were people who had the courage of Mr Paik who were prepared to stand up and be counted.

One of the resolutions passed at that meeting was as follows:

> This meeting is critical of Unley council for its failure to consult Unley ratepayers and expresses its confidence in those people who called this public meeting.

I think that that is a full endorsement of what Mr Paik has done, when he and I joined together to call the public meeting, along with Mrs Mary Miller, resident of Unley, President of the Retired Persons Association and user of the Unley Senior Citizens Centre. Mrs Miller also expressed her view.

There was one vote against that resolution, and that was of Mr Pratt, the former member for Adelaide, councillor and proponent of the resolutions that were passed by the council condemning me for undertaking my proper function as a member of Parliament. Some four years ago the Town Clerk and the Mayor, well-known Liberal supporter, Mr McLeod, tried to inveigle me into some sort of scheme whereby I would be compromised. They were then proposing the secret deal to redevelop the Unley shopping centre, and I had a very clear answer for them: I was not interested, and nor would I ever be interested in such a proposal. Of course, I was unaware of what developed from that.

I believe the way in which this question was raised in this House yesterday by the member for Newland was disgraceful. It was apparent that someone had passed the honourable member the question. She had not done any homework on it. If she had, she would know that Mr Paik was a resident and that he lives in Hart Avenue no further than 300 metres from the proposal and has a very direct interest. He has a young family, lives in the area and is an active resident.

*Dr Armitage interjecting:*

**The Hon. M.K. MAYES:** The member for Adelaide will not abuse my time, Mr Speaker. I will ignore his interjections and proceed with my—

**The SPEAKER:** Interjections are out of order. The member for Adelaide is out of order. The honourable Minister.

**The Hon. M.K. MAYES:** Thank you, Mr Speaker. It is interesting, because there seems to be some parallel in the way in which the member for Newland has approached this matter. I have discovered that a letter she sends to new constituents bears a resemblance to a letter that the member for Briggs forwards to his constituents. If one puts it together, one discovers that the member for Newland does not reside in her electorate; the member for Newland actually resides in the member for Briggs' electorate.

*Dr Armitage interjecting:*

**The SPEAKER:** Order!

**The Hon. M.K. MAYES:** The member for Adelaide does not want to hear this, Mr Speaker, but he will, and he will enjoy it. It appears that the member for Newland has in fact plagiarised the member for Briggs' letter and taken it virtually word for word, sending it out to her new constituents. It is quite apparent from what transpired yesterday that the member for Newland does not have the capacity to write either her own questions or her own letters to her constituents.

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

Motion carried

At 10.19 p.m. the House adjourned until Thursday 2 April at 10.30 a.m.