

## HOUSE OF ASSEMBLY

Thursday 8 September 1994

The **SPEAKER (Hon. G.M. Gunn)** took the Chair at 10.30 a.m. and read prayers.

### DENTISTS (CLINICAL DENTAL TECHNICIANS) AMENDMENT BILL

**Mr ATKINSON (Spence)** obtained leave and introduced a Bill for an Act to amend the Dentists Act 1984. Read a first time.

**Mr ATKINSON:** I move:

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

This Bill allows registered clinical dental technicians to supply partial dentures directly to the public. Dental technicians already supply full dentures directly to the public, but they may supply partial dentures only through the agency of a dentist. The dentist adds a premium to the price of a dental technician's product. I hope that the member for Lee is listening carefully to this because it was one of his first acts, as a member of Parliament, to convene a meeting of the parliamentary Liberal backbench with clinical dental technicians to discuss this very point, and I commend him for convening that meeting; alas few of his colleagues attended.

Dental technicians are permitted by law to provide directly both full and partial dentures in other States. There are 29 registered clinical dental technicians in our State. As it now stands, section 41(2) of the Dentists Act restricts clinical dental technicians to working on jaws in which there are no natural teeth or parts of teeth. The Bill amends that subsection so that it would read:

A clinical dental technician must not provide dental treatment other than the fitting of and the taking of impressions or measurements for the purpose of fitting dentures or partial dentures to a jaw where the jaw, gums and proximate tissue are not abnormal, diseased or suffering from a surgical or other wound.

The Bill also amends the definition of 'clinical technical dentistry' to accommodate the change that I propose. Clinical dental technicians should be allowed to supply partial dentures directly to the public because it would be less costly for the public and for taxpayers, it would be convenient and would improve quality in some instances. Clinical dental technicians have proved over the 10 years that they have been allowed to supply full dentures to the public that they can do so at a cost much lower than that of dentists. The same would be achieved with partial dentures. The cost saving to the State Government's dental service would be considerable. The Bill is in tune with the Government's austerity program, so it is appropriate that I should introduce the Bill as we are considering the budget.

I believe that many patients will prefer to deal directly with the person who makes their partial denture instead of dealing through a dentist's receptionist. When emergency repairs are needed it is more efficient for the patient to go straight to the technician, who performs the repair, than to be compelled by the Dentists Act to leave his or her denture with a dentist, who then sends it by courier to be repaired by a technician, who repairs it and sends it back by courier to the dentist, who then gives the repaired denture to the patient. Often the patient sees only the dentist's receptionist, yet the law at present forbids the patient's dealing directly with the person who actually makes the partial denture.

Registered clinical dental technicians are subject to the disciplinary provisions of the Dentists Act, and the education they must undertake is also prescribed by dentists under that Act. A survey of people who have had publicly-funded dentures fitted showed a high level of patient satisfaction with full dentures supplied by clinical dental technicians under the Pensioner Denture Scheme and that the dentures were most satisfactory from a technical point of view. Now that we have mutual recognition of qualifications between the States, as we should, we should give due consideration to the Australian Health Ministers' Conference suggestions that clinical dental technicians are one of the health vocations to which mutual recognition should apply.

I now want to turn to some criticisms of my proposal that emanate from the dental profession. There is the typical restrictive trade practices argument from dentists that clinical dental technicians do not have the required formal training to do partial dentures. The truth of the matter is that, if people go to a dentist and ask for partial dentures, in most cases the dentist will refer the order to a laboratory where a dental technician will construct the partial denture. In most cases now with partial dentures the dentist is merely a middle man taking a considerable premium.

All the clinical dental technicians practising in South Australia have had more than 20 years' experience in their craft. The argument that comes from some dentists that clinical dental technicians do not have sufficient experience in this area is easily refuted by the truth that all our clinical dental technicians in South Australia have had over 1 000 hours' experience designing and fabricating partial dentures. The dentists' representatives also argue that clinical dental technicians are not equipped to deal with a mouth ill-prepared for partial dentures. However, in my Bill I retain the provisions in the Dentists Act which limit clinical dental technicians to dealing with jaws where the jaw, gums and proximate tissue are not abnormal, diseased or suffering from a surgical or other wound. Indeed, it would be an offence against the Act, as it would stand after my amendment, for clinical dental technicians to deal with such a mouth. Indeed, clinical dental technicians have told me that they are prepared to undergo self-funded training to satisfy any deficiency they may have in this area.

I urge members to take the advice of the member for Lee and myself and to support this overdue reform to the Dentists Act. It is a reform that is in force in most other States. It opens up the fabrication of partial dentures to a wider field of practitioners. It lowers costs and it removes in some instances the middle man who is creaming off profit from partial dentures which are already made by clinical dental technicians under the instruction of dentists. The Bill is a sensible reform and I hope it passes both Houses speedily.

**Mr MEIER** secured the adjournment of the debate.

### ECONOMIC AND FINANCE COMMITTEE: ANNUAL REPORT

**Mr BECKER (Peake):** I move:

That the tenth report of the Economic and Finance Committee (Annual Report) be noted.

This is the first opportunity this committee has had in the life of the Parliament to present a report. It is unfortunate that the first report the committee has to bring to the Parliament is the annual report: something that I instituted many years ago when the committee was known as the Public Accounts Committee. It is important that committees of the Parliament,

such as this committee, are accountable to the House for their activities and at least provide a brief summary of what they have done, what they are doing and what they hope to achieve. We have set out the changes to the committee following the general election on 11 December 1993. We were very saddened by the loss of committee member Joe Tiernan, who passed away on 7 April. Joe was developing as a promising, very useful, capable and competent member of the committee. However, he has been replaced by the member for Florey and I appreciate his keenness, willingness and loyalty in serving on that committee.

The former member for Elizabeth, Mr Evans, resigned on 18 February and was replaced by the member for Hart. The former member for Elizabeth was mainly responsible for redesigning the parliamentary committee system. I was always very critical of his role. I was very critical of what he did to the former Public Accounts Committee which led to the formation of the Economic and Finance Committee. In the report we have been forced to comment about the administration of our committee; we have been forced to comment about the autonomy of the committee; and we have been forced to comment about the lack of suitable accommodation. In other words, anything and everything that could be done to harass a committee was brought about by the formation of the Parliamentary Committees Act. In my opinion, that made it very difficult to operate the Public Accounts Committee as we had operated previously.

The Economic and Finance Committee will do its duty: it will serve the Parliament well and will take an entirely different approach under my chairmanship this time than it did previously. We have been restricted by staff. Previously we had two research officers, a full-time administrative officer and a full-time stenographer (four full-time staff), but we are now down to about 2.3. When you have a secretary of a committee who is also required to serve the House in other capacities, it makes it extremely difficult. I know the challenge; I understand what it is all about—it is to make members of Parliament do the work. If that is the wish of the administration of this House then, by God, it will be sorry. If it wants to make me do the work, no stone will be left unturned in looking into the activities and the accountability of all Government departments in this State. Now that we have the Auditor-General's Report, the work will commence.

During the reporting period the committee brought down four reports: the annual report from February 1992 to March 1993; an inquiry into the use of external consultants by Government departments and statutory authorities; an inquiry into the executive structure and salaries in the South Australian public sector; and the committee's comments in relation to the MFP which were required by statute. Those findings are briefly detailed in the annual report together with the Government's response to those reports.

As far as the consultants are concerned, I note from his report that the Auditor-General supports in theory the action and recommendations of the Economic and Finance Committee. I am a little disappointed, because in response to our report the Minister says that the Government disagreed with the committee's recommendation for the public tender of consultancies over \$50 000 and suggested that \$200 000 was a more appropriate figure. It also disagreed with the committee's proposal to establish a register of consultants. That is noted and is yet to be further debated by the committee, as we were waiting for the Auditor-General's Report.

I think the Government is wrong. We do need to have a very tight rein on the consultancy work allocated by the

Government. I am very concerned that there have been so many targeted separation packages and that there has been a considerable loss of expertise in some areas as a result of the public servants who have now gone out as consultants or who are now employed by companies as consultants. I believe that former public servants are coming back into the service to advise the Government of the day as consultants. The idea of the \$50 000 tender figure, whilst it may appear low in the overall amount of our budget, was to alert us as to whether people were retiring from the Public Service, taking a very handsome package, and then coming back as consultants and earning a hell of a lot more than if they had stayed in the Public Service. In other words, it was a roundabout way of having your cake and eating it too, and getting a pay rise in the meantime. I might be totally wrong and I am prepared to stand corrected, but I am not prepared to let that one lie.

Similarly, the committee adopted an approach in respect of salary packages over \$100 000. At the time it was mooted, \$100 000 did seem to be a lot of money. By today's normal business practice and the standard set by the eastern States, \$100 000 is not considered to be an extremely high salary package. I think the private sector is quite right, and the Government may well be right also. We will look at that figure and, rather than pegging packages at \$150 000, we may well have to increase that quite substantially. We may well have to look at the \$200 000 to \$225 000 category or more to be able to attract the right type of public servant. So, there is more work there for the committee at some stage to consider salary packages.

At the same time, there is work also for the committee to consider the level of board fees and the fees paid to various committees. Part of some of the work we are currently doing, in looking at many little issues, involves the number of boards and committees. We believe there were some 640 committees and boards as at 31 May, and the reason we asked for full details of the membership of the various boards was to determine the accuracy of the records of the various Government departments. We would have expected all this information to be on a computer program, where someone only had to push a button and the information could have been provided very easily and quickly to the committee.

We believe there is some doubt as to the accuracy of the information with which we have been provided. Further investigation is now necessary, and we want to update the information that we have. We have found a board with one member, and we have found many boards with three members (which includes a secretary), so you wonder why we need all these boards and committees. Not everybody is paid. Some of them are paid quite handsomely, but others seem to receive a pittance for their services and time on those boards and committees. So, there needs to be a detailed look into that aspect of the operation of the Government.

Early last year I was concerned about allegations regarding nepotism in the Convention Centre. Our information indicated that the allegations might be correct and that there might be a plausible reason. The Adelaide Convention Centre is different from most organisations, and therefore the committee resolved that the Minister for Tourism, who is to some degree responsible for the Adelaide Convention Centre, would undertake an investigation into the practices of recruitment and rostering of part-time and casual staff used by the management of the Adelaide Convention Centre with a view to ensuring that a merit based system of employee selection is in place and that perceptions of any conflict of interest in personnel practices are redressed. There is a

question mark as to the relatives and friends of certain people employed there. We have been able to prove that there is some nepotism. I would not get too worried about it, but the point is that what should and should not be permitted needs to be set down and established as a matter of principle.

The Government motor vehicle fleet was referred to the committee. We started to inquire, then the Treasurer set up his own inquiry, so we have decided to prepare an interim report and wait for the outcome of the Treasurer's inquiry. I am alarmed to be advised that, every time I ask a question about the alleged misuse of a Government motor vehicle, it costs about \$200 to answer that question. It is absolutely ridiculous to think that we have such stupid systems and such a bureaucratic structure in this State that we simply cannot find out who had what motor vehicle on what day. I hope that the new administrator of State Fleet will be able to sort out that problem pretty quickly so that we do not have to wait and expend such moneys trying to find out.

There is no doubt that there is a vested interest in the Public Service to make it very difficult when it comes to accountability on the use of Government motor vehicles. Visually, that is one of the things that annoy the people of South Australia. To turn around and try to intimidate a person with my knowledge and background of the Public Service, and to say that every time they answer a question of Becker's it will cost \$200, is not on. I could not care less about the \$200; I want to know why we do not have an efficient system to provide that information with a minimum cost, if any. That does not go over with me at all.

We are looking at a compulsory third party property damage vehicle insurance scheme, which has been referred to the committee by the Minister for Transport. That inquiry has commenced; we have had two public hearings and it has been very beneficial. The RAA and the Insurance Council have provided us with worthwhile ideas regarding that problem, and hopefully we can come up with a solution.

We are looking at the nature, level, use and cost of legal services for South Australian Government agencies, and members will be surprised when they see the outcome of that inquiry—just who is using the money and how much it is costing. Certainly, the Law Society is a little upset, but at the same time Crown Law has proved it can do it quite effectively and efficiently. There is a continual referral by statute of the MFP Development Act. We have received another submission from them and we are about to look at the financial figures for the 12 months.

I am concerned at the way the committee has been restructured as far as staffing is concerned. I am not happy with the office accommodation that is provided to the committee. We also undertake on a voluntary basis the role of the Industries Development Committee. We have had a lot of meetings commencing at 8.30 a.m. and we have evaluated the expenditure of considerable sums of money for various projects. The office accommodation that we are given, where we must have managing directors, chairmen of companies and so forth sitting in the corridors of this Parliament House building, is nothing short of a disgrace. I want to pay tribute to the staff. On page 16 of the report we list the number of staff who served the committee during those 12 months. The high turnover highlights the difficulty we face.

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

**Mr QUIRKE (Playford):** I will make a brief contribution to this debate, as the former Chairman of the Economic and

Finance Committee. Much of the work of this 12 month period fell within the time frame of the last committee. The annual report is a mechanism that I believe Parliament needs; it is part of the Act and should be something of which the committee can feel proud. A large number of reports was dealt with by the committee, and I believe the last one was in October last year. Some of the issues mentioned in the annual report are the culmination of a great deal of work that went on in that last committee. The report into salaries, which I think was one of the big issues in South Australia in 1992 and 1993, the report into consultancies, the report into the Woods and Forests, and the reports into a range of other things were fairly important reports of which this Parliament and the committee can feel proud. In many respects, they set the pattern for much of what was to follow in other States.

On the issue of consultancies, the committee did a great deal of work. We inquired into a whole range of different departments, we collected evidence on numerous occasions, and the detail we went to in this report was probably an example of the best report in Australia. Certainly, that was the view of other States. Two States sent teams to South Australia to see how we were handling this issue, and the ongoing issue of consultancies—although that is not the subject of the debate today—should be of concern to Governments in all jurisdictions in Australia and, indeed, to the new Government in South Australia.

We note, for instance, that after the election one of the first things that happened was that there was a whole raft of consultancies of one kind or another because, when decisions are hard, consultants are brought in. More than anything else—even more than the salaries report, which the then Opposition and now Government only really paid lip service to and used for political advantage when it could—that report into consultancies set the pattern for what I believe should be the way consultants are engaged in the future. The other thing that report did—and members on both sides will need to agree that it was a very useful discovery at the time and something that I recommend to the Government now—was to set down the guidelines by which consultants can be engaged. What we found was that there was not the serious attention to detail in some of the departments that really good government requires.

I made the comment last year when we brought down the report, and it is my view, that the Economic and Finance Committee will need to revisit consultancies at some stage in the future. In the five years in question in that report, \$146 million of consultancies were thoroughly investigated. As I understand it, in some of the States that figure is very much higher. Obviously, we are a small State and one would expect the level of consultancies to be higher. But in a *per capita* sense, the value of consultancies in some States is very much greater than in South Australia. However, the committee pointed out a number of extravagances. There was no doubt that, from even small amounts of money, some real extravagance was taking place in some of the departments.

It gives me a great deal of pleasure to debate the motion that the report be noted, because it is the annual report to Parliament of the workings of the committee. One would hope that the inquiries we are undertaking currently will bear as much fruit. The major reports in this document took an enormous amount of work from all the members involved. Indeed, the staffing of the committee has changed wholly since the end of last year. The staff did a great deal of work on those two inquiries, the consultancies and the executive

salaries, and it is a credit to those staff members and to the Secretary of the committee.

The extent of those two reports would not be possible with the present staffing arrangements within the committee. That is a great pity. I honestly say that I as Chair of the last committee had the staff working to their maximum capacity, but now we have fewer staff. That is something that will probably show up in the committee's next annual report. All members of the committee, both past and present, can feel proud of the work that has been done. Therefore, I support the Chairman's remarks.

Motion carried.

#### **DAYLIGHT SAVING (PRESCRIBED PERIOD) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 25 August. Page 311.)

**The Hon. G.A. INGERSON (Minister for Tourism):** The Bill seeks to remove from daylight saving those provisions that allow the Government to extend the period of daylight saving by regulation and to fix a period from the last Sunday in October to the first Sunday in March. The effect of the amendments will require any variation in daylight saving to be brought before and approved by Parliament by way of variation of the Act and not by regulation.

This Bill is fascinating, because it is the first example of a Bill flying directly in the face of what the previous Labor Government did when it was in power. I will be very interested to see how Labor members vote on this Bill relative to the support that they gave to the member for Giles when he was in government. In our view the amendments are purely and simply political opportunism. Indeed, it is a pity that opportunities to introduce constructive legislation instead of what is being put forward today are not taken.

The fact is that in 1971 the Labor Party introduced this regulation, and it was confirmed in 1983 by the Tonkin Government. Over 70 per cent of South Australians supported that referendum. Clearly, both sides of the House, Liberal and Labor, supported the Bill and its exact structure when it went through the House. There is no doubt that there are significant economic and social advantages to the State. This has never been challenged by the Labor Party in the past, and it has not been challenged by the Liberal Party, because there is no doubt that there is some significant advantage. It fascinated me that that was left out when the member for Giles spoke about it in his presentation.

Principally, the aim of the Bill is to remove the ability to move by regulation the dates either at the beginning or the end of daylight saving. It is interesting to note that the then Minister (the member for Giles) was responsible for using these provisions to extend daylight saving. I will put on the record later how many times this occurred.

The member for Giles has claimed that he does not see that daylight saving can have any effect in terms of the economic benefit for the Festival of Arts, yet throughout the years of the Festival, indeed since its inception, there have only been two occasions on which it has not been extended, and on both occasions it has been the off year of the Festival. I note that the previous Minister was responsible for extending it on at least one occasion.

The Tourism Commission and the Minister support strongly the ability to be able to move the date, particularly the March date, because it is during that period in the first

year that the Festival occurs and now in the second year there is Womadelaide—an event initiated by the previous Government, supported by the Liberal Opposition and continuing to be supported by the new Government.

We have two major events in March of each year, and it is our view from a tourism perspective and the commission's perspective, which is not only my view but also the view of the board, that both festivals need to be supported strongly as they have significant economic benefit to the State. Notwithstanding the foregoing, there is no doubt that there is some value in having all the States that are close neighbours in relative synchronisation in terms of the final date. There seems to be no difficulty at the first end of the equation and, as Victoria and Tasmania have moved to the end of March (New South Wales has not), it is our view that we should move in line with both Victoria and Tasmania and, indeed, we have done so by proclamation in recent days.

The Government opposes the Bill because it thinks it is absolute hypocrisy on the part of the Opposition to bring it forward. It is done purely and simply as a political stunt, particularly by the member for Giles, who was involved in Cabinet in ensuring that this flexibility was used. We strongly oppose the Bill.

**Mr QUIRKE (Playford):** It is quite bizarre that we have a city-based Minister coming in here in sacrosanct private members' time, when we have all been lectured for four years that this was not the sort of thing that ought to happen. We were castigated if a Minister even sat at the front bench and wanted to open his or her mouth on any issue whatsoever. So, we find that, on an issue very important to rural areas, on an issue on which we have heard many speeches, particularly from rural members opposite in years gone by, they are either not here or are indeed strangely and curiously silent on this issue.

We have listened time and again in this Chamber to country members voicing the concerns of their and raising this and other issues. But, when they have a real opportunity to actually do something about this, when there is really the possibility of improving the lot of their constituents, we do not find one of them prepared to speak on the issue—not one. Indeed, we have only one of those members present in the Chamber. I take off my hat to the member for Goyder. I have listened to many of his speeches in this House over the years.

**Mr Atkinson:** You don't wear a hat.

**Mr QUIRKE:** As the member for Spence says, I do not wear a hat. I do not put anything else on my head, either. I point out to the member for Spence that I am quite happy to be a dignified bald person, as is my colleague the member for Ross Smith. At the end of the day we find that members on this side of the Chamber take this issue in the country seriously and we support the member for Giles in this endeavour.

I am sorry that I did not mention you, Mr Deputy Speaker, as a country member. There are two country members present in this Chamber. However, the point still remains: where are the rest of them? Where is the member for Ridley? As recently as last night he was talking in this Chamber about his country constituents and how they were suffering because of the problems imposed on them by big Government and big business. Where is he this morning? He is not here. He is not here to participate in this debate. I believe that says much for those supposed representatives of the country who sit on the Government side.

I have been reminded of a couple of other country members. I well remember some of the debates in this Chamber by the member for Custance. He was one of those members who abused the former Government for not standing up for country voters.

**The Hon. Frank Blevins:** On this issue.

**Mr QUIRKE:** On this particular issue, as the member for Giles reminds me, he had an awful lot to say; but when it comes to counting he is not here; he is not taking part in the debate. We have a list of other members that I could go through as well. There is the member for Frome and one or two other members who represent country areas, none of whom is here.

The member for Flinders is a clear example. She has made a number of speeches in her short time in this House. What have we heard on daylight saving, an issue that is well and truly alive in her electorate? We hear nothing. We cannot hear anything because she is not present. It would be remiss of me not to mention those country members I have mentioned so far. I have no wish to go any further in naming members: I think we have done enough of that. At the end of the day, it is a pity that those members were not able to front here this morning to deal with this issue.

**Mr MEIER (Goyder):** I was not going to take part in this debate, because I think the Minister summed it up so very clearly. He is the responsible Minister in this State and this Bill is put forward as a smokescreen. The member for Giles knows that it is a bit of political hypocrisy, because in the last session he supported a Bill that sought the extension of Eastern Standard Time for this State. In other words, a few months ago the member for Giles said, 'Let us have daylight saving not only for part of the year; let us have it for the whole of the year.' It would have been a criminal act for country people in this State, and well he knew it. It is good to note that he has dropped the move to go down the Eastern Standard Time track in this session, but for some unknown reason he has decided to continue to flog this daylight saving issue.

I was most unimpressed with the member for Playford's speech in identifying members who were not present. He well knows that members have other commitments. He is probably not aware that the member for Custance is attending the annual general meeting of the Murray-Darling Association, looking after the water supply for this State in future years. But the member for Playford could not care less about that. Likewise, the Minister for Primary Industries is at a very important meeting at present and the member for Chaffey is also at the Murray-Darling meeting. It is outrageous that the member for Playford should highlight who is not here given what happened on two occasions yesterday: there was not one member on the Opposition benches. On one occasion when the Premier was introducing a Bill, I, as Government Whip, decided to do the honourable thing and moved for the adjournment of the debate on behalf of the Opposition, and I have not received any thanks since doing that yesterday, either. I think it was a most generous offer. To my knowledge that has not occurred in time immemorial—

**Mr QUIRKE:** I rise on a point of order, Mr Deputy Speaker. I draw your attention to the relevance of these remarks to this debate.

**The DEPUTY SPEAKER:** I remind the member for Goyder that, however interesting the subject matter may be, the relevance has to be considered. Please return to the subject matter of the debate.

**Mr MEIER:** Thank you very much, Mr Deputy Speaker. I simply wanted to put on the record the hypocrisy of this move by the member for Giles, supported by the member for Playford. I believe the Minister espoused the reasons for this. There is no question that my constituents are opposed to daylight saving, and they made that very clear many years ago. Members would know, and the Minister referred to the fact, that a referendum was held and unfortunately we have had to go along with that. But there is no question that my constituents do not want daylight saving, and I fully support them in that move, too.

The Minister knows that since time immemorial, since daylight saving came in, it has been through regulations and this move is not the move that the honourable member makes it out to be; it is simply a move with which he wants to try to play politics. It will not work. I ask him to start concentrating on issues of real relevance to this State, such as fixing up some of the economic mess he helped to create when he was Treasurer.

**Mr CLARKE (Ross Smith):** I am very pleased to see that the member for Frome is here. I also notice that the member for Eyre is within the precincts of the Parliament. The member for Playford listed the litany of country members of Parliament who are members of the Liberal Party but who are not present in this Chamber to debate this matter. He asked me to add to that list because he had forgotten to mention one very distinguished member of this Parliament who was not present—the member for Eyre. The member for Playford wanted to ensure that his name was on the record and asked me to make it abundantly clear that it was an inadvertent slip on his part that the member for Eyre was overlooked in his recitation of country members of the Liberal Party who were not in the Chamber. Also, the member for MacKillop—

**The DEPUTY SPEAKER:** That can be construed as a reflection upon the Speaker, who would not normally take any part in the debate were he in the Chamber.

*Members interjecting:*

**Mr CLARKE:** I would never reflect on the Speaker, Mr Deputy Speaker. However, in rising on this particular matter, I would also like to point out to all members present that it is curious that an eastern suburban-based member of Parliament should be the one who seeks to gut this Bill introduced by the member for Giles with respect to daylight saving. Of course, this is indicative of the insidious growth of the Liberal Movement within the Liberal Party over the past 20 years. I was reading some historical documents courtesy of the member for Giles only a matter of 24 hours ago. When I was reading the—

**Mr EVANS:** I rise on a point of order, Mr Deputy Speaker. What is the relevance of this to the topic? None whatsoever.

**The DEPUTY SPEAKER:** I was just trying to line up the honourable member's reference to 'Liberal Movement', a past movement of this House. I do not think it throws any daylight upon the debate, however he might have been trying to give that impression.

**Mr CLARKE:** I am drawing my threads together with respect to this matter. It is exceptionally relevant because the Labor Party is the only political Party in this State that looks after the interests of the bush. It always has been in terms of the provision of essential services. By and large, farmers are agrarian socialists: they want marketing boards and orderly marketing of goods. It was the Labor Party which at a Federal level brought in price support for wool, wheat and the like.

We insisted on quality schools and ensured the very best student-teacher ratios throughout not only the metropolitan area but also the country regions of South Australia. Notwithstanding the fact that we hold only one out of the 14 country seats in South Australia, the Labor Party has provided first class services to the country community, even though there was very little by way of political return, whereas this Liberal Government has deserted the bush, and the daylight saving issue is but one manifestation of its losing its root base.

Government members have sat back, as you, Mr Deputy Speaker, have experienced, and allowed the Chief Justice of the Supreme Court to remove country residential magistrates. You, Sir, have recently spoken fiercely in Mount Gambier in support of the member for Giles's Bill on that matter. This Bill is very important because it is symbolic of the desertion of the bush by members of the Liberal Party. What I cannot understand is why country Liberal members—except for the member for Frome, for example, sitting on a percentage as high as 30 per cent—are so keen on alienating their traditional support base.

They should remember what happened to the Labor Party over the last 15-odd years where, because of decisions taken (sometimes inevitably) by the Government, many of its members and supporters—traditional hard core Labor voters—left the Party because they believed it was losing its very roots. The Liberal Party will inevitably suffer the same fate, because it has allowed eastern suburbs members to infiltrate its front bench, as well as former members of the Liberal Movement, including the member for Finnis, who is now the Premier, who was a leading advocate—

**Mr Atkinson:** And the member for Hanson.

**Mr CLARKE:**—and the member for Hanson—

*An honourable member interjecting:*

**Mr CLARKE:**—and the member for Bragg—

*An honourable member interjecting:*

**Mr CLARKE:**—and the member for Peake—

**Mr Atkinson:** And the member for Coles.

**Mr CLARKE:**—and the member for Coles—all former Liberal Movement activists who, on my reading of the historical documents yesterday, said they had to divorce themselves from this country rump.

**Mr BASS:** On a point of order, Mr Deputy Speaker, I think the member for Ross Smith has completely lost the plot. Can he be brought back on line so that we can understand the debate on this Bill?

**Mr Foley:** What's the point of order?

**Mr BASS:** Relevance.

**The DEPUTY SPEAKER:** The honourable member has been cautioned about relevance. I must admit that the threads are very tenuous.

**Mr CLARKE:** I will wind up my remarks shortly, Mr Deputy Speaker. All I want to do is point out the fact that the Liberal Party of today has rejected utterly and completely its base supporters in the country regions. They will look for another Party to represent their interests, and it will be the Labor Party, as we were very strong in the country regions of South Australia earlier this century. We had a very strong support base, and we are looking at seats such as Custance as being front line marginal seats at the next election. The member for Frome is political dead meat, as are the members for Kurna, Reynell, Elder and Unley.

In conclusion, I point out again that not only the Liberal Movement infiltrated the Liberal Party and ascended to the highest office but also the socialist left faction of the Labor Party in the form of the member for Norwood and the

member for Elder. They have done an outstanding job of getting to the very pinnacle of the Liberal Party for them to be able to introduce radical legislation. Just as the eastern suburbs—

**The DEPUTY SPEAKER:** Just before the debate continues any further, I suspect that it was an hysterical, not historical, document.

**Mr CLARKE:** Very historical. I look forward to a vote on this issue, particularly from country members, when they either stand up for their constituents or they do not. In particular, I look forward to the vote on this matter from the member for Eyre, because we all know the views of the West Coast with respect to daylight saving. About that there can be no issue; about that there can be no fudging: they are absolutely resolute in opposing daylight saving, and this is the opportunity for the member for Eyre. He is very well known, very well liked and respected in his electorate. I had the opportunity of travelling through much of the West Coast with the member for Eyre only a week ago, and I can testify to his extensive networks and his consultation with local constituents. I am absolutely confident that he will be there, ready to stand shoulder to shoulder with us and various Socialists within the Labor Party, to support the interests of the bush.

**Mr FOLEY (Hart):** Whilst I am not able to compete with the quality contribution of my colleague the member for Ross Smith in terms of highlighting the history of the Liberal Movement in this State, we should bring this debate back to fact and what this Bill is about. It is about a modest reform. Anyone who has had any dealings with the business community in this State would know that all it asks for is consistency. It wants to know the rules. This Bill attempts to put in a finite time line for daylight saving, and that is all the business community asks for. The Minister for Tourism has no basis for saying that we need this flexibility for the Adelaide Festival of Arts. The festival is a biennial event, and Womadelaide is hardly justification for this great degree of uncertainty about daylight saving and for putting so much stress on rural South Australia.

As the shadow Minister for Tourism, I believe I can argue strongly that the Adelaide Festival of Arts and Womadelaide could adjust and cope with darkness occurring an hour earlier, if that was the price to be paid to ensure that rural South Australia did not have to put up with this unnecessary impost. I would have thought that the Minister, with all his research capacities and with all his bureaucracy behind him, would come into this Chamber with a stronger argument to defeat this Bill than simply putting up as his reason the Adelaide Festival of Arts and Womadelaide—not that I have been a patron in either respect, I must add, but I can understand that they are important cultural and tourism attractions.

*An honourable member interjecting:*

**Mr FOLEY:** Yes. It is all about looking after his mate Jeff across the border. This Bill is simply bringing about a modest reform, but I am sure it is welcomed and supported by the business community. I say to those members in this Chamber—picking up some of the threads of my colleague's argument—that this is really a test case. We have many members from country constituencies who should be putting their views clearly on the public record and defending their communities.

They have a golden opportunity to support a modest reform that will bring great benefit to rural constituencies with little or no cost to suburban constituencies. It is a very

telling sign that one of the senior Government Ministers, one of the leading members of the moderate faction of the Party so much in dominance in this Government—

**Mr Atkinson:** Moderate; is that what you call it?

**Mr FOLEY:** I would have said it is wet—should come into this Chamber today to ride roughshod over the rural conservative members in this Chamber. I appeal to their good judgment: do not allow the wets in your Government to continually dictate policy. On what is such a modest reform members should really show some character. The member for Ridley was prepared last night in this Chamber to put his constituency first—even though he earned the wrath of a ministerial colleague. He was strong enough and capable enough to know what was important for Ridley and his electorate. I say to the member for Ridley: ‘Do it again, Sir, do it again this morning, show us that you are a member who is concerned about your constituency in Ridley and support the Opposition and put this Government on notice that the wets cannot dictate and dominate the policy agenda as they have done for the first nine months in Government.’ I say to the rural constituency, ‘Stand up against the wets.’

**Mr BRINDAL (Unley):** The member for Spence interjected a couple of contributions ago that it is not contrary to Standing Orders in this place to lose the plot. I am most grateful that it is not, because if the Chair was to intervene every time members opposite lost the plot the work of this House would grind to a screaming halt. The Bill introduced by the member for Giles once again demonstrates very clearly that he was born out of his time. If the member for Giles had been born a hundred years ago he would undoubtedly have been a patent medicine seller, and a millionaire—he could sell snake oil anywhere. He is exceptionally talented in the delivery of clever rhetoric, and little else—

**Mr Lewis:** Very erudite!

**Mr BRINDAL:** Yes, as the member for Ridley says, very erudite. The contributions from members opposite in trying to support this Bill show the Bill for exactly what it is. It is rubbish, and we can only hope, for the benefit of all South Australians, that the rubbish opposite eventually decomposes into some decent compost which might provide fertiliser for the State. But at present this Bill and the contributions opposite are nothing but rubbish.

**Mr ATKINSON (Spence):** When the people of South Australia voted in a referendum to introduce daylight saving they did it on certain understandings about the duration of daylight saving.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The honourable member for Giles’ apology, I am sure, will be accepted by the House; however, the member for Spence has the floor.

**Mr ATKINSON:** The extension of daylight saving by this Government has not been consented to by the people of South Australia, and much less has it been consented to by the people of rural South Australia who voted against daylight saving. Therefore, there ought to be a free vote on this Bill, a free vote by the parliamentary Liberal Party on the principle of this Bill. It is an important Bill. If they were aware of the provisions of the Bill, most of their constituents would support it. It is most disappointing that the Minister for Industrial Affairs is forcing a whip on this Bill in order to defeat it.

**Mr De LAINE (Price):** I move:

That the debate be adjourned.

**The DEPUTY SPEAKER:** Is the motion seconded?

**An honourable member:** Yes, Sir.

**The DEPUTY SPEAKER:** Those in favour say ‘Aye’, those against ‘No’.

**Mr Clarke:** Division!

**The DEPUTY SPEAKER:** I believe the ‘Noes’ have it.

**Mr Clarke:** I called ‘Divide!’

**The DEPUTY SPEAKER:** A division called; ring the bells.

*Members interjecting:*

**The DEPUTY SPEAKER:** They called ‘Divide!’

*Members interjecting:*

**The DEPUTY SPEAKER:** The call for division came from the Opposition benches.

**Mr De LAINE:** Mr Deputy Speaker, on a point of order, I believe that the call for division came before you had given the result of the voices.

**The DEPUTY SPEAKER:** I understood that the call for division was reinforced after I had decided. If honourable members wish to withdraw—the member will stand with his head covered.

**Mr CLARKE:** I feel almost as silly as the member for Unley, Sir.

**Mr Quirke:** Borrow one of their wigs!

**Mr CLARKE:** I was talking about *Division 4*, a television show, Sir.

**The DEPUTY SPEAKER:** The member has withdrawn his call for division.

**Mr ATKINSON:** Mr Deputy Speaker, when someone takes a point of order during a division, their head should be covered by a hat; a notice paper or hand is not sufficient.

**The DEPUTY SPEAKER:** The custom in the 20 years that I have been in the House is that to cover one’s head has been deemed adequate. We are no longer in the division, the division has been terminated, and my request for the honourable member to cover his head was not in any way related to the member for Playford’s reference to incipient baldness. One can still be the heir apparent! The question before the Chair is that the Bill be read a second time.

**The Hon. FRANK BLEVINS (Giles):** The question put by the member for Price, I understood, Sir, was that the debate be adjourned.

**The DEPUTY SPEAKER:** That motion has been negated. The Deputy Speaker ruled in favour of the ‘Noes’. The question of division has been settled, so the debate continues. The motion was for adjournment. The member for Giles.

**The Hon. FRANK BLEVINS:** So I forget the division—

**The DEPUTY SPEAKER:** The member for Giles will resume his seat. The member for Giles is not in charge of the House.

*The Hon. Frank Blevins interjecting:*

**The DEPUTY SPEAKER:** If the member for Giles continues, I will name the member.

*The Hon. Frank Blevins interjecting:*

**The DEPUTY SPEAKER:** It will make a difference to the member.

*The Hon. Frank Blevins interjecting:*

**The DEPUTY SPEAKER:** The member for Giles is defying the Chair quite blatantly. If the member thinks that it will not make any difference to him, generally naming involves exposure to daylight—which is the very subject of

the Bill. The motion is that the Bill be read a second time. If the member for Giles now speaks he will close the debate.

**The Hon. FRANK BLEVINS:** Mr Deputy Speaker, I have been here 19 years—

**An honourable member:** Too long!

**The Hon. FRANK BLEVINS:** It is; you are right, and I am going as soon as it is decent for me to do so. In the 19 years that I have been here, this is the first occasion I have seen the Government take a private member's Bill out of the hands of a private member, without the private member's—

**The DEPUTY SPEAKER:** The member for Ridley has a point of order?

**Mr LEWIS:** Mr Deputy Speaker, I rise on a point of order. To what point of order was the member for Giles addressing himself?

**The DEPUTY SPEAKER:** The member for Giles is closing the debate. He is the mover of the Bill. If the member for Giles speaks, as indeed he is speaking, he will close the debate on the second reading. There is no point of order, and the member for Giles will stick to the subject matter of the debate.

**The Hon. FRANK BLEVINS:** I will stick precisely to the subject matter of the debate. The question is 'that the Bill be read a second time'. The Government called against that, and the Government has 36 voices in this place to our 11 voices. For the first time in my experience the Government has taken a private member's Bill out of the hands of the member without his agreement. That is absolutely and totally wrong, irrespective of the merits or otherwise of the Bill and who is here and who is not. If the Minister at the table did not mean to call against the Bill, he should use his numbers to reinstate the position as it ought to be.

*Members interjecting:*

**The Hon. FRANK BLEVINS:** You are going to knock it off.

**Mr Meier:** You're scared—

**The Hon. FRANK BLEVINS:** I am not scared of the vote at all. You are going to knock it off. It is my Bill, and you have taken it out of my hands. That is okay, if that is what you want to do but, in the four minutes remaining, I want to say this. There has been much levity on the Government's side from the eastern suburbs characters who run this Government. The Government might want to make fun of country people who do not like daylight saving, but I can tell the Government that in every one of its country electorates overwhelmingly the constituents want the Government to support the Bill so that, if there is any extension of daylight saving over and above what the referendum agreed to, it ought to come back to Parliament so that country members can represent their constituents.

Government members might think that that is funny, but I can tell them that in Cowell and Kimba in my electorate and many other places daylight saving has assumed an importance that a number of us find somewhat surprising, but those people are passionate about it. They do not like their children going to school in the dark: they do not like it and they do not want it. I guarantee that in any country electorate at least 80 per cent of people would vote in favour of this Bill. I do not want the Bill made fun of by the eastern suburbs characters who run this Government. This issue is important outside the metropolitan area. I will say this, too: when people find out that there has been an attempt by the Government to extend daylight saving for three weeks for the Moomba Festival, there will certainly be people in the metropolitan area not too happy about that, either.

I am here to represent my constituents who, almost without exception on the West Coast, do not want an extension of daylight saving because of the Moomba Festival. Certainly, they expect country members in this place to support me. I am not trying to knock it off and, if there are economic arguments for the Adelaide Festival or WOMAD, run those economic arguments in the Parliament. The Government should not run them in the Cabinet room where the eastern suburbs rule. It should run them in the Parliament, but the Government is too scared to do that.

*Members interjecting:*

**The Hon. FRANK BLEVINS:** I wanted the member for Custance to be here to vote on this. I have always believed that the member for Custance had some integrity. In Committee, I intend to report progress so that the members for Custance, Chaffey and others can have their vote recorded on this issue. I hope the Government supports me in reporting progress in Committee.

The House divided on the second reading:

AYES (11)

Arnold, L. M. F.	Atkinson, M. J.
Blevins, F. T. (teller)	Clarke, R. D.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hurley, A. K.
Quirke, J. A.	Rann, M. D.
Stevens, L.	

NOES (28)

Allison, H.	Armitage, M. H.
Ashenden, E. S.	Baker, S. J.
Bass, R. P.	Becker, H.
Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Caudell, C. J.
Condous, S. G.	Cummins, J. G.
Evans, I. F.	Hall, J. L.
Ingerson, G. A. (teller)	Kerin, R. G.
Kotz, D. C.	Leggett, S. R.
Lewis, I. P.	Matthew, W. A.
Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Rosenberg, L. F.
Rossi, J. P.	Scalzi, G.
Such, R. B.	Wade, D. E.

Majority of 17 for the Noes.

Second reading thus negatived.

## SITTINGS AND BUSINESS

**The Hon. G.A. INGERSON (Minister for Tourism):** I move:

That Sessional Orders be so far suspended as to enable Notices of Motion: Other Motions to be postponed until Orders of the Day: Private Members' Bills/Committees/Regulations are disposed of.

**The SPEAKER:** Order! I have counted the House and, there being an absolute majority of the whole number of members of the House, I accept the motion. Is it seconded?

**An honourable member:** Yes, Sir.

**The SPEAKER:** Does the Minister wish to speak?

**The Hon. G.A. INGERSON:** No, Sir.

**The SPEAKER:** The honourable member for Playford.

**Mr QUIRKE (Playford):** I certainly wish to speak, Mr Speaker. What we are seeing here this morning is an absolute travesty of the principles of this House. What we saw here a moment ago was the arrogant way that this Government has been conducting business in this House, particularly this week. We see Bills rocking up in here that are not even

circulated to members. We see a Government turning up and saying that the due notice that has to be given to all members of this House can just be waived—wiped aside. We now have a Government Minister coming in here under all sorts of pretences to wipe out this particular issue—to extinguish it—and then he will try to do it with the next one. This is Government dictatorship of this House! There are no rights for the Opposition or country members. It is noticeable that country members—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr QUIRKE:**—were not allowed to speak on the last issue. It is noticeable that there are members in this House who have views on the issue that is shortly to come before us. What is happening here—

**Mr BRINDAL:** I rise on a point of order, Mr Speaker.

*Members interjecting:*

**The SPEAKER:** Order! The member for Unley.

**Mr BRINDAL:** I believe that the member for Playford is addressing the issue of the suspension of Sessional Orders, and I ask you to rule on relevance.

**The SPEAKER:** The honourable member for Playford should link his remarks to the motion before the Chair, that is, the motion to suspend Sessional Orders. I therefore suggest to the honourable member that he ensure that his remarks are relevant.

**Mr QUIRKE:** I am addressing this issue very centrally. What is happening here is that this crowd, who have more than 24 hands on the floor, will use those numbers in this House to drag things and take things out—whatever suits them. That is what they are doing. This is has never happened in this House before. It is something that the last Government never did. We had never had a Minister gag private members' time, and that is what this whole episode is all about. This is Government management; it is in absolute tatters, and the only thing members opposite know is that 24 votes over there can suspend every common law principle that we have agreed to in this House over many years.

**The SPEAKER:** Order! There is a motion to suspend Sessional Orders and, therefore, there can be no further debate.

The House divided on the motion:

AYES (27)

Allison, H.	Armitage, M. H.
Ashenden, E. S.	Baker, S. J.
Bass, R. P.	Becker, H.
Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Caudell, C. J.
Condous, S. G.	Cummins, J. G.
Evans, I. F.	Hall, J. L.
Ingerson, G. A. (teller)	Kerin, R. G.
Kotz, D. C.	Leggett, S. R.
Lewis, I. P.	Matthew, W. A.
Meier, E. J.	Penfold, E. M.
Rosenberg, L. F.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Wade, D. E.	

NOES (11)

Arnold, L. M. F.	Atkinson, M. J.
Blevins, F. T.	Clarke, R. D.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hurley, A. K.
Quirke, J. A. (teller)	Rann, M. D.
Stevens, L.	

Majority of 16 for the Ayes.  
Motion thus carried.

### SHOP TRADING HOURS (EXEMPTIONS) AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 25 August. Page 313.)

**The Hon. G.A. INGERSON (Minister for Tourism):** This Bill is one of the most transparent political stunts that has been brought before this Parliament. The Bill was not conceived by the member for Ross Smith as a considered or responsible reform to the Shop Trading Hours Act. Rather, it was conceived by the honourable member on the spur of the moment during Question Time on 9 August as a kneejerk political reaction to my ministerial statement on that day.

The Bill is misconceived both politically and in policy terms and is rejected outright by the Government. The first thing to say about this Bill is that neither the Bill nor an identical Bill moved by a member of the Australian Labor Party in another place deals directly with the limited extended shopping hours announced by the State Government on 9 August. Instead, the Bill concerns only my exemption powers as Minister and the proclamation powers of the Government.

The Bill proposes that no section 5 certificates of exemption can be issued by the Minister unless authorised by regulation. It proposes that any regulation would have no effect until 14 sitting days after being laid before each House of Parliament, and then would operate only if it had not been subject to a successful motion of disallowance in either House. The Bill also proposes an identical limitation on the power of the Governor to issue a proclamation varying trading hours of a shopping district under section 13 of the Act.

The effect of the Bill would be to render meaningless the existing powers of the Minister and the Governor under sections 5 and 13 of the Act. Those powers would be made subject to political veto by either House of Parliament.

The issuing of certificates and proclamations would be made completely impractical. They could be given legal approval only during the parliamentary session. Circumstances justifying the granting of a section 5 certificate of exemption or the issuing of a section 13 proclamation that arose between parliamentary sessions would be incapable of being dealt with, because Parliament had not and could not approve the relevant regulation.

So, simply in terms of good legislative policy, this Bill is fundamentally flawed. However, I am delighted that the member for Ross Smith has introduced this Bill. It provides me and the Government with an excellent opportunity to highlight the hypocrisy and insincerity of the Opposition in relation to the issue of retail shopping hours in South Australia.

In his second reading explanation, the member for Ross Smith accused Government members of having short memories. We must step back and think what an amazing and incredible statement that is. When one looks at the record, we see that Labor believes not only in deregulated shopping hours but also in deregulating shopping hours by every possible means, including the use of ministerial and Executive powers. The Opposition's track record in South Australia shows that Labor is the Party of deregulated shopping hours in this State.

The member for Ross Smith is now busily racing around the community trying to project himself and his Party as being opposed to extended shopping hours. What a joke! Every time the honourable member tries to disown the Labor Party's record, or that of previous Ministers of Labor or previous Cabinet Ministers, that record will come back to haunt him. The fact is that Labor was the Party that introduced late night shopping throughout South Australia in 1977, and did so over the objections of small business—

*An honourable member interjecting:*

**The Hon. G.A. INGERSON:** I'll get to that in a minute—against the evidence of small business in the royal commission in 1977. In 1986 Labor granted ministerial licences to allow petrol stations to trade 24 hours a day, seven days a week. Is the honourable member going to withdraw that one? Labor was also the Party that deregulated shopping hours for every furniture shop and every floor covering shop throughout Australia in 1988. This deregulation was not even mild: it was total deregulation 365 days of the year. It was Labor that in 1989 deregulated the trading hours of hardware shops and shops selling automotive spare parts—again no mild or modest deregulation. This deregulation is 365 days a year, seven days a week.

In 1990, it was Labor that extended shopping hours across South Australia to include Saturday afternoon. Labor believed in this extension so strongly that in 1987 it pursued this change despite its being twice rejected in Parliament in 1987 and 1988. We can all recall—even though members opposite tend to forget—that it was Labor that introduced extended trading hours for all supermarkets in October 1993, for five nights a week: Monday, Tuesday, Wednesday, Thursday and Friday. That single issue almost wiped out all the corner delis in five consecutive weeks. Labor did that. Labor is the only Party that has totally deregulated industry and small business in the past 30 years of government. One only has to look at this attitude to see how insincere everybody is.

Labor believed in extended shopping hours. It believed that extended shopping hours were good for South Australia, and it still believes that extended shopping hours are good for South Australia. The *Hansard* record and the media reports throughout the 1980s are littered with statements by the Labor Party, the then Premier, the Ministers for Labor, other Cabinet Ministers and members of the Labor Party back bench supporting extended shopping hours in South Australia. The then Premier, now Leader of the Opposition, believed in extended shopping hours 10 months ago and provided large retailers with an additional 12 trading hours per week.

As I said earlier, it involved Monday, Tuesday, Wednesday, Thursday and Friday night. They almost wiped out all small retailers in that industry. It is incredible that the Leader of the Opposition and the member for Ross Smith should criticise a Government that increases trading by only nine additional shopping hours in any one week.

The Leader of the Opposition still believes in the extension of shopping hours that he announced last October. As recently as 16 June this year, the Leader told the media, as reported in the *Advertiser* and the *Australian*, that the Labor Party in South Australia would still extend shopping hours for the five nights they decided upon last October. The Leader of the Opposition clearly let down his guard 10 weeks ago and revealed the Labor Party's continuing support for extended trading hours. Yet the member for Ross Smith

addressed a handful of unionists and told them he was trying to prevent the ruination of small business.

Everybody knows that the Labor Party tried to destroy every small grocery business throughout Adelaide city and suburbs last October by requiring their supermarket competitors to trade five nights a week, and the Leader of the Opposition still wants to do that. The member for Ross Smith and all Labor Party members know full well that their Party will repeal this Bill because it does not believe in it.

It will also continue to march towards deregulated shopping hours. It does not believe in a parliamentary veto over certificates of exemption. Instead, the Labor Party believes only in trade union veto. In fact, Labor Government Ministers repeatedly said through the late 1980s and 1990s, both publicly and privately, that they would grant extended shopping hours to retailers of any type as soon as a deal had been done with the union. It was never a case of consultation with the industry or the wider community. It was never a case of arriving at a balanced outcome which could be in the interests of the whole of South Australia. It was simply a case of obtaining political imprimatur from the trade union movement and then going full steam ahead, whatever the consequences. One does not even need a long memory to see evidence of this fact.

In October 1993 we saw the clearest possible evidence when the extended Monday to Friday late night trading arose directly from a trade union deal with Coles and Woolworths, which had a policy of compulsory union membership. I have demonstrated to the Parliament the insincerity of the Labor Party in putting forward this Bill. But the insincerity goes further than the record of support for extended hours. It goes to the very heart of this Bill. This can be illustrated in clause 2 of the Bill. This clause means that the member for Ross Smith is proposing retrospective legislation. It is not simply the retrospectivity that is objectionable.

The fact that the member for Ross Smith proposes that his Bill commence from 8 August means that the retrospectivity applies in a highly selective fashion. This means that all certificates of exemption issued by past State Labor Governments will continue to be valid. Only those issued by the State Liberal Government after 8 August would be invalid unless approved by both Houses of Parliament. Here the real hypocrisy of the Labor Party is exposed. Successive Ministers of Labour in State Labor Governments in South Australia between 1988 and 1993 issued 883 individual certificates of exemption. Under this Bill every one of those 883 certificates of exemption continues to be valid and to operate. Not one of those certificates of exemption ever came before either House of Parliament. Under this Bill not one of those certificates of exemption needs to come before either House of Parliament.

It is therefore clear that the Labor Party does not really believe in this Bill. The Labor Party knows full well that the powers to issue Ministerial certificates of exemption and section 13 proclamations are an essential feature of the legislative scheme of the current Act. The Labor Party still excludes its certificates of exemption from legislative scrutiny. Indeed, the Labor Party would, as one of its first acts, repeal the Bill because clearly it does not believe in it. In his second reading explanation the member for Ross Smith tried to take the high moral ground in stating:

Many certificates of exemption were granted over the years with respect to Sunday trading. However, they were issued for specific purposes and for a limited period, for example, on Sundays leading up to Christmas, the Grand Prix, the John Martins pageant and so on.

In making that statement on 25 August, the member for Ross Smith deliberately misled this House and the people of South Australia. All of the licences and certificates of exemption—

**The Hon. FRANK BLEVINS:** On a point of order, Sir, the Minister has just said that the member for Ross Smith has deliberately misled this House. I suggest that that is a reflection and ought only to be made by way of substantive motion.

**The SPEAKER:** Order! If the member for Ross Smith objected to the words used by the Minister, he is the member—

**The Hon. G.A. INGERSON:** I withdraw it, Mr Speaker.

**The SPEAKER:** If the member for Ross Smith had made a request, the Chair would have asked the Minister. However, the Minister has now withdrawn the comments.

**The Hon. G.A. INGERSON:** All the licences and certificates of exemption granted by the former Government since 1986 to petrol stations, since 1988 to furniture companies and to carpet and floor covering retailers, since 1989 to hardware shops and, as recently as last October, to supermarkets, were permanent certificates of exemption and were not limited to a stated period. The member for Ross Smith needs to get his facts right.

I would be happy to take the member for Ross Smith down to Anzac Highway on Sunday and talk to the owners of Le Cornu and ask them whether they have a limitation. I will take the member for Ross Smith down to Bunnings the weekend after and get him to stand out the front and ask them whether they have a permanent certificate. If he believes that they have not, get them to ask to have it limited to a specific period. I will take a bet that he is not game to go to the Hardware Association or to any one of the furniture stores and say, 'You shouldn't be open on Sunday.' I bet he is not game to stand out there and talk to the employees. Go and ask the employees who are getting the extra dollars through working on a Sunday whether they want a special limitation. He is an absolute hypocrite who has been using the wrong facts, and he needs to be corrected.

He also suggested that it was a back door certificate of exemption under section 5. It is in the Act. Every Labor Minister in the past 10 years has done it with not one single question from the Liberal Party in terms of any particular certificate. All those certificates are granted under the law of this State set by this Parliament. Therefore, it is nonsense for the member to make that comment. The member for Ross Smith has a very short memory. The fact is that in December 1987 the South Australian Parliament voted against—

**Mr QUIRKE:** On a point of order, Mr Speaker: the Minister's time has expired.

**The SPEAKER:** Order! Will the Minister complete his remarks?

**The Hon. G.A. INGERSON:** I should like to point out that the member talks about the proclamation powers to permit Saturday afternoon trading.

*Members interjecting:*

**The SPEAKER:** Order! I take it the Minister's time has expired.

**The Hon. G.A. INGERSON:** I do not wish to continue my remarks, Mr Speaker.

**Mr De LAINE** secured the adjournment of the debate.

### EASTER (REPEAL) BILL

Adjourned debate on second reading.

(Continued from 25 August. Page 314.)

**The Hon. G.A. INGERSON (Minister for Tourism):** The Government supports the Bill.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

**The Hon. LYNN ARNOLD:** I am sorry that I was not able to participate in the second reading debate on this important Bill. I wanted to make the point that I support the legislation that the member for Spence has brought before Parliament. It is appropriate that this legislation, which was passed many decades ago and served no purpose then and still serves no purpose, should be removed from the statute book.

I want to raise an issue which, in my view, has been long overlooked in terms of the celebration of Easter and the way in which it affects the work calendar in South Australia. The fact is that we have two dates for Easter in most years. In some years the dates coincide, but most years they do not. The difference is between the Orthodox or eastern churches and the western churches. It goes back a considerable time to the first Ecumenical Council at Nicea when a decision was taken as to how Easter should be celebrated, but since that time there seems to have been a difference of opinion as to what the council actually wanted to say on the matter.

As a result of that, the eastern churches celebrate Easter on the first Sunday after the first full moon after the vernal equinox, which is normally about 21 March. That is actually shared by both the western and eastern churches. The difference then comes in that the eastern churches—the Orthodox, the Coptic and the like (the various branches of Orthodoxy)—then say that there are, however, grounds for exception; that is, if the Jewish Passover has not yet taken place due to the calendar that the Jewish church sets, then, notwithstanding that there may have been a first Sunday after the first full moon after the vernal equinox, Easter shall not take place until the first Sunday after the Jewish Passover.

So, whenever the Jewish Passover is held before the first Sunday, or at least a week before the first Sunday, after the full moon after the vernal equinox, the Orthodox Easter celebration will be at the same time as the western Easter celebration. Where it does not it will then fall differently, or later. This year it was quite significantly later: the western Easter was held in the first week of April and the Orthodox Easter was held in the first week of May. So, there was over a month's difference between the two.

In raising this matter, I am conscious of the fact that there are public holidays declared according to the western churches' determination of Easter, and that gives people a chance to have holidays and to celebrate the religious activities that take place immediately leading up to Easter Sunday. Those public holidays, of course, are not available to those who celebrate Orthodox Easter on the majority of occasions when Easter falls separately for the Orthodox church from the date on which it falls for the western churches.

I am not suggesting that there should be more public holidays proclaimed for people to have the convenience of celebrating Easter; I understand that that would not be a logical thing to do. However, I make the point that I hope, as many Orthodox Christians do actively celebrate their Easter, that they are given reasonable opportunities to do that by their employer, who would recognise that they need time to do so.

I am not proposing to move any amendment to this legislation, because this is repealing an Act and it would be

somewhat difficult to move an amendment to an Act that is being repealed. However, I call on employers in the State, including the State Government, to be sensitive to those Orthodox Christians who do want to celebrate Easter.

Members need to know that there is a very significant series of religious services that many Orthodox Christians celebrate, particularly in Holy Week—the week leading up to the Sunday of the Resurrection. This involves long services each evening, in some cases going well into the night in the case of the Saturday night, and well into the Sunday morning. It will also involve services during the day for a number. I think that on Wednesday before Resurrection Sunday there is a morning service as well as the evening service. I know that in the case of the Coptic Church—which has its services at Cowandilla—it will have a service on Thursday afternoon going right through into the evening and into the early hours of Friday morning. It will then break for a while and have another service later on Friday morning before breaking again for a lengthy service at Friday midnight going right through into the early hours of Saturday morning.

People who are Coptic and working would, of course, have to take time off work to do that. I think it would be unfortunate if they were to strike employers, including the State Government if they happen to be public servants, who took an insensitive approach to their wish to celebrate Easter as they see it. The only point I wanted to make was about this issue: that we are repealing this Act, which arbitrarily tried to set Easter according to a formula that had nothing to do with how the religious calendars have set Easter historically.

I support that Bill because that Act is a nonsense piece of legislation which at the time had just no value at all. However, the point I want to make is that by reverting to the religious calendar for Easter, or at least in acknowledging that now publicly, we should also acknowledge that there is a significant group of Christians in South Australia who celebrate Easter at a different time of the year, and we should not lose sight of that fact.

Clause passed.

Clause 2 and title passed.

Bill read a third time and passed.

#### **LOTTERY AND GAMING (TWO UP ON ANZAC DAY) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 25 August. Page 315.)

**Mr BASS (Florey):** This debate is no different from the debate on 24 February, 10 March and 24 March this year when exactly the same Bill, introduced by the member for Spence, was being considered. The introduction of an identical Bill is a bit like a child trying to get its own way. Children go to one of their parents and, after being refused, they quickly go to the other parent with the same request in the hope that that parent will acquiesce and agree to their wants. My analogy of the child is different from this legislation in only one respect: the child—or in this case the member for Spence—has taken the same set of circumstances to the same parent.

When introducing the legislation for the second time on 25 August, the member for Spence (the child) decided to quote from my speech in *Hansard* when I opposed the original legislation. I repeat what the honourable member quoted on that occasion, as follows:

The member for Florey said, 'The game will be left to entrepreneurs who will quickly realise that one day of the year, on Anzac Day, they can legally play the game but they will quickly take over the game.' The member for Florey had not read the Bill, so he did not see subclause (2) of clause 2, which says that the game is unlawful if any commission on, percentage of or fee for bets or winnings is given or sought by any person.

If the member for Spence honestly believes that that subclause will stop entrepreneurs from quickly gaining advantage over unsuspecting people, he shows distinct naivety about the law and about what goes on in the criminal world. In that speech, I went on to say—and he did not bother to quote this part:

In my police career I have always found that, where gambling is illegally taking place or is carried on in an uncontrolled environment, corruption quickly appears.

I said further:

I feel that in the future it will not be the diggers who will be playing the game but the entrepreneurial gamblers who will quickly prey on the unsuspecting under the guise of an Anzac Day two-up game. . .

My thoughts on this matter are supported by the Department for Treasury and Finance, which has expressed the view that any relaxation of gambling laws, except in a controlled environment such as the Casino, carries a risk that these members of society, the make-a-quick-dollar entrepreneurs who seek to access easy money, will soon exploit the situation to the disadvantage of the majority of the unsuspecting participants.

The member for Spence has not included any real safeguards so that the game can be policed. As I said in my contribution of 24 March, I oppose the Bill in its present form. This Bill introduced on 25 August is exactly the same. Gambling in an uncontrolled involvement can be a catalyst for more serious crime. This Bill, in its present form, will allow gambling in an uncontrolled environment, and I oppose the Bill.

**Mr De LAINE** secured the adjournment of the debate.

#### **CITIZEN INITIATED REFERENDA**

Adjourned debate on motion of Mr Lewis:

That the interim report of the Legislative Review Committee (Citizen Initiated Referenda) be noted.

(Continued from 25 August. Page 316.)

Motion carried.

#### **COMMONWEALTH GAMES**

**The Hon. J.K.G. OSWALD (Minister for Recreation, Sport and Racing):** I move:

That this House notes the outstanding achievements of the Australian Commonwealth Games Team, in particular the South Australian athletes, and congratulates them on their performance in winning a record 182 medals in Victoria, Canada.

I thank members for the opportunity of moving the motion this morning. I also thank members on this side of the House, who normally would have moved and seconded this motion, for stepping aside and allowing the Minister for Sport to set on this occasion what is something of a precedent in a Minister's being involved in private member's time. The significance of this motion will be picked up by both sides of the Parliament. It acknowledges a significant event and we think it appropriate that, on behalf of the State, it be moved by the Minister for Sport.

The Commonwealth Games in Canada was a very moving 10 days. I had the privilege of attending and I was certainly present for the opening ceremony. It was with some pride that I saw the Australian team march on, with its flag bearer, and behind the flag bearer we had Marjorie Jackson Nelson, who resides in this State. Members would know her former prominence on the world stage in both the Olympics and the Commonwealth Games. She was the team manager in the village and she had the honour of leading the contingent around the arena.

I would like to place on the record for posterity the performance of the various athletes who took part. At the Fifteenth Commonwealth Games held in Victoria, Canada from 18 to 29 August 1994, Australia was represented by a team of 250 athletes and 88 officials. Of these, South Australia was represented by 21 athletes and nine officials. Australia was easily the most successful country, winning a total of 182 medals, which included 87 gold, 52 silver and 43 bronze. All competitors and officials must be congratulated on their outstanding performances and, in particular, those athletes who represented South Australia.

The medals list includes the following: Sean Carlin, athletics hammer throw, gold; Brett Aitken, cycling team pursuit, gold, and the 40 kilometre points, gold; Stuart O'Grady, cycling team pursuit, gold, and 10 mile race, gold; Tim O'Shaunnessy, cycling team pursuit, gold; Rebecca Stoyel, gymnastics on the uneven bar, gold; Phil Rogers, swimming, 100 metre breaststroke, gold, and also the 4 x 100 metre medley, gold; Martin Roberts, swimming in the 4 x 200 metre freestyle, gold; Kathy Sambell, athletics, 4 x 100 metre relay, silver; Ian Taylor, bowls in the fours, silver; Stuart O'Grady, cycling in the 40 kilometre points, silver; Rebecca Stoyel, gymnastics, in the individual all-round, silver; Phil Rogers, swimming in the 200 metre breaststroke, silver; Sarah Ryan, swimming in the 4 x 100 metre freestyle, silver; Song Yang, badminton singles, bronze; also the teams, bronze; Stuart O'Grady, cycling, individual pursuit, bronze; Tim O'Shaunnessy, cycling the 1 kilometre time trial, bronze; Rebecca Stoyel, gymnastics team, bronze; and Dean Turley, shooting, men's pairs rifle, prone, bronze.

In addition to this, athletes who have previously lived, trained and competed in South Australia should also be congratulated on their success: Dean Woods in the cycling team pursuit, gold, and also in the 40 kilometre points, bronze; Gary Neiwand in cycling, sprint, gold; Daniel Kowalski, swimming in the 1 500 freestyle, silver; and Alison Inverarity in the athletics high jump received gold. A personal best performance was also achieved by 17-year-old swimmer, Ryan Mitchell, who finished fourth in the 200 metre breaststroke.

All the medal winners from South Australia, and indeed the vast majority of the South Australian representatives have received support from the South Australian Sports Institute. Athletes have been supported through the Sports Plan program in the sports of athletics, gymnastics, badminton, cycling, lawn bowls and swimming, while the other athletes have received individual scholarships. In addition, South Australia hosts the successful national track cycling program based at the AIS unit in Adelaide. The Australian team won gold in all six men's track cycling events, also winning placings in four of these events. South Australia also provided the head coach of this team, Charlie Walsh, and the team manager, Michael Turtur.

In the 1990 Commonwealth Games, 21 South Australian athletes were selected across eight sports. These athletes won

five gold, six silver and three bronze medals, compared to 10 gold, six silver and six bronze in 1994. South Australia won 11 per cent of the total medals achieved by Australian athletes, taking into account that three South Australian athletes were members of the one gold medal winning cycling pursuit team. It is possible that the establishment of a consistent network of support for athletes across Australia has contributed to the success of the Commonwealth Games. The Australian Sports Commission, along with State institutes and academies, have agreed upon a consistent approach to the development of athletes.

This has enabled athletes to move to programs in other States which may offer expertise not available within their own State, while remaining a representative of the home State. Examples of these are the Western Australian pole vaulter, James Miller, who has trained in Adelaide under pole vault coach, Alan Lander, while remaining at the Western Australian Institute of Sport as an athlete. Also, South Australian gymnast, Rebecca Stoyel, a South Australian scholarship holder, trains in the WA Institute of Sport gymnastics program. South Australia has supported this network. The nine South Australian officials accompanying the athletes included, as I said, Marjorie Nelson as the general team manager of the Australian team.

Finally, a special mention should be made of the performance of the Queensland athlete Kieren Perkins for his world record breaking performance in winning the 1 500 metre freestyle event. This was the only event at the Commonwealth Games in which a world record was achieved and Kieren should be congratulated on his performance. There are times when it is probably nice being a member of Parliament, as it allows you to speak on behalf of the whole community, and in moving this motion I do congratulate all the recipients of medals and everyone who took part in the team, whether they be organisers, athletes, coaches or managers. They did a sterling effort on behalf of the country. We are very proud of them and they should be justly proud of themselves.

**Ms STEVENS (Elizabeth):** I rise to support wholeheartedly the motion moved by the Minister, and I support all that he said in his speech. Events such as the Commonwealth Games are not only about physical and mental excellence and people competing to achieve this but they are also about team work, the struggle to achieve, pride in nation and friendship and cooperation. The Commonwealth Games is much more than a sporting event; it is an international event of far reaching consequences. This year, in the Fifteenth Commonwealth Games, Australia did better than ever before, and its success was great in that it covered a whole range of sports.

Australia won a record 182 medals, 87 of which were gold, in sports such as swimming, cycling, athletics, gymnastics, boxing, diving, weightlifting, badminton, shooting and lawn bowls. It was really important to me that we not only did well but that we did so well in so many areas. There were many outstanding efforts by our athletes, and it is difficult sometimes to point to any in particular because sometimes an effort that does not receive a gold medal is perhaps just as noteworthy as those that do. However, it is impossible not to mention people who did so outstandingly well, such as Kasumi Takahashi, who won five gold medals; Kieran Perkins and Nicole Stevenson each of whom won 4 gold medals; and there were others who won three or two gold medals. Overall, it was a most outstanding performance.

As the Minister said, South Australia was also represented by fine athletes who did extremely well. Twenty-one athletes

from South Australia went to the games, winning nine gold, six silver and seven bronze medals. The Minister mentioned those people in great detail, and they are Sean Carlin, Brett Aitkin, Stuart O'Grady, Rebecca Stoyel, Martin Roberts, Phil Rogers, Tim O'Shannesy, Dean Woods and Gary Niewand. Also the Minister related the events in which they did so well and for which they won their medals.

The results achieved by Australia in the Commonwealth Games vindicate entirely the establishment of the Australian Institute of Sport and the work that it is now doing in conjunction with other bodies—for instance, the South Australian Sports Institute—in the establishment of networks across our country for the development of Australian sportswomen and sportsmen. It is interesting to note that other countries are now looking at our model as a way of increasing their performance, and that they are acknowledging that moves such as this can have great effects and make great improvements in sport across a country.

Another two or three things in relation to the Commonwealth Games were important to me, one of which was the clumsy and embarrassing comments of Arthur Tunstall. When we look back on the games, those comments actually served to highlight two really important issues: first, the issue in relation to disabled athletes, and I think that, despite the nature of his comments, they encouraged discussion about the fact that disabled athletes have the right also to participate in the games, as they have the right to participate equally in all aspects of our society. They are certainly not an embarrassment, and they too did extraordinarily well in the games. When I was reading the paper I noticed a quote from the 16-year-old Tasmanian swimmer, Melissa Carlton, who won gold in the 100 metres freestyle for disabled athletes. She said:

This is my first international competition. It is the biggest crowd I've ever swum in front of. It's bigger than the population of Tasmania.

It is great to see a young person with hope and motivation achieving in this way and being up there with all of our best. The second important thing that came out of the games for Australia was Cathy Freeman's move to celebrate her achievements by displaying both the Aboriginal and Australian flags. It was really important to note that she was game enough to continue to do this, despite the comments of Mr Tunstall, and that she put up front the fact that Aboriginal nationhood and Australian nationhood go hand in hand, and that of course is what we are on about. I conclude on that point, while wholeheartedly supporting the Minister's motion.

Motion carried.

### NATIVE TITLE

**Mr CLARKE (Ross Smith):** I move:

That this House condemns the Federal Leader of the Opposition, Mr Downer, for his recent suggestion that a future Federal Liberal Government would repeal the Commonwealth Native Title Act and calls on the Premier to urge his Federal parliamentary colleagues in their review of their Party's policy on Aboriginal Affairs to accept that the maintenance of the Native Title Act is absolutely essential to the process of reconciliation between black and white Australians.

The motion relates to the stance taken by the Federal Leader of the Opposition, Mr Downer, at the Western Australian division conference of the Liberal Party when he explicitly stated that, if necessary, in consultation with States such as Western Australia and its Premier, Richard Court, he would repeal the Commonwealth Native Title Act on his election as Australian Prime Minister. There was subsequently a great

deal of controversy and, in the following week, Mr Downer travelled to the Northern Territory where one gaff followed another.

Mr Downer showed an inability to understand that there was a Northern Territory Native Title Act that was passed by the Fraser Government in 1976. He confused that Act with the Commonwealth Native Title Act 1993. Mr Downer was totally uncertain in respect of which Act he was talking about, and he claimed that the basis of his confusion related to his being overcome with emotion at a corroboree he attended. The only difficulty was that the corroboree was held after he made the statement. My motion seeks to do a number of things. First, it condemns the Federal Opposition Leader, Mr Downer, for suggesting that he would repeal the Native Title Act, despite his partial about face since that 1 August meeting of the Western Australian division of the Liberal Party. The fact is that Mr Downer has not embraced Aboriginal reconciliation.

*Mr Cummins interjecting:*

**The DEPUTY SPEAKER:** Order! The honourable member will have the opportunity to express his opinions later, and I ask him not to interject across the Chamber.

**Mr CLARKE:** The Federal Leader of the Opposition has not ruled out totally the possible repeal of the Commonwealth Native Title Act under his Prime Ministership. As the member for Norwood fully appreciates, that significant legislation is embraced by the Aboriginal people and is seen as an absolute necessity towards reconciliation in this country and in giving Aborigines something meaningful to live for in recognition of their culture. It is pandering to the basest elements in our society for Mr Downer to tantalise them by implying that he might repeal that Act to try to curry favour with a certain section of his own Party and with certain sections of the electorate.

The other part of my motion deals with the State Government. It is true, as I have said on another occasion in this House, that over the past 20 years Aboriginal affairs in South Australia have been considered with a bipartisan approach. Without taking the House through all the details, in the context of this debate I believe that we all remember the 1981 Pitjantjatjara Land Rights Act, which was finally consummated under the Tonkin Liberal Government, although the preparatory work had commenced under the Dunstan and Corcoran Governments before Labor lost office in 1979. There is the Maralinga Tjarutja Land Rights Act of 1986, which was supported by the then Liberal Opposition, and the establishment of the Aboriginal Lands Trust. In a whole range of areas involving Aboriginal affairs in this State over the past 20 years, there has been a significant degree of bipartisanship.

As the Opposition spokesperson on Aboriginal matters, I would be only too happy, as I have indicated to the present Minister, to continue that bipartisan approach, because it does our society no good to play the race trick in terms of trying to attract votes. That goes against the entire grain of this country for the past 40 years in the areas of immigration and the like as well as the rich diversity and enhancement of our society through multiculturalism and our tolerance of one another and people from different races. It is something which is far too important to be subjected to Party politics, and that is why I have been extremely pleased over the past 20 years that both major political Parties at the State level have engendered a spirit of bipartisanship. I would like it to continue.

However, as I have said in this House on other occasions, we oppose the State Government's attempts to join the Western Australian Government in disputing key sections of the Commonwealth Native Title Act in the High Court. I understand the Government's position: it says that only certain sections will be opposed and that it is not opposed in principle to the Commonwealth Native Title Act. I commend the Government to the extent that it deviates considerably in point of principle from the view of Richard Court in Western Australia. Nonetheless, certain key sections of that Act could be challenged and, if those challenges were to succeed, they might totally destroy the Act. I urge caution in that regard and I would prefer that the State Government did not do that. What the State Government is seeking to address in the High Court action is what it perceives as some of the administrative difficulties. The Native Title Tribunal itself has pointed out some of the administrative difficulties.

*The Hon. S.J. Baker interjecting:*

**Mr CLARKE:** The Deputy Premier is correct in saying that the judge concerned has pointed out some administrative difficulties with respect to the existing Act. That Act can be amended. But what is needed in the Federal arena is the same degree of bipartisanship between the major political Parties in Canberra as has been the case to date in South Australia, otherwise a position would arise similar to the one the Federal Liberal and National Parties took at the end of last year, when they totally opposed the Native Title Act full stop without seeking to amend it. As we all know with respect of various pieces of legislation that were passed at the end of last session, if you rely upon the votes of minority Parties such as the Green Party in the Senate and so forth, any legislation that is debated late at night in the frenzied atmosphere that often accompanies the end of parliamentary sessions, when certain compromises are reached, will be subject to problems.

The best way to address that legislation or any defects that are seen would be if the Liberal and National Parties, at a national level, went back on their previous stance of total opposition and said to the Federal Labor Government, 'Yes, we embrace the Native Title Act. However, we have concerns and we want to amend it in a practical way to meet the concerns of the pastoralists, the miners, the Aboriginal community, and so on.' That can be done, and it has been done in this State between the Liberal and Labor Parties.

Given that Mr Downer is from South Australia, the Premier—recently elected, of course—has a unique opportunity to be able to exert his influence on Mr Downer and point out to him that we in South Australia overcame all these problems. We brought in the Pitjantjatjara Lands Rights Act 1981 and we supported the Maralinga Tjarutja Land Rights Act 1986: the earth has not collapsed, the sky has not fallen down on us, there are rights of veto with respect to mining under those land rights Acts in South Australia, and mining, prospecting, permit seeking and so forth is continuing with the appropriate Aboriginal community leaders. I believe that the South Australian Liberal Party has a unique opportunity to influence the debate at a national level with respect to native title by pointing out the positive aspects of a bipartisan approach and urging that upon the Federal Liberal Party.

It is not sufficient, for example, that the land fund which is being established under that Act, with about \$1.2 billion being allocated by the Commonwealth Government in that area, is opposed by the Federal Liberal Party. I am aware that its spokesperson on Aboriginal affairs, the Hon. Chris Gallus, has suggested a number of amendments which do not address the issues and certainly do not satisfy the concerns of the

Aboriginal community, and that would be well known to members opposite from recent press publicity.

*The Hon. S.J. Baker interjecting:*

**Mr CLARKE:** In terms of health, education and other priority areas, the Deputy Premier is perfectly correct. As the member for Norwood, others who visited Oak Valley and the Maralinga lands a week or so ago and I witnessed first hand, there are appalling health standards, there are appalling housing standards and there are other conditions which need to be addressed. One can say that, so far as the Federal Labor Government is concerned, and under our State Labor Government over past years, tremendous sums of money have been spent in that area. As the member for Norwood would be aware, funding is now directed at a national level through ATSIC (the Aboriginal and Torres Strait Islander Commission).

As the Deputy Premier has pointed out to us on numerous occasions since he assumed office as Treasurer, funds are finite at a State level and have been for sometime, and likewise at a national level. I constantly hear a refrain from Mr Downer: in fact, I attended a breakfast this morning at the Royal Agricultural Show at which he was the guest speaker, and he talked about the need for the Commonwealth Government, as he saw it, to significantly reduce its budget deficit in order to keep interest rates down, to stop squandering money and to stop spending. So it begs the question where he would find the necessary funds to significantly upgrade health and human services for Aboriginal people. I think Mr Downer is speaking with forked tongue, quite frankly, with respect to this matter.

What it really does come down to is this: he started to partially recant his position on the Native Title Act only from 1 August this year after the furor and the public outrage that erupted. His true beliefs, unfortunately, are those that he expressed to the Western Australian division of the Liberal Party on 1 August. That is when he believed he would get a rave report, not only from the Western Australian division of the Liberal Party, but he thought he could tap into that wellspring of baser instincts and be able to capitalise them. I urge support of the motion.

**Mr MEIER** secured the adjournment of the debate.

*[Sitting suspended from 1 to 2 p.m.]*

## QUESTIONS

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

## NATIVE TITLE

In reply to **Mr CLARKE** (3 August).

**The Hon. DEAN BROWN:** The member for Ross Smith has asked a number of questions relating to the Native Title Act and South Australia.

Let me say at the outset, and I made this perfectly clear in the media release of 2 August last, that South Australia is not mounting a challenge to the basic premises of the Native Title Act. The State's intervention is targeted at key constitutional points which strike at the heart of South Australia's ability to manage its own affairs as clearly as the Australian Constitution intends. It is not proposed that the arguments on which intervention is based should lead to the Native Title Act being declared wholly invalid, nor in fact could they lead to such a conclusion.

The Solicitor General is currently preparing the submission which details the arguments that South Australia will be putting before the

High Court. Until the submission has been forwarded to the High Court it is not appropriate for details to be released. Quite apart from that, as the Native Title Act is so complex and cumbersome any attempt to release anything but the final and complete submission would be pointless and confusing.

If the member wants further details and time permits before the hearing of the case, I will provide the member with more precise details of the sections being challenged. However as I have already indicated in the media release, the key issues we intend focussing on are:

- that the Commonwealth does not have the power to tell the States which of its legislative or executive Acts will be valid.
- the power of the Commonwealth to turn common law into statute law without identifying any particular rules.
- the way in which State legislation can be caught by the right to negotiate regime.
- the wide criteria that the Commonwealth purports to lay down in connection with the right to negotiate: for example, the requirement that an arbitral body is to take into account things that may have nothing to do with native title.

The member for Ross Smith is aware that the Government has embarked on a program of legislative amendment to ensure that South Australian legislation is, where appropriate, made consistent with the Native Title Act. Officers of the Attorney-General's Department have been in contact with the Commonwealth which has now provided their comment on the first of South Australia's native title amendment Bills. It is now proposed that these initial Bills will be debated in the current session of Parliament. In introducing this round of native title legislation, the Government has taken the decision that these amendments are vital and must proceed. South Australia will not sit on its hands waiting for a decision by the High Court.

### TRADING HOURS

**The Hon. G.A. INGERSON (Minister for Tourism):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. G.A. INGERSON:** Her Excellency the Governor has today issued a proclamation pursuant to Section 13(9) of the Shop Trading Hours Act 1977 setting out retail trading arrangements for the lead-up to Christmas 1994.

As with the practice of the previous Government last year, for those retailers who wish to take advantage of the additional trading opportunities prior to Christmas to satisfy increased consumer demand, the three Sundays immediately before Christmas Day have been approved for trading between the hours of 11.00 am and 5.00 pm in all shopping districts. The Sundays on which shops (with the exception of motor vehicle dealers) will be able to trade are 4 December, 11 December and 18 December 1994.

Also in accordance with past practice, the Governor has approved that shops in all shopping districts will be permitted to trade until 9.00pm on Thursday 22 December and Friday 23 December 1994. This pattern of trading will accommodate the needs of consumers and retailers with regard to their Christmas shopping.

Country shopping districts which seek a variation to these extended trading arrangements to service holiday visitors to their areas during the Christmas/New Year holiday period or to cater for the significant regional events may, in accordance with past practice, apply for a particular proclamation specific to their shopping district.

The retail industry is South Australia's largest single employer and over the Christmas period employment increases up to 30 per cent. The Government's Christmas trading arrangements will provide a valuable opportunity for the industry to take advantage of the increased consumer demand.

The Government has deliberately acted to give early advice to traders on the arrangements for this peak trading

period in order that industry can appropriately plan, work rosters can be prepared and prospective employees have plenty of time to apply for the job opportunities which will be created.

### ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

**Mrs KOTZ (Newland):** I bring up the fifth report of the committee on supplementary development plans, amendments to development plans, and move:

That the report be received.

Motion carried.

### QUESTION TIME

#### PENRICE

**The Hon. LYNN ARNOLD (Leader of the Opposition):** Does the Premier acknowledge that his budget has broken the Government's promise to minimise adverse impact on the commercial sector by imposing massive increases in charges on some sections of the industry? The Premier vowed that State charges would increase at a rate no greater than inflation, yet the Managing Director of Penrice Soda Products has written to the Opposition expressing disappointment and concern at the significant increase in Government related charges applied to industry in the budget, and in particular the effect of increased gas prices and payroll tax changes. The letter states, in part:

In particular I refer to the increase in natural gas prices emanating from the additional charges on the Pipelines Authority of South Australia. This has the impact of increasing our costs by \$450 000 per annum. The payroll tax changes will have the impact of increasing costs by \$85 000 per annum.

Other charges for land tax, etc., will no doubt also increase our cost base. Overall, an increase of some \$550 000 per annum adds nearly \$1.67 per tonne to the cost of our product. . . South Australian industry cannot compete with such random imposts on our cost base. . . A cost of \$555 000 per year at Penrice is the equivalent of 12 full-time jobs!

**The Hon. DEAN BROWN:** First, I stress that the budget we have introduced is specially oriented to stimulating the economic sector of South Australia.

**The Hon. Lynn Arnold:** I'm sure they found your \$550 000 payroll tax very stimulating.

**The Hon. DEAN BROWN:** Well, just wait and see. Looking at the hard facts, this Government has been very successful in achieving that objective, judging by the employment figures that have come out today. For the past six months there has been an underlying strength in employment growth in South Australia. The figures show that from January this year until the latest figures there has been a growth in full-time employment in South Australia of 14 100 jobs. That is 14 100 additional jobs in South Australia.

**The Hon. M.D. Rann:** What about Penrice?

**The Hon. DEAN BROWN:** I suggest that the Leader of the Opposition, the man who lost 21 000 manufacturing jobs whilst he was Minister responsible for industry, should sit and listen to these facts on jobs growth in this State. We were elected on the basis of creating jobs, we introduced a budget to create jobs and we have set about and are achieving that objective.

Members will know that before the election I gave a commitment that I thought we could achieve a growth of about 12 000 jobs in our first year in Government: that was

the target that we set. The facts clearly show that in the first eight months we achieved a growth of 14 100 jobs. It is the highest level of employment in South Australia since August 1991. In three years the highest level of employment has been achieved this month. The important thing is that it is not a one-off thing. There has been an underlying strength in the trend of employment in South Australia over that period, despite the fact that the participation rate within South Australia has increased during that period. We are achieving a .5 per cent growth rate in employment each month as a trend since the beginning of this year.

**The Hon. M.D. Rann:** The question was about Penrice.

**The Hon. DEAN BROWN:** Mr Speaker, they sit there—

**The SPEAKER:** Order! One question has been asked and the Premier will answer it. The Chair does not need any assistance from the Deputy Leader. The Premier.

**The Hon. DEAN BROWN:** If ever there was a person who could not ask the question that was asked today it is the Leader of the Opposition. In the past three years the Labor Government imposed the highest increase in State taxation of any Government in the whole of Australia, despite a promise at the 1989 election that it would not increase taxation at all. What a record: the highest increase in taxation in the whole of Australia!

Let us look at the record of this Government and pick some of the areas like land tax. As you would realise, Mr Speaker, even with the adjustment by reducing the lower level for land tax in South Australia, the Government this year will collect \$2.7 million—

**The Hon. LYNN ARNOLD:** On a point of order, Mr Speaker, I draw your attention to the matter of relevance. The question was about the Government ripping off half a million dollars from Penrice Soda.

**The SPEAKER:** Order! There is no point of order. The Chair is of the view that the Leader of the Opposition is out of order. The answer to a question is entirely at the discretion of the person answering it. The Premier.

**The Hon. DEAN BROWN:** Although we have lowered the bottom limit for land tax, this year, because of lower land values in South Australia, we will still collect \$2.7 million less in real terms than we did last year. I take up the issue of gas prices raised by the Leader of the Opposition. We have increased the transport rate for gas, but do you know what impact that has on the price of gas to a large industrial user, or on domestic gas? It will increase the price of domestic gas by 1 per cent, and it will increase the price of industrial gas for very large users such as Penrice by 3 per cent.

South Australia is very close to providing the cheapest gas in the whole of Australia, even after the increase—in fact, there is a 3¢ per gigajoule difference between us and the lowest State in Australia, Victoria. Because of the contract we negotiated and signed yesterday with the producers over the sale of ethane to New South Wales—but, very importantly, securing long-term access to an extra 400 petajoules of gas—South Australia will maintain the most competitive long-term gas price of any State in Australia. I assure all industrial users—

*Members interjecting:*

**The Hon. DEAN BROWN:** I would like to sit down with Penrice to see how it did its calculations. If Penrice said that a 3 per cent increase in the gas price was equivalent to \$400 000, it must be using an enormous amount of gas.

**The Hon. S.J. Baker:** It's \$120 million worth.

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:** No, it is not that much.

*Mr Becker interjecting:*

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

**The Hon. DEAN BROWN:** That calculates to Penrice using \$30 million of gas a year. The whole of South Australia uses only \$50 million worth of gas a year. So, Penrice has probably applied the 25 per cent to its total gas bill instead of to the transport charge for the gas, which would mean a rise of only 3 per cent. Penrice has perhaps misunderstood the increase. Quite clearly, Penrice does not use \$30 million of gas a year—it could not do that. That is more than half the total gas supply of Adelaide. I suggest that the Leader of the Opposition look in the mirror when it comes to tax increases, and look at what he and his Government imposed over a three year period. More importantly, I will sit down with Penrice and I will check its figures because I think Penrice has made an embarrassing mistake, and that mistake will reveal itself as being just a fraction of the \$400 000 quoted by Penrice.

## EMPLOYMENT

**Mr SCALZI (Hartley):** Following his answer to the Leader of the Opposition, will the Premier indicate what additional trends have now shown up in the creation of full-time jobs in South Australia?

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:** I thank the member for Hartley for that question because he referred to information in addition to that I have just given. That is very pertinent, because I have some further good news for South Australia. In the past month alone this Government has created an extra 5 800 full-time jobs here in South Australia. Why has that occurred? Because this Government has created the right environment once again for private sector investment in South Australia. The good news is that a lot more good news will be forthcoming from now until the end of the year.

The good news is that further employment expansion will occur in areas such as the car industry, the wine industry and the electronics industry. Companies such as Motorola and Australis are just now starting to take on additional employees as part of their new investments in South Australia. The clear indication is that South Australia has been able to maintain a positive growth rate for the past six months and it augurs very well indeed for the future, particularly the rest of this year and going right through next year. The figures in the budget related to an additional 10 000 jobs, and we find that that is probably a very modest prediction, indeed. Even the Centre for Economic Studies, which has been so critical of the economic policies of previous Governments in South Australia, predicts a growth rate of 15 000. Quite clearly, at the beginning of the year this Government hoped that it would be able to achieve an extra 12 000 jobs; it exceeded that in the first eight months of the year, and the indications are that the growth rate will continue to build upon that.

If we look at some of the major industry sectors that have already recorded very significant growth over that eight month period, we see areas such as the motor vehicle industry, the manufacturing industry, the wholesale and retail trade, transport and storage, finance, property and the business services sector and recreation. Recreation and tourism is one of the key areas in which this Government is starting to attract new investment, such as the \$200 million invested in Warrina. I am delighted to say that Warrina is to start some construction work very shortly.

We have seen today the approval through Executive Council to start work on the factory for Australis Media, a project that will build a very substantial operation over 4 000 square metres. However, that is only one of several new buildings about to be constructed at Technology Park; another building is to be constructed for Motorola, as well as others in the near future for the Software Development Centre. So this State, for the first time for many years, is climbing out of the recession that Labor imposed upon it and the negative feeling that has existed for so many years. I am delighted to say that, after six months of a very positive trend in the employment field, this State is looking to a much brighter future.

**The SPEAKER:** Order! I advise the House that questions which would normally be directed to the Minister for the Environment and Natural Resources should be directed to the Minister for Employment, Training and Further Education, and questions normally directed to the Minister for Primary Industries should be directed to the Minister for Small Business.

### PIPELINES AUTHORITY

**Mr QUIRKE (Playford):** My question is directed to the Treasurer. Why did the budget not disclose the fact that the Government will increase PASA's charges to South Australian industry by 25 per cent as at 1 January 1994? With your leave, Mr Speaker, and that of the House, I will briefly explain. The budget has factored into its figures an increased payment from PASA from \$11 million last year to \$17.3 million this year, largely as a result of a 25 per cent increase in PASA charges. The Treasurer has deliberately not mentioned this tax increase anywhere in the budget, yet PASA has advised the gas company of this increase. A letter that the gas company sent to all major consumers states:

The Pipelines Authority of South Australia has just advised us that at today's budget announcement the Treasurer provided for natural gas transportation charges to be increased by 25 per cent effective 1 January 1995.

**Mr LEWIS:** Mr Speaker, I rise on a point of order. I do not recall the honourable member seeking leave to explain his question.

**The SPEAKER:** Order! The honourable member has the leave of the Chair to continue.

**Mr QUIRKE:** Mr Speaker, I think a check of the *Hansard* record will clearly indicate that—

**The SPEAKER:** Order! The Chair has ruled that the member may proceed, and I suggest that he do so.

**Mr QUIRKE:** Thank you, Mr Speaker. It goes on:

As a major gas user, we believe it necessary to advise you immediately of this increase. At this stage we are still determining the full impact of this announcement on our tariffs and will notify you as soon as we determine the extent of any impact on your contract prices.

**The Hon. S.J. BAKER:** I cannot see any inconsistency with what is in the budget and what the honourable member has outlined to the House. We have made no secret of the fact that transportation charges increased by some 25 per cent. We have also said for electricity users that it will mean a .5 per cent increase in costs and the price ultimately charged. That is the calculation that was undertaken and there has been some agreement on that between PASA and the potential or actual users. We have also made it absolutely explicit that the costs for industrial users will be 3 per cent, about 2 per cent for commercial users and about 1 per cent for residential

users in terms of the increase in price charged at the appropriate venue. It is consistent.

I am unaware that there is any inconsistency with the figures presented in the budget. In fact, the charges will be calculated down to the finest cent when it is appropriate to do so. That is normal business practice. I can assure the House that there was agreement, or an understanding, about the potential impacts prior to the charge being increased, and that was obviously an important consideration in any changed arrangements. I make the point strongly that, until this change occurred, we were actually captive to our arrangement in the Cooper Basin, because the transportation charges on our line are the cheapest in Australia by a large degree. That effectively prevented new pipelines being built into South Australia because there was no-one who could match the transportation costs on the existing pipelines. It is a matter of dynamics.

If we want organisations such as the Gas Company and the Electricity Trust as major users to continue to be major users of gas well into the future—for the next 20, 30, 40 or 50 years—it is imperative that we can attract a competitive supply. That is absolutely imperative and this assists in that process. I believe it is a positive result for South Australia and it is certainly a positive result for the taxpayers. Certainly, it will not impede business, and I would have thought that the Opposition would congratulate the Government for its action.

### YOUTH EMPLOYMENT

**Mr BROKENSHIRE (Mawson):** Will the Minister for Employment, Training and Further Education say what exciting developments the Government is undertaking to provide training and employment opportunities for our young people?

**The Hon. R.B. SUCH:** I thank the member for Mawson for his interest—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R.B. SUCH:**—and his commitment to young people in his electorate. We are doing exciting things to assist young people to obtain employment. We inherited a shocking situation in South Australia, with one of the highest levels of youth unemployment in Australia. It was a disgraceful situation. Since the election in December, we have taken on in the Government sector 801 trainees and we are committed to taking on a further 700 starting next week and progressively in the weeks ahead. We are setting an example and encouraging the private sector to follow suit, and I am sure it will do that. We know that, of the trainees, more than 70 per cent get full-time employment in the private or public sectors, so there is a very positive outcome from that trainee scheme. We have a long way to go in terms of getting youth unemployment down. We are committed to doing more about it, creating traineeships and employment, and there will be more good news in the near future.

As I said, we inherited a bad situation, one which is intolerable. Our young people were leaving South Australia to go interstate to seek employment. We are doing something about it, because we want our young people to stay here and have a future. Despite the fact that the Federal Government made it more difficult for us to take on trainees, by cutting back on its contribution, in a tight budget we have provided a significant amount—many millions of dollars—towards ensuring that we take on young trainees. At last young people

in South Australia under this Government have a future and the real possibility of employment and sound training.

### PIPELINES AUTHORITY

**Mr FOLEY (Hart):** My question is directed to the Minister for Infrastructure. What impact will the proposed 25 per cent increase in gas transportation charges have on ETSA's costs and competitiveness, especially given that the Government is already taking a record \$135 million from ETSA in 1994-95? ETSA is the State's largest consumer of gas and is the Pipelines Authority's largest customer. It is estimated that a 25 per cent increase in the Pipeline Authority's transportation charges will add about \$5.5 million to ETSA's costs.

**The Hon. J.W. OLSEN:** In the total context of sales revenue of ETSA and of ETSA expenditure to meet that sales revenue, the increase in transportation costs will be minimal. That is the advice from the board and the Acting General Manager of the Electricity Trust of South Australia. Electricity tariffs in this State will not be adversely affected as a result of that measure. I take the opportunity to remind the House and the member for Hart, who seems to have selective memory loss in relation to electricity tariffs, that it was only a few weeks ago that this Government reduced electricity tariffs for small and medium businesses in South Australia. In addition, large business operators in South Australia have also had a reduction in tariffs over the past two years. The past two budgets have given a beneficial effect to large electricity consumers in South Australia. This Government has continued that trend. This year we returned \$37 million worth of costs back to industry in South Australia. That is not a bad track record.

### WAYVILLE SHOWGROUNDS

**Mr BRINDAL (Unley):** Will the Minister for Emergency Services advise the House of the result to date of police operations in connection with crime at the Royal Adelaide Show? As the local member, I have already visited the show this year on a number of occasions. As always, I was impressed by the organisation—

*Members interjecting:*

**The SPEAKER:** Order! The member for Unley has the call.

*Mr Quirke interjecting:*

**The SPEAKER:** Order! The member for Playford.

**Mr BRINDAL:** As always, I was impressed by the organisation, commitment and expertise which makes our show one of the best in Australia and one much loved by all South Australians. However, I am also advised by a constituent, who is a police officer, that the Wayville Showgrounds is one of South Australia's worst crime spots.

**The Hon. W.A. MATTHEW:** I thank the honourable member for his question because, as the member for that area, he is well aware of his constituents' concerns about the rate of crime both within the Wayville Showgrounds precinct and the surrounding car parks and streets. The honourable member's police officer constituent is quite correct: the Wayville Showgrounds area is one of the highest crime areas in the State, and that is mainly due to the fact that there is a large crime wave which occurs in that area in a period of less than two weeks during the time the show is under way. Clearly, that has the potential to affect the enjoyable time experienced by many South Australians at the show. Last

year alone, 66 offences at the Royal Adelaide Show were reported to police, and those offences involved a range of things. Of particular concern were offences of theft and behavioural offences.

To demonstrate that the Government is not prepared to tolerate this sort of behaviour any longer, there has been an increased police presence at the showgrounds of both uniform and non-uniform police officers. To give an example of the extent of the increase, I point out that last year and in preceding years there were at most 10 officers at the showgrounds during the daytime, and during late afternoon to evening there were 15 and at most 20 officers. There has been an increase in the number of officers to the extent that at any one time there are no fewer than 40 police officers in the showgrounds and surrounding areas. That deployment of personnel has been achieved through the very successful Task Force Pendulum.

As a result of that big increase in the number of police officers, as at yesterday 63 offences had been reported at the showgrounds and all 63 offences were cleared: alleged offenders have been found for those offences. Regarding the type of offences that were cleared, six involved break and enters occurring at dwellings within the showgrounds precinct occupied by visitors from the country. Of particular note are the 24 offences involving bad language, disorderly or offensive behaviour and 16 offences involving drugs. Last year, there was just one reported offence of bad language, offensive or disorderly behaviour, compared with the 24 this year. Show attenders of past years know that those offences have always been far higher. The fact is that police personnel have not been at the scene to clear up those offences.

We have already had good reports at my office from showground attenders of the visible high policing numbers there, and the main thrust of this exercise is to ensure that South Australian families can go to the show and enjoy their time at the showgrounds without being threatened by thugs, hooligans or people who want to steal their money or property. I trust that all members will welcome this police initiative.

### AMBULANCE SERVICE

**Mr ATKINSON (Spence):** Will the Minister for Emergency Services confirm that the ambulance service expects its revenue to fall by about \$1 million as a result of the Government's decision to halve the 100 per cent concession on ambulance trips for pensioners in country areas, and will he rule out an ambulance fee or subscription increase to make up this revenue shortfall? Will he also say how he intends to inform all pensioners in country areas that they will no longer be fully covered for ambulance services if they are not members of private health schemes or the St John subscription scheme?

Before the recent budget, pensioners in country areas received a 100 per cent concession on ambulance transport. The cost of this transport was met by the Health Commission, which reimbursed the ambulance service. In the budget it was announced that country pensioners will now be required to pay half their ambulance fees unless they belong to an ambulance subscription scheme. The Opposition has been contacted by health workers in country areas who are concerned that many pensioners are not aware of the changed liability for ambulance fees, and others may be too deterred by the new fees from seeking ambulance services until it is too late.

**The Hon. W.A. MATTHEW:** Yesterday in this House I made the statement that the honourable member, as shadow Minister, had not asked me a question in this place on emergency services since May. I am aware also that, as the honourable member is also shadow Health Minister, he was criticised in a similar manner by my colleague the Minister for Health. Today he has come up with a question covering, in part, both portfolios, and I am pleased to have the opportunity to answer this question. The ambulance service is expecting a drop in revenue through the changes he referred to. However, I can confirm—

*Mr Atkinson interjecting:*

**The Hon. W.A. MATTHEW:** The honourable member is impatient and wants to know how much. What I can tell the honourable member is that the estimates to date are less than the \$650 000 payout made by the previous Labor Government to the former Chief Executive Officer of the ambulance service, that \$650 000 payout which the ambulance service is still repaying. The reason the ambulance service is still repaying that massive \$650 000 payout, plus interest, is that the money was plundered by the previous Labor Government from the long service leave funds of the ambulance service. The honourable member has the gall to stand up in this Chamber and talk about ambulance service funding. The fact is that the amount will not be anywhere near \$1 million: it is expected at this stage to be approximately \$500 000.

Also, the honourable member points out that if people take out an ambulance subscription, if they pay a subscription fee to the ambulance service, they do not have to worry about that. So, the obvious message to ambulance users is to subscribe to the ambulance service. That clearly makes sense. The honourable member should also be aware that the ambulance service has announced new fees for the service. Those fees have been revealed in this House before. There was no increase in the level of the emergency callout fees, while there was a 22 per cent reduction in elective carry fees. The ambulance service will ensure that contingencies are in place to cover the budget, and I look forward to more intelligent, more researched questions from the honourable member during budget estimates than he has demonstrated here today.

### TOURISM POLICY

**Mr LEWIS (Ridley):** My question is directed to the Minister for Tourism.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr LEWIS:** Will the Minister explain why South Australia has apparently lost market share of inbound international tourists and indicate what action the Government has been taking not only to regain but also to expand our market share? As a member of the Murraylands Regional Tourist Association Executive Committee and the Big River Marketing Board, I am alert to the importance of the tourism industry to our State and my region in particular, and I am equally sure that you, Mr Speaker, and other members will be interested in the progress being made to meet the Government's commitments to substantially increase tourism in South Australia before the year 2000.

**The Hon. G.A. INGERSON:** I thank the member for Ridley for his continuing interest in the tourism industry. It is interesting to hear the gibes coming across the floor, because in South Australia we had the most unbelievable situation involving tourism. We previously had no marketing

plan; in other words, not one single plan was put together to indicate South Australia's general direction; and, something which I think is the most scandalous thing of all, for the past six years neither Australian (now Qantas) nor Ansett have had a national brochure promoting South Australia. Those two major airlines have not had any information from the South Australian Tourism Commission in national brochure form for the past six years. Not only was there no national promotion but there was also massive wastage in the regional tourism system; the whole area of regional tourism was badly administered. Instead of marketing dollars going into the region they were basically going to administration staff. Thirdly, finally and most importantly of all, regional tourism was treated as the bad partner, receiving so little in the way of funds.

The member for Ridley has had a very important role to play in making sure that the new regional direction involving the Murraylands and the Riverland has been developed, and that area will now see increased funding, involving national and international marketing of the Riverland, as in the case of all the other regions. It will also see a very significant upgrading of the Shorts program into a national program. Next week, for the very first time in six years, there will be a launch with Qantas of a national program promoting South Australian regions. As the budget clearly shows, we will see another \$8 million—an increase in the budget of one-third—put into tourism in South Australia.

We will see some changes and some gradual upturns in tourism, because this Government is committed to making the tourism industry the only professional industry in which people are directly involved. We will put in massive amounts of money and market and promote the industry so that South Australia can benefit.

### HOSPITAL BUDGETS

**Mr ATKINSON (Spence):** I direct my question to the Minister for Health. Which public hospitals have been forced to close wards over the weekend as a result of his budget cuts to hospitals? I have been contacted by a patient who was admitted to ward M1 at the Queen Elizabeth Hospital recently for a hysterectomy. This patient was worried by the treatment afforded other patients in the ward who had complications and were forced into other wards at weekends so that this ward could be closed as a cost saving measure. One elderly patient who was suffering severe vomiting and was attached to a drip following complications from a hysterectomy in early August was forced every weekend to move into a general maternity ward with crying babies so that her ward could be closed. Nursing staff were also distressed by the effect on some patients of this weekend closure of wards.

**The Hon. M.H. ARMITAGE:** The member for Spence asks how many wards have been closed because of my budget, and the answer to that question is 'None'. The matter that the member for Spence has raised is exactly the same issue as I raised under his Government's administration. It is exactly the same issue. The simple fact of the matter is that, if patients have surgery on, say, a Tuesday or Wednesday—or even a Thursday or Friday—and towards the end of the week they are getting better, large numbers of patients will have been discharged from the ward, which means that it is simply uneconomic to have people in the same wards. The whole theme—

*Members interjecting:*

**The SPEAKER:** Order! I call the member for Giles to order.

**The Hon. M.H. ARMITAGE:** The whole theme of what the Government is doing is to make sure that appropriate care is provided and, if the member for Spence believes that the—

*Members interjecting:*

**The SPEAKER:** Order! I call the member for Spence to order.

**The Hon. M.H. ARMITAGE:** If the member for Spence believes that the nursing care in the wards to which these people are being sent is inappropriate, please let me know about which wards he is making that accusation and I shall be delighted to relay to all the nurses, doctors, cleaning staff and everyone who works in those wards that the member for Spence believes that their care is inappropriate.

### AUSTRALIS

**Mr EVANS (Davenport):** Will the Minister for Industry, Manufacturing, Small Business and Regional Development report on what benefits have begun to flow into South Australian companies since the announcement that Australis will be establishing its national customer service centre in South Australia?

**The Hon. J.W. OLSEN:** It is appropriate that this question should be asked following the question from the member for Playford yesterday, casting some aspersions on the incentive package put forward for Australis. I invite the honourable member and members of the IDC to go out and look at the Australis project currently being established at Technology Park and to talk to the 98 people who have already commenced employment with Australis at Technology Park, the extra 100 who are due to come on stream in the course of the next six months or the 5 000 people who applied for a job in South Australia with Australis. That demonstrates the need for such industries in South Australia and the fact that South Australians want those industries located here. But, more importantly, in response to the honourable member's question, benefits are flowing into the rest of the South Australian community as a result of the success in gaining Australis for South Australia. There are three or four local—

*Members interjecting:*

**The Hon. J.W. OLSEN:** It is nowhere near the cost of the submarine deal, and you well know it. The spin-off effect is that National Furniture Industries is supplying all the work station screens, not only for the Adelaide customer service centre but also to Melbourne and Sydney. Through a very lucrative contract worth millions of dollars, that small company based in the southern suburbs of Adelaide is now looking at extra employment to meet that contract demand. Or, we can look at Moreland Direct Marketing, which has been appointed to handle Australis customer acquisition and which is also doing work for the company's Sydney office. A South Australian company would not have got the contract had Australis not come to South Australia.

In addition, Australian Broadcasting Services, a small South Australian based company, has just been awarded a contract in which as a manufacturer it will be supplying broadcasting equipment to Australis. Furthermore, last Friday a large manufacturer in South Australia demonstrated to Australis its capacity to manufacture a product that will be required by Australis in the millions to meet its customer pay TV service demands. In addition to the benefits that are flowing out to the South Australian community as a result of

this one contract being signed by the Government, discussions have commenced between Australis and the South Australian Film Corporation with respect to the production of features and documentaries for the company's broadcasting operations, expected to be launched in Adelaide, for example, in January next year. So there is a spin-off to the South Australian Film Corporation. I hope and trust that those discussions are successful.

Recognising that in direct employment opportunities Australis will have in excess of 1 000 and possibly 1 250 employees by the year 2001, it is estimated that 4 300 indirect jobs will be created in South Australia by supporting that one project being established here. I ask the honourable member and others whether they would like to look at the building facility which is being undertaken at Technology Park. It involves 7 250 square metres and possibly a further 6 000 square metres to meet customer demand. The company would be delighted for any member of Parliament to go on site and talk to the people who have got employment at Technology Park from around the suburbs of Adelaide as a result of this initiative. Not only that, but we should look at the benefits which are flowing to small business in South Australia. In summary, carefully targeted seed incentive packages can bring industry to South Australia to start the rejuvenation of the economy of this State and provide significant beneficial spin-off effects for small business.

### NOARLUNGA COLLEGE THEATRE

**Ms STEVENS (Elizabeth):** Following the decision by the Minister for Employment, Training and Further Education to cease funding the Noarlunga TAFE College theatre from July 1995, will the Minister for the Arts now accept responsibility for ongoing funding arrangements; and was the Minister embarrassed by the sudden departure of the Minister for the Arts for a meeting held yesterday with the Friends of the Theatre?

**The Hon. R.B. SUCH:** I thank the honourable member for her important question. The Noarlunga Theatre, which belongs to TAFE, is valued at about \$6 million, and it is important that that facility be kept and made available for community use. It is not part of TAFE's core business to be operating theatres. Nevertheless, I am very keen that it should remain for the use of the community. We are setting up a mechanism to ensure that that happens. We are having discussions with local government and other experts to make sure that the arts community, schools and other interested bodies can use that wonderful facility. I draw attention to the positive things that we are trying to do to ensure that that theatre remains for the use not only of people from the south but of other South Australians.

### INTERNATIONAL LABOUR ORGANISATION

**Mr CUMMINS (Norwood):** My question is directed to the Minister for Industrial Affairs. What is South Australia's attitude to the Federal Government's use of International Labour Organisation conventions to extend the application of Commonwealth legislation over other laws of the South Australian Parliament? I raise this question in view of public comment this week that the use of ILO conventions as constitutional battering rams by use of the external affairs power by the Federal Labor Government has undermined support for the organisation.

**The Hon. G.A. INGERSON:** I thank the member for Norwood for his ongoing interest in and commitment to good industrial relations in this state.

*Mr Clarke interjecting:*

**The SPEAKER:** Order! The honourable member will be embarrassed if he continues to interject.

**The Hon. G.A. INGERSON:** The member opposite made an interesting comment about my speech at the ILO visit here last week. I thought that he would be one of the first to support what I said, having been very keen on the State industrial system. I said that I thought it was about time the Federal Government, instead of playing football with the industrial relations system and trying to break up the States, should not abuse or misuse its external affairs power by ramming industrial relations changes down the throats of all States. Probably the best example is that the Federal Government, when it brought in the last industrial reform legislation, was prepared to use the external affairs power to introduce unfair dismissal for the first time in the Federal system.

The criticism that I made the other day, and I think it is fairly valid, is that there has been a long-term understanding between Federal and State Governments that there would be consultation on ILO conventions in particular, and in that convention it was totally abused. The member for Ross Smith ought to take up these ILO conventions and make sure that the Federal Government implements them, particularly the one relating to freedom of association. It is the freedom of association convention from which the Federal Government ducked, and the ILO in Geneva has recommended and suggested that the Federal Government should come into line with international law. Freedom of association is about the rights of individuals to join or not join unions and not to have preference clauses in their awards. We can understand why Federal and State Labor Governments are not interested in that convention.

In our last Industrial Relations Act, for the first time in Australia we implemented equal pay for men and women who had work of equal value. I should have thought that members on both sides of the House would congratulate the Government on recognising for the first time in Australia in a State system that an ILO convention of that type ought to be introduced. Yesterday we had the ACCI coming out and clearly arguing, together with many other employer and employee organisations, that it was about time the Federal Government backed off using the external affairs power and abusing its rights within the industrial relations system.

#### ENTERTAINMENT CENTRE

**The Hon. M.D. RANN (Deputy Leader of the Opposition):** Does the Minister for Tourism still stand by his comments to the House on Tuesday when he claimed that the Government had no intention of selling the Adelaide Entertainment Centre and, if not, will he advise the House why he claimed that the Entertainment Centre would definitely not be sold? In answer to another question to this House yesterday the Treasurer stated:

The Government said right at the outset that it had a list of assets, and it was explicit about them before the election. The list has not changed.

The list included the Entertainment Centre. There seems to be some disagreement.

**The Hon. G.A. INGERSON:** The answer is 'Yes.'

#### COUNTRY FIRE SERVICE

**Mr LEWIS (Ridley):** Will the Minister for Emergency Services say what changes, if any, have been made to the tendering process for the replacement of CFS appliances and, further, provide any details about the results of the recent round of tendering if he has them to hand? When we were in Opposition we were critical of the awarding of the previous contract to a Victorian Government-owned company when there were two recognised manufacturers of appliances in South Australia. Indeed, one of those is in the Ridley electorate.

**The Hon. W.A. MATTHEW:** I thank the member for Ridley for his important question. He has identified that one fire appliance manufacturing company is in his electorate, and it certainly has a good reputation for the manufacture of its vehicles. This is another good news story for the Government. It is my pleasure to announce that Moore Engineering, based at Murray Bridge, is the successful tenderer for the construction of 2 000 and 3 000 litre four-wheel drive fire trucks for the Country Fire Service. It won a three-year contract with a two-year renewal option. That contract will be worth approximately \$1 million per annum to that South Australian-based company. That is money that was going out of South Australia to a Victorian Government-owned company under the previous Labor Government. I am absolutely delighted by the decision that has now been ratified by the State Supply Board. The Moore Engineering staff, currently at 16, will receive a considerable boost through this extra contract for the business.

This is not the only successful manufacturing contract won by South Australian companies for fire appliance provision. The South Australian Metropolitan Fire Service has recently taken delivery of five light urban pumpers from the South Australian-based Australian Fire Company at Gepps Cross. The purchase price for those fire appliances was approximately \$180 000 compared with the normal price of approximately \$300 000 for larger appliances that had been used previously by the Metropolitan Fire Service. These new lighter appliances will keep many of the features of the larger general purpose pumping trucks, and their primary role will be as rapid first response vehicles to urban situations. Being smaller in design those appliances will gain far easier access to some of the narrow streets that exist in our State, particularly in the city of Adelaide.

The story of South Australian supply success does not end there. In March this year, yet another South Australian company, Protector Safety, was awarded the contract for 1 000 level two structural fire-fighting coats under a contract worth in the vicinity of \$440 000. In the past, the Liberal Party Opposition was critical about the awarding of contracts for protective clothing because, as members would recall, under the previous Government the contract for protective clothing was won not by a South Australian company, not even by an Australian company, but by a British company. This time we have a South Australian company that has competed on open tender and won against international competition from three different continents. In all, three different success stories for South Australia; three South Australian companies that will be able to guarantee South Australian jobs using contracts from the South Australian Government.

### PARINGA PARK PRIMARY SCHOOL

**The Hon. LYNN ARNOLD (Leader of the Opposition):**

My question is directed to the Minister for Employment, Training and Further Education, representing the Minister for Education and Children's Services. When will the Government honour the promise made by the Premier prior to the election to upgrade the Paringa Park Primary School? In a media release, dated 16 November 1993, the Premier promised that a Liberal Government would upgrade the Paringa Park Primary School as part of the Government's 'rebuild our schools plan'. Although the school council wrote to the Premier, the Minister for Education and Children's Services and the member for Bright in June reminding them of this commitment, the capital works budget does not include funds for this work. The school council has not had any answers about the promised upgrade and has written to the Opposition to say that it feels very strongly about the Government's playing games with the school's future.

**The Hon. R.B. SUCH:** I understand that the member for Bright and the Minister for Education and Children's Services will be shortly meeting with the school council to discuss the upgrade. I would like to highlight the fact that as part of the budget this Government has committed a lot of money to not only building new schools but upgrading a lot of existing schools, and the list is quite extensive. For the benefit of the Leader I would like to read the list of schools that are either new or will have a significant upgrade: Greenwith Primary School, Swallowcliffe Primary School, Secondary Language Centre, Paralowie, Munno Para Primary School, Salisbury High School, Coromandel Valley Primary School, Uraidla Primary School, Findon Primary School, Christies Beach High School, Hallett Cove, Thebarton Senior School, Seaford, Seacliff Primary School and Junior Primary School, Hewett Primary School, Underdale High School, Tanunda Primary School, Woodend Primary School, Glossop High School, Hahndorf Primary School, Salisbury Heights Pre-School, Campbelltown Child Care Centre, Magill Child Care Centre, Penola Child Care Centre, Port Augusta Child Care Centre, Strathalbyn Child Care Centre, Mount Gambier Child Care Centre, Mallala Primary School, Angle Vale Primary School—

**The SPEAKER:** Order! Would the Minister speak a little slower and a little louder. The Chair cannot hear.

**The Hon. R.B. SUCH:** I would be happy to repeat them, Mr Speaker. The list continues: Norwood/Morialta High School, Le Fevre High School, Inbarendi College, Para Hills East Primary School and Junior Primary School, O'Sullivan Beach Primary School and Junior Primary School, Northfield Primary School, Golden Grove joint venture, Goolwa Primary School—a very popular one—Brighton High School, Seaton High School, Kadina High School, Willunga High School, Balaklava High School, Peterborough High School, Hillcrest Primary School, Westbourne Park Primary School, Seaford Child Care Centre, Hewett Pre-School, Woodcroft Heights Pre-School, Yankalilla Child Care Centre, Bordertown Child Care Centre, Ceduna Child Care Centre, Goolwa Child Care Centre, Port Lincoln Child Care Centre, and the Gawler Child Care Centre. To the Leader, I would say—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R.B. SUCH:** There has been talk from the Opposition about the closure of schools, in which it specialised when it was in Government, but this Government is

about creating new schools and upgrading existing schools, and we are hopeful that we can do something for Paringa in the very near future.

### WATER SUPPLY

**Mr BECKER (Peake):** I direct my question to the Minister for Infrastructure. What programs will the Government and the Engineering and Water Supply Department introduce to encourage ratepayers and/or householders to reduce water usage by 15 per cent this year? An article entitled 'Nation pays high price for water waste' in the *Weekend Australian* of 3-4 September 1994 claims:

The drought gripping rural Australia has driven the Federal, State and Territory Governments to try to slash the public's water usage by 15 per cent this year.

The article concludes, quoting a Mr Millington, Director General of the New South Wales Department of Water Resources, as follows:

Australia's current fresh water supplies, as they stand now, will not be able to cope with the country's projected population growth. In terms of traditional water resources, by 2020 we will have reached the stage where readily available water in each catchment will be non-existent.

Will the Minister inform the House what is the current and proposed position for South Australia?

**The Hon. J.W. OLSEN:** The Government is committed to the efficient and environmentally sustainable use of the State's water resource—it is a finite resource. It must be handled with due care and caution. The Murray River is South Australia's lifeline and, if we are to increase productivity levels to give greater export market capacity and greater contribution to gross State product, we must use those resources in a more practical and efficient way. The national water conservation rating and labelling scheme will officially be launched in October.

This scheme is similar to the energy rating labels that are currently used on electrical products. The water conservation labels will also help consumers reduce their water usage by highlighting the most efficient appliances to buy. In addition to that, the Engineering and Water Supply Department has made available to householders a number of publicity brochures on a wide range of aspects related to water consumption, including the wise use of water, how consumption can be reduced, water conservation, and information on rain water tanks. Of course, that information is free of charge. In addition, documentation is enclosed with EWS accounts to give handy hints to households on how to reduce their water consumption.

South Australia is guaranteed an adequate water allocation through the Murray-Darling Basin Agreement. There is certainly no present need for the Engineering and Water Supply Department to restrict the use of water. In fact, this State has a proud record over many decades of not having to put in place water restrictions, unlike some other States of Australia. That is due to the good management of the Engineering and Water Supply Department and also the agreements that have been put in place between Governments to ensure an adequate flow of water into South Australia. South Australia does not face some of the difficulties of other States, but it is a question of managing the finite resource in the best interests of South Australia.

### INDUSTRIAL RELATIONS COMMISSION

**Mr CLARKE (Ross Smith):** Will the Minister for Industrial Affairs advise the House whether or not the Government is to proceed with the appointment of Mr Bryan Noakes as the president of the Industrial Relations Commission of South Australia and, if so, when? The new Industrial and Employee Relations Act was proclaimed on 8 August 1994 with much fanfare but without a president as a permanent appointment. As the Minister is about to leave our shores for three weeks on an official visit to China to experience first hand the alleged joys of Sunday trading in Tiananmen Square, there is concern that there will be a further delay in resolving this crucial appointment.

**The Hon. G.A. INGERSON:** No.

### OUTPATIENT CARE

**Mr CONDOUS (Colton):** Will the Minister for Health inform the House of any Government initiatives to improve the care of patients discharged from hospital?

**The Hon. M.H. ARMITAGE:** I am delighted to respond to the question of the member for Colton, because this is a very important issue, particularly given some of the scuttlebutt, which people who are opposed to efficient use of resources in South Australia are peddling. As the Minister for Health, I have been determined to ensure that all sectors of the health community work together to provide coordinated and effective health care and, as we re-developed hospital funding so that efficient hospitals were rewarded and inefficient hospitals were penalised, we took the opportunity to build in a specific program to promote innovations in post-hospital care. Post-hospital care is the natural corollary of increasing pressure for earlier discharge which comes from many quarters, the prime one of which is that people do not like staying in hospital; they actually want to get back to their family, they want to get back to their supportive communities and they want to rehabilitate in surroundings in which they are comfortable.

Also, medical technology has allowed us to take advantage of these less invasive and less traumatic procedures, and hospitals are certainly aware of the fact that use of acute care facilities by a non-acutely ill patient is nothing more and nothing less than a waste of resources. So, later discharges are out, because good practice does not incorporate them, patients do not want them and society cannot afford them. We have created through the hospital service improvement strategy, or casemix funding, a pool of money available for innovative programs for pilot projects to see how this continuity of care might be better provided.

A number of those have been successful, such as the cooperative venture between the Royal Adelaide, the District Nursing Service and the Eastern Domiciliary Care Service, which will develop a coordinated approach to home-based rehabilitation of orthopaedic patients, and that will mean that, instead of patients costing the taxpayers \$600 a day, they will be out in their own home community where they are more comfortable and happier and will be costing the taxpayers between \$30 and \$100, depending on the services.

I particularly thank Kay Challenger from the Royal Adelaide Hospital, Dr Bob Penhall from Eastern Domiciliary Care Service and Bill Benham from the Royal District Nursing Service for that innovation. A number of other programs are similarly providing appropriate care in the home, and that is good for everybody.

### NATIVE VEGETATION

**Ms HURLEY (Napier):** My question is directed to the Minister representing the Minister for the Environment and Natural Resources. Does the Minister support the important environmental aims of the Native Vegetation Act 1991? The National Greenhouse Gas Inventory, released by the Federal Government, notes the high contribution of land clearing and forestry, which is estimated to add an extra 131 million tonnes a year of greenhouse gases, and that is almost a quarter of the total national emissions. A Labor Government introduced the Native Vegetation Act to address this problem, and South Australia is the only State to do so. Last night the member for Ridley described the Minister for the Environment and Natural Resources—

**The SPEAKER:** Order! The honourable member is now commenting. I ask that she ask her question and not comment.

**The Hon. R.B. SUCH:** I will refer that question to my colleague so that he can prepare a detailed response.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R.B. SUCH:** I would have thought that, in respect of gases, members of the Opposition would very much be experts.

**The SPEAKER:** Order!

### LAND TAX

**Mr LEGGETT (Hanson):** What can the Treasurer tell the House of the true impact of the Government's decision to broaden the land tax base? It was claimed last week by the Opposition that the Government had conned small business in relation to the changes to the land tax structure, even going so far—

**The SPEAKER:** Order! I suggest to the member for Hanson that he is commenting. He must explain his question only briefly.

**Mr LEGGETT:** I will leave the question to the Treasurer. Thank you, Mr Speaker.

**The Hon. S.J. BAKER:** The matter of how members of the Opposition handle the issues of the budget has been of great interest to everybody in this House, and of course to the press at-large, which wonders what they have done for the past week or so—but perhaps that has more to do with leadership than with opposition. Everyone has said, but the Opposition fails to recognise, that the total land tax take will be down \$2.7 million in real terms. That must represent some relief to a large number of people. We have had small changes at the lower end of the scale, that is, people who have not paid land tax previously—and we are talking about multiple land holders, not normal residences where owner occupiers (people buying their own home) reside: it is the land holder who actually pays the land tax and cannot pass it on. Yesterday, the Minister for Industry, Manufacturing, Small Business and Regional Development reiterated that those persons who have land with a site value of \$55 000 will now get a bill for \$17.50. If you go right to the top of the scale, those who are in the \$10 million category will have to pay \$105 more. It is important to recognise that the previous Government put up land tax rates—

**The SPEAKER:** Order! I understand that the Deputy Leader has display material on the front desk and I ask that it be removed.

**An honourable member:** That is the faction show bag.

**The Hon. S.J. BAKER:** That is the faction show bag, yes. It is a matter of which mask members of the Opposition will wear today or tomorrow—whether it be the Leader's mask or the Deputy Leader's mask, we will see it all displayed eventually. I would like to make the point that, during the previous Government's taxation snatch, we saw land tax rates at the upper end—at the highest level in Australia. The Liberal Government has made a commitment that, when those property values improve, the land holders and indeed the tenants of these premises will not be paying in the same way as they did under the previous Government. So, by broadening the base it allows us the facility to bring down the rates when the land value improves. I believe that small business, large business—all business—has been given a pretty good deal out of this change.

#### MEMBERS, AFFIRMATION

**The Hon. LYNN ARNOLD (Leader of the Opposition):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. LYNN ARNOLD:** Yesterday in this House the member for Lee, in a garbled and ill-mannered speech, reflected upon those members who take the affirmation at the time of swearing in. I am one of those members and I take offence at his reference that I participated in an unchristian act and that I participated in that act in order to be untruthful to this House. I reject both assertions.

**The Hon. S.J. BAKER:** I rise on a point of order, Mr Speaker. This is one of those political stunts that we see occasionally when the Leader is awake and when he is not on long service leave. This is supposed to be a personal explanation and I heard no reflection on the Leader of the Opposition.

*Members interjecting:*

**The SPEAKER:** Order! I point out to the Leader of the Opposition that, in giving a personal explanation, the member must be precise and must ensure that it is only a personal explanation and that he does not engage in a wide-ranging comment on matters which are not in any way relevant to the point he is making.

**The Hon. LYNN ARNOLD:** I do affirm on each occasion of swearing in in this Parliament and on every other occasion when either an oath or an affirmation is offered, and I do so for biblical reasons. *Matthew 5:34-37* states:

But now I tell you; do not use any vow when you make a promise. Do not swear by heaven, for it is God's throne; nor by earth, for it is the resting place for his feet; nor by Yerushalaem for it is the city of the great King. Do not even swear by your head, because you cannot make a single hair white or black. Just say 'yes' or 'no'—anything else you say comes from the Evil One.

*James 5:12* states:

Above all, my brothers, do not use an oath when you make a promise. Do not swear by heaven or by earth or by anything else. Say only 'yes' when you mean yes, and 'no' when you mean no, and then you will not come under God's judgment.

They are the reasons I have consistently affirmed at every occasion when the opportunity is offered for an oath an affirmation.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. LYNN ARNOLD:** I reject the assertion made by the member for Lee, and I suggest that an apology to those who have taken an affirmation in this House would be in order.

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#### GRIEVANCE DEBATE

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

**The Hon. M.D. RANN (Deputy Leader of the Opposition):** I want to put on record some thoughts about the Royal Show. Like most members, I love the show and my children love the show. It is a marvellous institution—an icon, which puts on display much of what is good about South Australia, to the delight of hundreds and thousands of children and adults in this State. Again, I want to congratulate the organisers and participants on yet another outstanding success. It is an event that brings the country to the city and the city to the country. It is easily the best show in Australia and it is a lot better than the Easter Show in New Zealand and in Sydney.

A range of free entertainments is available at the show and they give a great deal of pleasure to young and old people alike. However, there is one aspect of the show which this year has caused considerable disquiet, more so than in the past. I know that a number of members of this House have had complaints from parents about the poor quality of some of the show bags.

Certainly, the members for Playford and Hart, other members and I have had complaints from parents who feel that young people are being ripped off in buying show bags given their emptiness and lack of quality. This is certainly causing distress and anger for both children and adults. It is the quality of the show bags and some of the poor value that they represent that is the problem. Not only does the retail value of some show bags represent just a fraction of the price paid but many of the goods do not work, are of pathetic quality or are presented in an unhygienic way and children are distressed by tricks that do not work, buzzers that do not buzz, whoopee cushions that are perished and do not do whatever they are supposed to do.

Sweets are presented unwrapped in unsealed bags—that is totally unhygienic—and free posters and vouchers are presented as valuable goods. Then we see, 'Bag made in Australia', and then in smaller writing, 'Contents made in Hong Kong' or wherever. Parents have certainly been contacting us in increasing numbers, describing their anger and the tears and frustration of their children, particularly young children, who get whipped up about buying a show bag and then become very disappointed when they get home after forking out a great deal of money. There are some particularly bad show bags: \$9.50 gets people five bits of plastic that could make them 'a ranger for half a day'. That is in the Power Ranger's bag. I do not want to dwell on this matter—

*Members interjecting:*

**The SPEAKER:** Order! The honourable member will resume his seat. There is too much audible conversation in the Chamber. I do not know whether members want an early minute, but they are going the right way about getting one.

**The Hon. M.D. RANN:** Thank you, Mr Speaker.

*Members interjecting:*

**The SPEAKER:** Order! The member for Colton.

**The Hon. M.D. RANN:** I would have thought that members would like to ensure that we have show bags under

scrutiny so that our children get a better deal. I suggest that Consumer Affairs and show organisers get together with traders before next year's show to set tougher standards and to work to ensure that our children get value for money and are not getting ripped off, because they are certainly getting ripped off now.

Other issues include the price of rides and some of the other things going on at the show. It is an outstanding show, but it is being let down by an unscrupulous few who are spoiling it for the many. Let us sort it out, let us get on with it and let us make sure that there are round table discussions between organisers, Consumer Affairs and some of the traders to ensure that next year kids are not forking out hundreds of dollars of parents' money that is being spent in a frivolous way and attracting little return. Some bags are as empty as a bagful of Dean Brown's promises. In that regard, the member for Kaurua should realise that a letter will be going out—and I want to give her notice—to her electorate and other southern seats soon detailing the list of broken promises of her Leader. With the Leader of the Opposition, I look forward to making sure that that letter details—

**Mr BRINDAL:** Mr Speaker, I rise on a point of order. The Deputy Leader has beside him on the bench what appear to be show bags displayed in a way that would be clearly visible to the cameras in the gallery. I ask whether he is making a display and perhaps disadvantaging a particular manufacturer at the show?

**The SPEAKER:** Order!

*Members interjecting:*

**The Hon. M.D. RANN:** I would be happy to make them—

**The SPEAKER:** Order! The Chair will not tolerate members defying it, and I will have no hesitation in naming one or two members from either side so that we can sort the matter out once and for all. I am aware that the honourable member has certain bags on the bench alongside him. The honourable member is fully aware that, under Standing Orders, displays are not permitted in the Chamber. Therefore, I advise anyone that, if they attempt to use displays, Standing Orders will be used against them. The member for Frome.

**Mr KERIN (Frome):** My grievance today is about certain sections of the media. Since entering this place I have had much contact with country media outlets, and I must say that I have been most pleased about the manner in which they have represented the community interest and the way that they have gone about deciding what to report and the balance they have demonstrated in that reporting. They basically do an excellent job of informing our constituents about what is going on.

*Members interjecting:*

**Mr KERIN:** I will get to that. In contrast, I found some of the city media to be a bit different. On 25 August Samela Harris in her *Advertiser* column printed the following:

As for us here in good old SA, well, with a bit of help from Liberal MP, Rob Kerin, we could be hurtling backwards to join Tasmania. He's just lodged a petition from 148 residents of SA requesting that the House urge the Government to 'criminalise sodomy'.

I take total exception to Ms Harris's writing such rubbish, as the basis for her statements is that a petition was lodged in my name. I wish to make several points in relation to this. First, the circumstances leading to the presentation of this petition had been explained to an *Advertiser* representative in the House on the day of presentation, as were my views on

the issue. However, Ms Harris chose not to check the facts with either me or the *Advertiser* representative but rather relied on the member for Spence—Clark Kent on a push-bike—for all her information.

Secondly, it is totally inappropriate and in contempt of the responsibilities of members of Parliament that journalists misrepresent any member who performs his duty, which is to listen to his constituents' points of view. It is his duty and absolute responsibility to present petitions on their behalf. In future, I ask Ms Harris to show more respect for people's rights. Thirdly, I was disappointed with version two, which was printed the next day, as follows:

Lib polly Rob Kerin is over the proverbial barrel. He's the polly whose name went on the new sodomy laws petition, cos [good English] pollies can't really refuse to lodge petitions for the public. But, says he, he couldn't be more against this suggested law reform. Them's the breaks in politics, Rob.

That is a smart alec apology. I point out to the journalist that I was not caught over a barrel by the political system but, rather, by her irresponsible and flippant comments trying to be clever regarding what to many people is a very delicate and important issue.

*Mr Atkinson interjecting:*

**Mr KERIN:** Also, three other petitions were presented the day before on the same subject and no comment was made about that, yet I was singled out for some reason. Finally, on this topic I must voice my disappointment with the *Advertiser*. Over time I have found the *Advertiser* to be an excellent newspaper, but I was most disappointed that it chose, as is its right, not to print a letter to the Editor that I forwarded to it in an attempt to defend myself concerning members' and constituents' rights. After being misrepresented I believe the *Advertiser* had at least the moral responsibility to publish the letter, but it was not printed.

That decision seems ironic in contrast to the high moral stance taken by the *Advertiser* on public accountability in relation to issues such as members' travel and the register of members' interests. The media has an important role to play in the political process and the manner in which it does so can affect the quality of government and certainly the public interest. I am a bit surprised at some of the misrepresentation that we allow the media to get away with.

Recently the *7.30 Report* focused on the perks of MPs and claimed that the members for Ross Smith and Colton both had \$18 000 in their superannuation accounts. The actual sum was \$3 000 in members' contributions, but we are lax and we did not pick up on that. That was misrepresentation and gives the public the wrong idea of what is going on in this place. That style of reporting is dishonest and I wonder how misleading the public can be seen as looking after the public interest. Also, I question the manner in which members of Parliament, who should be protecting the public interest, allow such misleading statements to pass unchallenged and, even more, how we feed such irresponsible comments to the media. No other group in the community would stand for being misrepresented as we are, and I urge all members to consider whether our silence is in the best public interest.

**The Hon. FRANK BLEVINS (Giles):** I want to mention a couple of things, but first I congratulate the previous speaker. To some extent he has spoken for us all regarding what he said. I will make a few comments about what happened during private members' time this morning. It was of great concern to me and I believe it should be of great concern to everybody in the House. Private members' time

has been honoured in Parliaments all over the world that have similar systems to ours. To have had the abuse that we had this morning from the Government in taking over private members' time on my Bill on daylight saving and refusing the adjournment to the member for Price, and then attempting to hijack a full hour of private members' time for its own end on shopping hours, was a very bad precedent. Every member of Parliament, irrespective of which side of the House they sit on, ought to object to the Government's actions this morning. I believe that the action taken was not so much malicious as ignorant. After all this time the Government still does not know what it is doing as regards the priorities of the Parliament.

The substantive issue on the debate this morning was the question of daylight saving. It appears that the Government, for whatever reason, wanted to defeat the Daylight Saving Bill, which I introduced, in the hope that the issue would go away. I advise the Government that it will not go away. I was very disappointed this morning with the actions of members of the Liberal Party, particularly those members of the Liberal Party who represent country electorates, in not even allowing this Bill to reach the second reading stage. If they objected to some finer details of the Bill, it could have been amended by them in Committee. But, no, they all lined up and threw this Bill out. What did the Bill seek to do? All it sought to provide was that, if the Government wants to extend the period of daylight saving beyond that agreed to at a referendum, the Government ought come back to Parliament.

It did not say, 'No extension to daylight saving': it said, 'Come back to Parliament and debate it there.' That was the matter on which all members of the Liberal Party, particularly country members, would not allow debate. Country members opposite, with the exception of the member for Goyder, did not even have the nerve to stand up and support what they know their constituents would have wanted them to support. The member for Goyder, in all fairness, stood up and supported the Government's stance on this extra period of daylight saving. If he thinks he is representing his constituents, that is entirely up to him, although I argue that he is not. I put on notice to all members of the Liberal Party in this place that the debate has not gone away, because the changes being proposed by the Government will have to come before both Houses of Parliament by way of regulation. I assure members that I will be moving that those regulations be disallowed, and members opposite will have the opportunity to again speak and vote on the issue. I challenge them to do so in the way that their constituents would want.

*An honourable member interjecting:*

**The Hon. FRANK BLEVINS:** I have not totally given up on them. I know there are some members opposite who claim from time to time to represent their constituents and I will give them the opportunity to do just that. I was also disturbed that all members opposite treated the issue as if it was a joke, when those of us who live particularly on the West Coast know that it is far from a joke. I have to confess that I do not have the same intensity of feeling on the issue as most of my constituents, but I know what members opposite who live in the country think about this matter.

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

**Mr CUMMINS (Norwood):** I am glad to see that the members for Giles and Ross Smith are here today, because when the member for Ross Smith attacked me last night I was

not here. I suppose that is the coward's way. Two days ago the member for Giles gave me a ticket for election to various ALP positions some 14 years ago. In those days I was a member of the ALP, although fortunately I am not now.

*An honourable member interjecting:*

**Mr CUMMINS:** I was not with the socialist left then, but I will deal with that in a minute. Referring to the ticket, the member for Ross Smith said last night that the Liberal Party should have noted the things that happened 14 years ago when I was a member of the ALP. It has been no secret in the Liberal Party that I was a member of the ALP. There has also been no secret at any time in relation to my views on Timor. The member for Giles, in cowardly and lispng fashion as is his style, gave his running dog, the member for Ross Smith—his little apprentice I might say—a copy of the ticket to do his dirty work because he himself did not have enough guts to do it. As they both know, the ticket was a machine ticket. The ALP was controlled by a machine then: a most undemocratic organisation which these two members supported. So much for democracy in the ALP!

The member for Ross Smith says that I opposed the invasion of Timor, and he seems to think that that indicates that I was a member of the ALP left or that I am a Trotskyite. I did oppose the invasion of Timor. I still oppose what the Indonesians have done in Timor.

*Mr Brindal interjecting:*

**Mr CUMMINS:** So has Mr Brindal. He is obviously a member of the Trotskyites as well, is he? Any moral person was opposed to it at the time. It is well known that the Whitlam Government give tacit approval to the invasion of Timor, but what is not so well known is that the Whitlam Government supplied the parts used for some of the jets to invade Timor. So much for the ALP and its support of minority people! It supported wholesale genocide in Timor.

*Members interjecting:*

**The ACTING SPEAKER (Mr Bass):** Order!

**Mr CUMMINS:** The member for Ross Smith said last night that I was pretending to be a wild left winger. I remember that when I moved the motion condemning the Whitlam Government for supporting the invasion of Timor the member for Giles, the member for Ross Smith and members of the Party did not bother to get up. The only person who bothered to support me was Clyde Cameron. So much for the support of the people in Timor! The Catholic people of South Australia will be very pleased to hear that I was attacked last night for my support of the Timorese. The member for Ross Smith and the member for Giles did not bother to protect the Timorese who were being killed by and with the support of the ALP in Timor.

I am equally sure that the returned soldiers who fought in Timor—and my father was killed during that war—would be pleased to know that the ALP and the two members opposite think it is a sign that you are on the left if you support the Timorese who, during the war, supported our men and saved many of their lives and died for doing so at the hands of the Japanese. So much for the member for Ross Smith and so much for the member for Giles. What a joke!

*The Hon. Frank Blevins interjecting:*

**Mr CUMMINS:** We know about the member for Giles. For reasons mentioned I opposed the invasion of Timor—

*The Hon. Frank Blevins interjecting:*

**The ACTING SPEAKER:** Order! The member for Giles will stop interjecting.

**Mr CUMMINS:**—and I oppose what is going on in Timor now with the Timorese, and I always will. I point out

to members opposite that I was never a member of an ALP faction. I would like to see some evidence produced that shows I was. The member for Spence says I was. I never was; I never got involved in factions and I never will. The logic of the member for Ross Smith is rather simplistic. He says that if one supports a particular issue politically one must be on the socialist left or a Trotskyite. It takes some intellect to conclude that if you oppose genocide in Timor you are a member of the Trotskyite left or a wild left winger, as he described me. It would be nice if, next time he tries to attack me, the member for Ross Smith could do it to my face. We know the member for Ross Smith is a fool.

*Mr Clarke interjecting:*

**The ACTING SPEAKER:** Order!

**Mr CUMMINS:** We also have now established that the member for Ross Smith is a coward.

*Members interjecting:*

**The ACTING SPEAKER:** Order! The member for Unley.

**Mr BRINDAL (Unley):** Before I start, I am bemused by the attitude taken by the member for Giles, for whom I have developed a degree of respect. When I was sitting on the Opposition benches, as we on this side did for the past four years, members would have liked nothing better than the opportunity to get their legislation through in private members' time. Week after week, the Government members would sit in here and so cogitate on the matter, so develop their logic and think so much about it that the matter in question would be deferred and adjourned, deferred and adjourned, and if you were lucky you got a vote on the last day of sitting.

**The Hon. Frank Blevins:** With the agreement of the member.

**Mr BRINDAL:** I had several private members' Bills that I would have loved to get up months before they did, and I did not have very much say in it. I would have thought a Government which allows a Bill to be fully debated and dealt with early in the session is only doing the right thing. The mover of the Bill obviously has all his facts at his disposal, is prepared for the debate and participates in that debate, and if the debate was completed and voted on today that, in my personal opinion, reflects credit on the Government and not the discredit conveyed by the honourable member opposite.

This Government has been accorded the privilege of being the overwhelming choice of the electorate. Few Premiers in the history of South Australia could ever have claimed a mandate such as that accorded to the current Premier. Indeed, even the Opposition is so overwhelmed that last night I heard the member for Ross Smith refer to this Government as having the mandate of heaven. While I would like to believe that we work under such beneficent approbation, I find that remark somewhat offensive since our mandate, and the only one I have heard any member on this side claim, is the mandate of the people of South Australia. Our mandate is their mandate and the only one to which the Government benches lay any claim.

Therein lies the fundamental difference between the Brown Government and the symphonic discord which characterised previous Labor Administrations. Almost two decades of continuous Government from Labor enabled them to simplify the system to the point where they almost perfected that most elusive of all machines, the frictionless motor. They developed a system where the input exactly matched the output and, by that method, nobody in Govern-

ment had to do anything, not even exercise commonsense on the way through. All they did was take all the goodies and, in case anybody disputes that, we have it from their own mouths; for example, they had on their own admission a Cabinet table that was so large that they could not even hear what was being said. It was no problem that they could not hear anything that was going on until something went wrong, and then it was not only a problem but a defence that they could not hear what was going on.

So, it did not take long for South Australians to work out the name of the game. The game was this: if you want something from this Government, form a pressure group; get together an erudite group of people to make a point; with that pressure group, go and pressure the Government; if you pressure them enough, you will get something out of them. So, we had pressure groups springing up all around South Australia. We had government not for the good of the people but for the good of the loudest and noisiest pressure groups.

Well, Mr Acting Speaker, we have a new Government in this State, and it is a Government with a mandate from all the people to govern for all the people. I can assure members opposite that the days of the pressure group—the squeaky wheel that squeaks longest and loudest in order to get oiled—is gone. This Government will be convinced by one argument and one argument only, and that is the betterment of South Australia for all South Australians.

**Mr FOLEY (Hart):** I rise today to defend an employer within my electorate, and I am very pleased that both the Premier and the Treasurer are in the Chamber as I address the issue of Penrice Soda Products. What we saw today from the Premier of this State is a trait he uses all too often. Whenever he is put under pressure, he attacks the individual, not the issue. He abuses an individual and attempts to ridicule an individual to deflect any criticism of his style of government. I find that an ever present trait in this Premier.

Penrice Soda Products is a company employing over 400 people in my electorate, and it is one of the largest users of gas of any employer in this State. Following the State budget and the massive 25 per cent increase in the transportation costs of gas, that company is confronted with an increase in the order of some \$450 000 in the cost of gas. But what reaction did we have from the Treasurer and Premier today—ridicule and abuse of that very important South Australian company. We had the Treasurer quickly working out his calculations and saying, 'That can't possibly be right, because it's only a 3 per cent increase for industrial users. That must mean they have a gas bill of some \$120 million.' That is from the Treasurer of this State who cannot do the simplest and most basic mathematics. That is an indictment on his ability to crunch numbers.

The gas bill involved amounted to \$15 million, and 3 per cent of \$15 million is \$450 000. So this company in my electorate has received a \$450 000 tax impost. Added to that is the increase in payroll tax, dismissed by the Premier and Treasurer as nothing more than a very marginal increase. I will tell you how marginal it is for this employer: \$85 000 per annum—an \$85 000 payroll tax slug to that company. So, you add the \$450 000 increase in the gas cost to the \$85 000 payroll tax cost, and that is an increase in the order of \$550 000. Let me read very briefly from this letter and say what that will mean to my electorate of Hart. I will quote the Managing Director of the company:

The imposition of such heavy charges on industry appear to conflict somewhat with the Government's stated objective of

economic development and job creation. A cost of \$550 000 per year at Penrice is the equivalent of 12 full-time jobs.

My electorate therefore loses 12 jobs so that this Government can rake more money out of the Pipelines Authority. This Government, which has talked about creating jobs and reducing the tax impost on employers, has destroyed 12 jobs in my electorate. I say to the Premier and to the Treasurer: it is not good enough for you two senior members of this Government to ridicule a very important employer in my electorate, a company that contributes to this State a massive amount of economic wealth. Premier, on behalf of Penrice Soda, I take up your invitation to discuss this issue with you. If you will allow me to bring the company to visit with you, Sir, I would be more than happy to discuss this issue with you across the table.

**Mr BRINDAL:** On a point of order, Mr Deputy Speaker.

**The DEPUTY SPEAKER:** The member for Unley has a point of order.

**Mr BRINDAL:** I believe it is improper to refer to members directly in the Chamber. Members must refer their remarks through the Chair.

**The DEPUTY SPEAKER:** All members are aware of that protocol.

**Mr FOLEY:** I will just reiterate that point.

**The Hon. Dean Brown:** The member for Hart has trouble with his memory at the best of times.

**Mr FOLEY:** Yet again we see the quality of this Premier. Whenever he is under pressure, his reaction is personal abuse, personal attack. When you cannot play the issue, you play the person. You are a Premier who is showing all the traits of a leader who attacks the person, not the issue. On behalf of my electorate—

*Members interjecting:*

**Mr FOLEY:** The Premier well knows that a number of us in the former Government used to help him out extensively in his personal business practices. One day we might remind the House how well we helped the Premier in his personal business.

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

**The Hon. S.J. BAKER:** Mr Deputy Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

### ABORIGINAL RECONCILIATION

**The Hon. DEAN BROWN (Premier):** I move:

That the House—

- (a) notes that in 1991 the Parliament of the Commonwealth unanimously enacted the Council for Aboriginal Reconciliation Act 1991 to promote a process of reconciliation between the indigenous and wider Australian communities;
- (b) supports the concept of constructive reconciliation between indigenous and wider Australian communities, and
- (c) in acknowledgment of this support, adopts the vision of the Council for Aboriginal Reconciliation, namely, 'a united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all' as a vision shared by this House.

I note in the precincts of the House three people who have played a very vital role in the Council for Aboriginal Reconciliation. They are Mr Patrick Dodson, who is Chair of the council, Mr Archie Barton, a member of the council, and

Mr Timothy Moore, Secretary to the council. The vote for the formation of the Council for Aboriginal Reconciliation by the Federal Parliament in 1991 was unanimous. It was one of those important times when the members of both sides of Parliament agreed. This year, around Australia, all Houses of Parliament are debating the motion I have just outlined, to advance the process of reconciliation.

This motion, too, I believe should be accepted unanimously by this Parliament, because it is about the very nature of Australia and its future. Acceptance of this motion is one more step towards the time when the people of Australia walk as one, and the process of reconciliation has been finally fulfilled. In the meantime, we are engaged in a two-way process, which is dependent upon the goodwill and good faith of everyone involved. The Council for Reconciliation has as its objective:

... to promote a process of reconciliation between Aborigines and Torres Strait Islanders and the wider Australian community, based on an appreciation by the Australian community as a whole of Aboriginal and Torres Strait Islanders' cultures and achievements and of the unique position of Aborigines and Torres Strait Islanders as the indigenous peoples of Australia—and by means that include the fostering of an ongoing national commitment to cooperate to address Aboriginal and Torres Strait Islander disadvantages.

This objective is being promoted through a program of community education, particularly aimed at developing an appreciation and awareness of Aboriginal history, traditions and customs and of continuing disadvantages experienced by Aborigines, and a need to address these disadvantages. As I quoted in my submission to the Centenary of Federation Committee meeting in Adelaide earlier this year, South Australia has been at the forefront of recognising the rights of our indigenous people. Aboriginal men were granted full citizenship rights under our 1855-56 Constitution, and Aboriginal women were included in the rights granted to women by this Parliament in 1894, exactly 100 years ago.

South Australia was the first State in Australia to enact legislation granting Aboriginal land rights under the Pitjantjatjara Land Rights Act 1981, and I was delighted to be part of the Government that introduced that very historic legislation. However, despite those and other achievements, serious disadvantage is still experienced by Aboriginal Australians right around Australia, so in concert with the reconciliation process we must now act upon the special needs of indigenous Australians in relation to education, housing and health, recognising that Aborigines are disproportionately affected by many diseases.

These issues are part but not the full extent of the process of reconciliation, because the essence of true reconciliation resides within the hearts and minds of people. From reconciliation, many benefits will flow very naturally to the whole of Australia. The final recommendation of the Royal Commission into Aboriginal Deaths in Custody dealt with one of the many aspects of reconciliation. It said:

That all political leaders and Parties recognise that reconciliation between the Aboriginal and non-Aboriginal communities in Australia must be achieved if community division, discord and injustice to Aboriginal people are to be avoided. To this end the commission recommends that political leaders use their best endeavours to ensure bipartisan public support for the process of reconciliation and that the urgency and necessity of that process be acknowledged.

Prior to our election, the Liberal Party listened to Aboriginal communities across South Australia and, based on these discussions, made a number of commitments in relation to health, education, housing and employment which will be undertaken. Reconciliation is fundamental to all of these

commitments, because reconciliation is the mortar that will bind us together, strengthening our efforts to walk and work together. It will determine the lasting nature of any programs and initiatives designed to raise the standards of living and to advance the hopes and aspirations of the Aboriginal population.

Our efforts in these final years before the centenary of Federation must be focused and carry with them a sense of urgency and purpose. The House will be aware that the Minister for Aboriginal Affairs and I met this week with key representatives of the South Australian Aboriginal communities. This meeting followed a day-long workshop involving nearly 30 representatives of various Aboriginal communities and organisations here in South Australia. We called this meeting to discuss a range of issues relating to Aboriginal heritage and State development. It was a long meeting, and I was delighted with what we achieved.

We will continue to meet to consult on Aboriginal heritage issues and to gather Aboriginal community views in a process which will be as broad as possible to ensure that our consultations are thorough and the results meaningful. At times, the process will not be easy. The road will indeed be bumpy, but the destination will be worth the effort if we keep in mind the vision adopted by the Council for Aboriginal Reconciliation in 1992 and which forms part of this motion. It is worth repeating that once again:

... a united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all.

The Act setting up the Council for Aboriginal Reconciliation will appropriately cease to have force on the centenary of Australian Federation on 1 January 2001. At that time the celebration of the melding of the States into a Federation will achieve special significance as we celebrate another fusing of the Australian people—this time through the process of reconciliation—of all Australians.

I am pleased to inform the House briefly today of an initiative about which I am very enthusiastic and which I feel will become one of the significant turning points on the road to reconciliation. I have today had outlined to me a suggestion made by Aboriginal people to record on film for all future generations the desert dreaming trails, their song lines, customs and traditions, which will be used in a manner to be determined by the Aboriginal people. This film will record the non-physical Aboriginal heritage which may otherwise be lost to future generations of Aborigines in South Australia.

This material will be held for the education of future generations of Aboriginal children. It is also possible that parts of the material could be shared with the world to add to its understanding of this great Aboriginal culture. This could also have tremendous economic opportunities for Aboriginal cultural tourism that could be developed in South Australia by the Aboriginal communities and, in particular, Mr Speaker, that part of your electorate in the north-west of the State—the Aboriginal lands which are so rich with Aboriginal culture and the traditions that go with it.

We would like to involve the world's top photographers and film makers in the recording of this precious material, and I look forward to working in partnership with Aboriginal people to achieve this worthwhile purpose. It needs to be a venture sponsored by private industry, but I will work with the Aboriginal communities to bring that about as soon as possible. It would be wonderful if this material could be completed by the year 2001 and, therefore, become a very meaningful part of the celebration of Federation. In this we

are literally looking at putting on film a top quality history, tradition and heritage of the Aboriginal people and literally having tens of hours of such film available for use by Aboriginal communities. I hope to report back to the House further on this proposal in the coming months.

Finally, my Government supports the work of the Aboriginal Reconciliation Council. Its publications and education programs have, in particular, done much to raise awareness within the wider Australian community. However, awareness without action is just a word. The strongest commitment to anti-discrimination, social justice and reconciliation between the wider community and indigenous Australians is important to the healthy growth of Australia, essential to meaningful celebrations of Federation in the year 2001 and crucial to the achievement of a truly lasting reconciliation.

**The Hon. LYNN ARNOLD (Leader of the Opposition):**

I have great pleasure in seconding the motion that has been moved by the Premier and concurring with his comments on this matter. I speak for all on the Opposition side in saying that the issues involved in the establishment and the work of the Council for Aboriginal Reconciliation are very important. The word is not so much 'timely', because these issues should have been dealt with from the first days of overseas settlement of this country. Nevertheless, these are issues that we can allow to wait no longer.

I congratulate the members of the council. I note that within the precincts of the building we have Patrick Dodson, Archie Barton and Timothy Moore from that committee. I would appreciate it if they would take back the congratulations of all members to the council and wish the council well in its work.

It is appropriate that on this occasion all the Parliaments of Australia should support a motion such as the one we have before us today. In the past week we saw a very fine event take place—the unveiling of a Qantas jet that becomes the world's largest piece of art. That work was done by the company owned by John Moriarty and his wife. I think we all felt a great degree of pride when we saw that 747 unveiled, knowing that it will fly the international air routes from Australia and will be taking that piece of art and the message with it right across the world. Of course, it was John Moriarty and his wife who were responsible for that. I recall recently reading a statement made by John Moriarty of how things were not so long ago—as recently as the 1950s and 1960s. He said:

The rules applying to Aborigines were very discriminatory and when I travelled interstate for State soccer competitions, from early 1960 onwards, I had to receive, unbeknown to myself, permission from a Protector of Aborigines, whom I'd never met and whom I had nothing in common with, except that he legally controlled my life . . . I did not drink alcohol or like hotels, but I also thought it was degrading to be forced to apply for an exemption from the Protector of Aborigines, if I had wanted to. Why should I have to go to a priest or a welfare officer to seek permission to become a citizen of this country? I fought against it and refused to get one. Why couldn't I just be an Aboriginal person with Irish blood? I did not want to be discriminated against in that way and thought the only way to change it was to get a degree and to fight for Aboriginal rights. With such views I was considered to be an extreme radical.

It is true that those who took umbrage at these injustices in the 1950s and 1960s were regarded as extreme radicals, and, indeed, many still are today. Fortunately, the vast majority of the Australian population has come to recognise that the travesties of the past have to be righted.

The Premier drew attention to some legislation in which South Australia played a pioneering role. In 1856, in the adult male suffrage legislation, we included all adult males, and likewise with the female suffrage legislation of 1894. It is also worth noting that the Pastoral Act 1859 recognised the rights of Aborigines to follow traditional pursuits on pastoral land. That is one of the earliest examples that I can identify of native title taking place in this country. It was appropriate and innovative legislation in its day and we can be proud of it.

On the subject of native title, which has focused the minds of many, I hope that the process of reconciliation can get people to address the legitimacy of the real issues involved in the judgment of the High Court. I note that there are many confused views. We have had some appalling views stated over the history of Australia and the settlement of this country by Aborigines before overseas settlement. An editorial in the *Sydney Morning Herald* of 1838 states:

This vast country was to them (the Aborigines) a common—they bestowed no labour upon the land—their ownership, their right, was nothing more than that of the emu or the kangaroo. They bestowed no labour on the land and that—and that only—it is which gives a right of property to it . . . The British people . . . took possession . . . and they had a perfect right to do so . . .

They certainly did not have a perfect right to disfranchise and appropriate land from the people who already lived here and had done so for tens of thousands of years. The writer of that editorial failed to recognise what Aborigines knew about their very special relationship with the land. Lewis O'Brien, a descendant of the Kurna people of South Australia, has pointed out that there was a concept of land title amongst the Kurna people, for example, and many other tribes. I refer members to his comments on old Kurna words that clearly identify ownership of land.

What we had before the first overseas settlement was a multicultural country already. The diversity of Aboriginal culture represented a greater spread than we see in Europe today, for example, from the languages of Finland to Spanish which were much more diverse than the languages of Australia and in other practices.

Yet these different groups formed a whole entity that related as a combined people. I am very pleased to hear the Premier's proposal for a project to record, in audio visual ways, the song lines of this country. It is very exciting and I offer the support of the Opposition to that project. Song lines represent an important part of Aboriginal heritage, and I would refer members to an interesting book written on the subject by Bruce Chapman, in which he describes in very good ways just how significant song lines across this country were. I quote one piece from his book:

Every song cycle went leap-frogging through language barriers, regardless of tribe or frontier. A Dreaming-track might start in the north-west, near Broome; thread its way through 20 languages or more; and go on to hit the sea near Adelaide. . . the tune always staying the same.

I am personally excited that a project in this area will be initiated by South Australia. Other innovative things have happened in South Australia and they are a result, more often than not, of hard work by people in the Aboriginal community. We have had, for example, the Kalatja Pre-School, the Kurna Plains Primary (and now secondary school as well) and other education initiatives where Aborigines in the community took the leadership role of saying, 'This is what is needed to provide better opportunities for Aboriginal Australians to overcome, to make good the

damage that has been done by previous activities of Government and communities in this country.' We also have the Aboriginal Community College, and I was pleased, last year, as Premier to see the opening of an Aboriginal Language Institute at the Aboriginal Community College in Port Adelaide.

They are some of the very positive things that have happened. This opportunity for reconciliation provides the basis for the entire community to offer its whole-hearted support for such issues continuing into the future, because problems still need to be addressed, and the Premier alluded to that. We cannot hide from the fact that serious issues were identified by the Royal Commission into Aboriginal Deaths in Custody.

It should still be of major concern to all of us that the rate of appearances before magistrates in Australia by Aborigines is much higher than the community average. The most recent figures released by the Attorney-General in June this year show a comparison of 381 per 1 000 of population as to 27 per 1 000 of the community at large. That should beckon to us to say there is still much that needs to be done and should be done as a matter of urgency. The incidence of imprisonment likewise requires us to treat these issues not as some sociodemographic phenomenon that is interesting but as something that begs for action by Parliament and by institutions in our community.

When I was Premier I was very pleased that some important, in my view, symbolic activities took place. One of them was the first meeting of the State Cabinet and Executive Council in the Pitjantjatjara lands. That was an important symbolic act of our saying, 'This Government represents all South Australians in whatever part of the State they may be.' Likewise, the conference that took place in this Chamber later in the year (the International Year of Indigenous People), bringing together so many different Aboriginal groups in South Australia, was symbolically important. It said that this Chamber represents the seat of Government for all South Australians and is effectively owned by all South Australians. Those who had been so long dispossessed, the very first people of this country, had a right to claim their ownership of this whole process of Government for them as well as for all Australians.

It is quite appropriate to quote Lillian Holt, the principal of the Aboriginal Community College at Port Adelaide, when she spoke of the mission of that college, and it seemed to me to be very apt in the context of the mission of the Council for Aboriginal Reconciliation. She said of the college on its twentieth anniversary:

Our vision statement says that the college recognises the depth and profundity of experience Aboriginal Australia has to offer. In doing so, it seeks to be creative, vibrant and dynamic in its work, to enhance the spirit of not just Aboriginal Australia but overall Australia.

I believe that the important message coming from this council is that this is for the betterment of all Australia, because none of us can regard ourselves as truly Australian if part of our population has been so deprived over so many decades and, indeed, over the past century and a half. I look forward to the work of the council and I appreciate the time line it has been given to do this. It needs the support of all Australians and we, as parliamentary representatives, have a significant role to support the council in its work, and I look forward to this being the start of good cooperation between all in this Parliament and in the community in working for the objec-

tives of reconciliation. It is not timely, as I say, or overdue, but urgent that it be done now. I second the motion.

**The Hon. M.H. ARMITAGE (Minister for Aboriginal Affairs):** As Minister for Aboriginal Affairs, I am delighted to speak to this motion today, because it is an important occasion for the Parliament. Reconciliation has become a major theme in relationships between Aboriginal and non-Aboriginal Australians. However, there is at times, I believe, a lack of understanding of what is the goal. Perhaps one of the problems is that the end has often been confused with the means. To reconcile, put simply, according to the *Macquarie Dictionary*, is 'to render no longer opposed . . . to win over to friendliness . . . to bring into agreement or harmony'. The South Australian Government is committed to this goal of reconciliation.

In establishing the Council for Aboriginal Reconciliation in 1991, the Commonwealth Parliament hoped to foster such a process of reconciliation between Aboriginal and non-Aboriginal Australians. The motion before us today focuses on and affirms the vision of the council, which is encapsulated in the motion as 'a united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all'.

The council has also identified eight key issues to be addressed in the process of reconciliation, and I would like to bring some of these issues to the attention of the House. One key issue is the need to value each other's culture and, in particular, the need to recognise indigenous cultures as a valued part of Australian heritage. Aboriginal culture has sprung from and is rooted in our land, yet it injects our continent with integrity, freshness, dynamism and change. Indigenous artists such as Yothu Yindi, Sally Morgan, Michael Nelson Tjakamarra and others are making a very strong contribution to contemporary Australian culture by continuing a cultural tradition which spans more than 40 000 years.

This contribution translates into thriving enterprises benefiting all Australians. In 1993 the value of purchases of Aboriginal arts and souvenirs by international visitors was estimated at \$46 million. Nearly half the number of international visitors (48 per cent) indicated that they were interested in seeing and learning about Aboriginal art and culture. Obviously in areas as diverse as art, ecotourism and land management, Aboriginal heritage is making a leading contribution to our national life.

Two days ago I was reminded that our common culture should draw together the best of our respective cultures. I was showing some of the group of key Aboriginal leaders, to whom the Premier referred earlier, through this Chamber, and I explained the blood line—the line across which, historically, you could not cross with a weapon without threatening an assault on people opposite. One of the Aboriginal leaders quipped upon hearing this, 'And they call us uncivilised.' Certainly, people do cite the Aboriginal punishment of spearing in the thigh as perhaps being indicative of cruelty. However, on the other hand, a very positive element in some Aboriginal legal regimes is the practice of requiring a murderer to support the surviving dependants of the victim. Europeans were in this land for nearly two centuries before they began to provide for victims of crime within the criminal law. Aboriginal people have been doing so for thousands of years.

By today's community standards, some parts of both European and Aboriginal cultures would be considered to be

inappropriate. Our mission, as Australians today, is to blend the best of each culture to develop a common culture. The Council for Reconciliation also considers that another key issue is the sharing of histories, in the sense of a greater awareness of a shared ownership of our common history. Some Australians consider that 200 years after settlement the impact of colonisation has long faded. This is a blinkered reading of our history.

I remind members of the appalling and breathtakingly paternalistic practice of taking Aboriginal children from their families, ostensibly to provide for them in a so-called 'better fashion'. Forced separation of Aboriginal children from their families did not cease in South Australia until 1974. There would be few Aboriginal people beyond school age who were not raised without the threat, if not the actuality, of family dislocation. It will take decades yet before the consequences of these policies are worked through.

The Council for Aboriginal Reconciliation includes two leading South Australians who suffered just such separation from their families. Their stories were told recently in publications of the Council for Reconciliation, and I intend very briefly to detail them now. Ms Lois O'Donoghue, the well-known Chair of ATSIC, was born at the property, Granite Downs, at Indulkana in the north of the State. Her mother was an Aboriginal woman and her father was an Irish station manager. When she was two she was taken away from her mother and placed in the United Aborigines Mission at Quorn. Her Aboriginal name, Lowitja, became Lois. In the home, the children were not allowed to speak their native tongue. It was not until she reached the age of 29 that a chance meeting led to a reunion with her mother. In 1953 she was denied entry to the Royal Adelaide Hospital to further her training as a nurse because she was an Aboriginal. She won that battle and has been a strong fighter for her people ever since.

After these experiences she admits that she has always had a fairly positive attitude and the only time she feels anger is when she thinks about what happened to her mother. In speaking of Lois O'Donoghue, I should like to pay personal and public tribute to her sister, Amy Levi, who taught two of my children at North Adelaide Primary School. Her calm, good-natured personality and excellent teaching are a very practical way of encouraging reconciliation via mutual respect.

*An honourable member interjecting:*

**The Hon. M.H. ARMITAGE:** Indeed, as the Premier says, Amy Levi taught him in kindergarten, so it just shows what a wonderful teacher she is. The other South Australian from the Council for Aboriginal Reconciliation to suffer separation from his family is Mr Archie Barton, who is in the Chamber and who has been referred to earlier today. He is the administrator of Maralinga Tjarutja and is a well-known figure because of the work he has done for his people. Archie was born at Barton Siding. When he was five he and his sister were taken away from their mother and removed to a children's home in Port Augusta. He did not see his mother again until he was seven years old, when she jumped train to visit him. It was their last meeting. During his childhood, Archie was forced to speak English instead of his native tongue, Pitjantjatjara, which he had to relearn in middle age when he was reunited with his people. Archie is quoted as saying:

When I talk about my background, about the Government taking me away from my family as a child, people think I should be the

number one hater of white people. But I was taught not to hate and that people should work together.

Archie obviously has taken the first step in reconciliation—the least we can do is to accept our common history and the impact it has had on him.

One of the most moving events in which I have ever been involved was the raising of the large Aboriginal flag on the flagpole at Port Road to celebrate the beginning of the International Year of Indigenous People. Near dawn, Val Power sang a chilling song about the removal of Aboriginal babies. The song is called *Brown Skinned Baby*, and I would like to quote from it. I was thinking about singing it, but I knew that that would clear the benches. The words to the song are:

As a young teacher I used to ride my quiet pony around the countryside. In a native camp, I'll never forget a young black mother, her cheeks all wet.

Between her sobs I heard her say, 'Police been taken my baby away. From white man boss that baby I had, and why he let 'em take baby away.'

To a children's home a baby came with new clothes on and a new name. Day and night she'd always say, 'Mummy, why you let 'em take me away?'

The child grew up and had to go from the mission home she loved so. To find her mother she tried in vain, and upon this earth she never met again.

And I remind members that this occurred in South Australia until 1974. Our common history is not a dead relic. The consequences of past mistakes are carried from generation to generation. Reconciliation appropriately involves an honest acknowledgment of the impact of colonisation, both historically and up to the current day.

Another key issue identified by the council is the need to promote a greater awareness of the causes of disadvantage suffered by indigenous Australians. There is a near universal agreement that Aboriginal Australians continue to suffer from unacceptably poor health, housing and education. Aboriginal Australians are five times more likely never to attend school. Life expectancy is up to 21 years lower amongst Aboriginal people. In 1991 Aboriginal Australians were 12 times more likely to live in improvised accommodation.

The final key issue and the one that I consider is the key to resolution of disadvantage is the need for greater opportunities for indigenous Australians to control their destinies, particularly in terms of economic self-determination. I believe that true reconciliation will come only when Aboriginal Australians are full participants in the economic life of our country. As I move around South Australian communities, I note that the key concern that continues to come through is that Aboriginal people want jobs for members of their communities, and especially for their young people. Economic development and jobs bring self-worth and a stream of income with which recipients can express self-determination and have the resources to deal with other problems, such as those related to health, housing and education, in their own way and without relying on the 'hand out' mentality.

Aboriginal Australians are actively pursuing enterprise opportunities. Only last week it was my privilege to visit the Far West of South Australia, to go to some of the communities and to hear of their enterprises. At Ceduna, Mitch Dunnett, who is keenly promoting Aboriginal employment, spoke of the Aboriginal oyster lease, which is providing 30 per cent of the State's supply of oysters. He also spoke of their plans for a major emu farm and a tourist venture. We were able to share a meal at the Yalata roadhouse, a successful Aboriginal-owned enterprise serving locals, tourists and

the transport industry on the Nullarbor Highway. The roadhouse is successful, both in financial terms—being substantially profitable—and in providing employment and self-esteem in the local area. There are projects developing around the State which I am sure will give Aboriginal South Australians a renewed sense of self-determination and which will culturally enrich the lives of all Australians.

In conclusion, I stress that I believe that reconciliation is fundamentally a matter of positive relationships. As a community, we need to renew the attitudes that underpin healthy relationships. In supporting the motion, I invite the House and all South Australians to affirm the vision of the council and to work to promote positive relationships between Aboriginal and other citizens. It is with great pleasure that I recommend the motion to the House.

**Mr CLARKE (Ross Smith):** I support the motion and the comments made by the previous three speakers. One of the problems arising from being the fourth person in the batting order is that many of the best lines have already been used, so I will not take the time of the House to go over what has already been put so eloquently by the first three speakers.

It is appropriate that this motion be debated today, because the Council for Reconciliation is meeting in Adelaide from today through to Sunday as part of its community consultation work. It is also important for members to appreciate the work of the council and its charter. Under its charter the council is required to seek the views of the Australian community on whether any document of reconciliation would benefit the community as a whole. If it believes that a benefit can be derived from such a document, the council can make recommendations to the Federal Government on its nature and content.

Options for a reconciliation document include a covenant, a declaration, a charter, a bill of rights, an Act of Parliament, constitutional change and a treaty, or leave things as they are and concentrate on improving the climate of relations without any formal agreement. However, it is important to remember that no document will effect any improvement in relationships between black and white Australians until attitudes change through education and a tolerance for one another. The council's vision, which has already been quoted, is worth quoting again:

... a united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage and provides justice and equity for all.

Aboriginal and Torres Strait Islanders and their supporters have used the word 'reconciliation' since the 1960s as they have worked for recognition and social justice. The final recommendation of the Royal Commission into Aboriginal Deaths in Custody stated:

The process of reconciliation will have as a principal focus the education of non-Aboriginal Australians about the cultures of Australia's indigenous peoples and the causes of division, discord and continuing injustice to Aborigines and Torres Strait Islander people.

The commission's report concluded:

And in the end, perhaps together, Aboriginal and non-Aboriginal, the situation can be reached where this ancient subtly creative Aboriginal culture exists in friendship alongside the non-Aboriginal cultures. Such an achievement would be a matter of pride not only for all Australians but for all human kind.

This has become the council's goal.

**The Hon. M.D. RANN (Deputy Leader of the Opposition):** I certainly want to give my support to the motion. I had

the great privilege to be Minister for Aboriginal Affairs in South Australia for almost three years, and I am delighted that members of the Aboriginal Reconciliation Council are here today, including Mr Dobson and Mr Archie Barton, the leader of the Maralinga Tjarutja people. I pay tribute to the Maralinga Tjarutja people for the way that they cooperated with the State Government and the Federal Government in working for the reconciliation of an outstanding issue of justice concerning the compensation and clean-up of the nuclear testing lands at Maralinga.

Perhaps summing up that symbolism of reconciliation, this Parliament in a bipartisan way—that is the way it should be, and let us hope that there will be bipartisanship on Mabo, because it deserves bipartisanship at Federal and State level—has enacted major and historic pieces of legislation relating to the Pitjantjatjara Land Rights Act of the Tonkin Government, which flowed on from the work done by Don Dunstan, the Maralinga Tjarutja Land Rights Act of the Bannan Government, the work of Greg Crafter and others, and of course later amendments which we saw in recent times where the Ooldea lands were returned to Aboriginal ownership.

For thousands of years those lands had been a metropolis of Aboriginal people around the Ooldea soaks until, unfortunately, those soaks were destroyed during the construction of the railway across Australia. It was very interesting that on those occasions there was unanimity among us all. The Ooldea ceremony was one of the most moving I have attended in my life, because so many people had been removed from those lands as children against their will and they returned on that day to see the Ooldea lands come back under Aboriginal ownership. We saw the joy as well as the tears that flowed on that day.

As to Aboriginal languages, at the time of settlement I understand that there were about 800 Aboriginal languages and dialects, and certainly hundreds of central languages, many of which have become extinct or are in danger of extinction. That includes languages in this State. Certainly, during the period when I was Minister, and again with bipartisan support, there were moves to set up an Aboriginal Languages Institute in South Australia that would be community based. That is vitally important: it is not some academic research and archival agency, but a community-based language acquisition and retention process—a crusade to save Aboriginal languages, many of which are unique and distinct from each other. I refer not just to the Pitjantjatjara languages but also to the Kurna language, Ngerindgeri languages, Adnamatna, and so on.

I hope that in that process of reconciliation around this country we will see State and Federal Governments working closely with Aboriginal communities in a major effort, as we move towards the next millennium and the centenary of Federation, to have a crusade to save and retain Aboriginal languages, much in the same way as there was a renaissance in the 1970s and 1980s of Maori languages in New Zealand.

When I return to New Zealand it is marvellous to hear in so many schools Pangkarra—non-Maori—children learning and celebrating Maori languages. Certainly, with the Federal Government's move to identify key languages for Australia in terms of trade and community affiliations, Aboriginal languages must be among those key priority languages if we are really to be reconciled.

I want to take this opportunity to praise the University of South Australia, which is leading the charge nationally with the first Faculty of Aboriginal Studies, with hundreds of Aboriginal students enrolled in a whole range of Aboriginal

studies and education. In this area I would like to see other universities across the nation pick up the challenge which has been set in this State by a brand new university and which is part of its charter and its legislation—again supported in a bipartisan way by this Parliament—to reach out to embrace Aboriginal communities.

The Leader of the Opposition has just passed to me the words of Lewis O'Brien, a descendant of the Kurna people of South Australia. He pointed to the language of his ancestors for some concept of property. A dictionary published in 1840, which has only recently been discovered in the last few years in South Africa, 'Outlines of a Grammar, Vocabulary, and Phraseology of the Aboriginal Language of South Australia spoken by the Natives in and for some distance around Adelaide', contains the following significant definition:

'Pangkarra... a district or tract of country belonging to an individual, which he inherits from his father.

Certainly, that is something we must all take on board. The key message is that we must all work together, that Mabo and languages must be part of the reconciliation process.

**Mr LEWIS (Ridley):** I support the motion and comply with the request put to me by senior members of the population of the Nungas tribe in the area that I represent, the Narradjnerri. They have asked that I draw the House's attention to the following statement, 'The Lawmen's Vision', recently released in Western Australia:

Before other people came to Australia, we were the leaders and judges in all matters concerning land, law and religion. If our young people disobeyed us, they were punished. We had the same rights as the courts have nowadays and we used our powers wisely. We know this because our communities lived at peace with each other and with the land.

From the coming of the white man our authority was taken from us—a little at a time. In the early days it happened because white people were ignorant of our traditions. More recently, the last remnants of our authority has been taken from us. In this case, the removal of our rights is being done by our young people, who are hiding behind the protection of white Government workers and others who want to push us aside because we are not aggressive and because we want to live in peace with all other Australians.

Now we have had enough. We are using our limited resources to meet together to tell State and Federal Governments that we are sick and tired of inexperienced young people and the white Aboriginal industry making unauthorised decisions in our names and setting Aborigine against Aborigine and Aborigine against white and all other Australians. This is not our way and it must cease.

We have a vision for our country. In it, Aboriginal Australians, white Australians and Asian Australians—all Australians—will all live together with equal rights and in peace and in harmony. Their differences will disappear and all will be Australians. Do not be deceived—we must achieve this vision. If we do not, then the alternative is bloodshed and civil war like in Ireland, Cambodia or Yugoslavia. You can all see what is happening on your televisions. Ask yourselves: is that what you want? We must go forward together. Otherwise we will not go forward at all.

We reject the divisive policies of the white Australian Aboriginal industry. These people are only there for their own financial gains. Why is a solicitor, who used to be a Premier, trying to push our people into Native Title claims? Why is he writing personally to each of us stirring us up to claim land? He will make millions of dollars out of the claims and will walk away and leave us fighting one another and other Australians. If we live in peace, we do not need solicitors. We will need people to look after our grandchildren, who will be playing together; brothers and sisters, in peace. Solicitors are only needed when people are arguing, and arguments lead to fighting and fighting leads to civil war. We do not need people like him in the Pilbara. Let him go and make his millions somewhere else.

We reject the Federal Government's Native Title Legislation. This is the time for reconciliation. These huge Native Title claims will not lead to reconciliation, they will set Aborigine against Aborigine and Aborigines against other Australians. Already we can

see this happening, with people being spurred on by white activists to claim other people's traditional lands. The young people who are being pushed along by the white Aboriginal industry do not have the experience or wisdom to realise what they are being made to do. We are the senior Tribal Lawmen of the northern part of our State. Between us all we have many centuries of wisdom and because of this we can see the dangerous path down which the Federal Government and the white Aboriginal industry are carrying our people. Before our country and our community have gone so far down this path that they cannot return, we have to break our normal practice of keeping a dignified silence and we have to speak out. These people are dividing our country, they are dividing this country into groups whose members will live in hatred of each other. That is not our way. We can see that our people and other Australians have been misled by a handful of activists. Today we re-establish our authority because too many who have been handling Aboriginal affairs have sold out to people who use Aborigines for either financial or political gain. Today, this must end. Therefore, we make the following announcements. All authority is hereby withdrawn from Land Councils and other self-appointed bodies. Let all Australians know that these organisations do not speak for the Tribal Lawmen or their people. We request an urgent meeting of our representatives with the Premier and Minister for Aboriginal Affairs—

this is from Western Australia—

We request a regular forum in which we can advise the Minister for Aboriginal Affairs directly, without the interference of public servants or others. Our sacred heritage has been mocked by people who twist the new, written law for their own financial and political purposes and tell lies about our sacred sites. We therefore call upon the Premier. . . to disband the Aboriginal Cultural Material Committee and the Department of Aboriginal Sites and replace them with a committee selected by ourselves. We have shown in the past that we can deal in a dignified and reasonable manner with these matters. This will put an end once and for all to the arguments and the bickering that have embarrassed us over the past 10 years. Sacred sites are a tribal matter. They do not concern white Australians or non-tribal Aborigines. We are more than capable of protecting our own heritage without the involvement of others.

The Goldfields Gas Pipeline is an example of what is wrong with the way our heritage is being used by other people. An office has been established by the Gas Pipeline Company to study sacred sites along the route. Its boss is the man who used to be boss of the Department of Aboriginal Sites. We have rejected him in the past because we saw that he had ignored us and dealt with self-appointed organisations which claimed to speak on our behalf, most of which are run by white Australians. Now we see that again he has appointed people to help him and he has contacted those organisations. All of this has been done without even bothering to speak to us. Does he think we are too ignorant to talk to because we do not dress in suits and drive big flash cars? We demand that this office be closed and the managers of the Pipeline Company come and talk directly to us.

We know who the Lawmen for the country through which it passes are. We will travel along with them and clear it. But if that officer stays we will not assist in the work because we are sick and tired of being used to make a lot of money for people who despise us. We demand that this man who has insulted us in the past should be dismissed and we will then put the pipeline through with no argument and with very little cost.

The past is behind us now. Black and white Australians have all shed their blood for this country. We must all go forward together to live in peace. If all Australians do not want this then they should ignore us and continue listening to the white Aboriginal industry and the handful of stirrers who pretend to speak for us. If what Australians want is years of fighting and years of arguing, then they should ignore us. We have gone to great trouble to come together here today. We are old and we are not wealthy, but we care enough about our country and our children to make this effort. Few of us will still be alive to see it when the community is dragged into the future towards which we see it heading. If other Australians care about this country then listen to us before it is too late.

The statement, signed on behalf of those Lawmen by Arnold Franks and Billy Dunn, describes in a very moving fashion the way in which Aboriginal people believe they have been treated and mistreated by administrations since the time of settlement, in spite of the good intentions which many of us may have and which any of the institutions we may seek to

set up might believe they have. We should listen to the people who know what they believe in, where they came from, and what they see as the common future with all of us as Australians going together towards a future of peace through reconciliation. That, in particular, was the message which the older people who contacted me asked me to give to the House in support of the motion today.

Motion carried.

**The SPEAKER:** I thank members for the manner in which they have participated in the debate. The House is pleased to see its three distinguished guests in the precincts of this building.

#### MEMBER'S REMARKS

**Mr QUIRKE (Playford):** I seek leave to make a personal explanation.

Leave granted.

**Mr QUIRKE:** In a point of order taken by the member for Ridley this afternoon during Question Time, it was alleged that I proceeded in an unparliamentary fashion when asking a question and that I had not sought your leave, Mr Speaker, and that of the House to explain my question. That was reinforced by other members who interjected. At the end of Question Time I went to *Hansard* and consulted with the Leader of *Hansard*, and I was provided with a signed copy of *Hansard*, which states:

Mr Speaker, with your leave and that of the House I will briefly explain.

These words I clearly remember echoing in this Chamber, and I have it confirmed under the signature of the Leader of *Hansard* that that is the version on tape as well.

#### SOUTH AUSTRALIAN OFFICE OF FINANCIAL SUPERVISION (REGISTER OF FINANCIAL INTERESTS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

**The Hon. S.J. BAKER (Treasurer):** I move:

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

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

Leave granted.

The purpose of this Bill is to amend the *South Australian Office of Financial Supervision Act 1992* to change the approach towards ensuring probity in the financial activities of board members and employees of the South Australian Office of Financial Supervision ('SAOFS'). The Act establishes SAOFS, the body responsible for the regulation of building societies and credit unions in South Australia.

There is currently one building society registered in South Australia, with assets in the order of \$45 million, and there are fifteen credit unions registered, with total group assets of approximately \$1.35 billion, giving aggregate assets for those industries of approximately \$1.4 billion. Although there are a number of foreign societies registered in South Australia, SAOFS is not responsible for their supervision.

The present approach prohibits persons being board members or employees where 'that person or an associate of that person' has a substantial financial interest in a financial institution. The combination of a broad (but unexceptional) definition of 'associate' and a wide ambit of financial interests made this approach unworkable.

The Bill removes this prohibition and in its place requires the declaration of financial interests of board members, the Chief Executive Officer, and employees of SAOFS, and their associates, for inclusion in a register available for public inspection.

State Supervisor legislation in the majority of other States provides that particulars of financial interests be declared in a similar manner to that set out in the Bill.

In the Bill, the definition of 'associate' includes the officer's spouse (including a putative spouse). Children and parents of the officer or spouse are also caught by the definition, providing that they live with the officer on a genuine domestic basis.

Bodies corporate in which the officer and/or associates control at least 20 per cent of the issued share capital, or that are accustomed to act in accordance with the officer's or associates wishes, are also associates. 'Associate' has also been defined so that an officer's or family member's interest held as a beneficiary of a trust, must be reported.

Further provisions in the Bill streamline the definition of 'financial interest' in a manner designed to ensure clear and straightforward determination of a person's financial interests.

The Bill is consistent with Government policy in so far as it is consistent with other approaches to the control and monitoring of financial interests of public officers.

I commend the Bill to the House.

#### Explanation of Clauses

##### *Clause 1: Short title*

This clause is formal.

##### *Clause 2: Commencement*

This clause provides for the commencement of the measure on a date to be set by proclamation.

##### *Clause 3: Substitution of s. 33*

This clause provides a substitute clause 33 in the following terms:

33. Register of financial interests of members and employees

Proposed clause 33 provides that the South Australian Office of Financial Supervision must keep a register of the financial interests of 'SAOFS officers' (SAOFS members, chief executive officer or employees). The register is to be available to be viewed by the public without charge (see subsection (12)).

SAOFS officers must provide a Registrar with a statement of the relevant particulars of their financial interests—

- within 14 days of becoming a SAOFS officer (subsection (7));
- when they gain or divest themselves of a financial interest (subsection (8)); and
- in any case, within 14 days after 31 March and 30 September in each year.

Failure to do so constitutes an offence punishable by a division 7 fine (\$2 000).

A person holds a financial interest when they, or one of their associates—

- owns securities in a financial institution;
- has deposits with, or loans from, a financial institution;
- or
- is a member of a financial institution.

'Associate' is defined broadly in subsection (1) to mean the spouse (or putative spouse) of a person, a parent or child of a person or the person's spouse if that parent or child lives with the person, a trustee of a trust of which the person is a beneficiary, companies related to the person and, to avoid the 'hiding' of financial interests behind corporate structures or trusts, a company or trust related to the person, spouse, parent or child by a chain of such companies or trusts.

Subsection (1) defines the 'relevant particulars' that a person has to supply in relation to a financial interest. These particulars vary according to the financial interest in relation to which they are given.

Subsection (10) provides two defences to prosecution under this section. A person is not guilty of an offence if the person proves that he or she lacked knowledge of, or held a mistaken belief in relation to, the existence or particulars of a financial interest. Also it is not an offence to overstate the extent of a financial interest.

##### *Clause 4: Transitional provision*

The effect of the transitional provision is that current members, chief executive officer and employees of SAOFS will have 14 days after the Act commences to declare the relevant particulars of their financial interests.

**Mr QUIRKE** secured the adjournment of the debate.

## REAL PROPERTY (VARIATION AND EXTINGUISHMENT OF EASEMENTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 September. Page 447.)

**Mr ATKINSON (Spence):** The Opposition has studied the Bill carefully and pondered it. We will be supporting the Bill, which we understand is designed to remedy a problem which Radio Rentals has with its property at Prospect. I am always a little bit surprised when the Liberal Party, given its philosophy, rushes emergency legislation into this House to cover particular circumstances. It is undesirable to use general legislation to remedy existing legal disputes.

**Mr Lewis:** Hard cases make bad law.

**Mr ATKINSON:** That may be so. There is undue haste with this Bill. The second aspect of the Bill which is a little surprising coming from the Liberal Party is that the Bill extinguishes personal property rights without notice to the property owners affected. I understand the problem the Bill seeks to address arises because of night cart lanes, particularly in our inner suburbs, and for members who do not know what night cart lanes are—

**Mr Meier:** Sure do!

**Mr ATKINSON:** Obviously the member for Goyder is familiar with them.

**Mr Meier:** Every Sunday night.

**Mr ATKINSON:** Every Sunday night, was it? Just once a week?

**Mr Quirke:** Can you lot let us in on the secret of this?

**Mr ATKINSON:** Perhaps the member for Goyder will talk about night cart lanes, because they are intimately related to the Bill. Night cart lanes run between the rear of properties and, because of modern sewerage, they are no longer required. It is common for local government to sell night cart lanes to people who wish to extend the rear of their property.

When these housing estates which had night cart lanes were first established, the night cart lane was common property and an easement was granted over the night cart lane for the people who had to use it. Of course, an easement was granted to householders whose property adjoined the night cart lane so they could use it as a rear access or exit. The Minister may correct me if I am wrong, but my understanding is that the night cart lanes have now reverted to the ownership of local government, or at least local government is in a position to pass resolutions under the Roads (Opening and Closing) Act to close these night cart lanes or parts of them and to sell them to adjoining land-holders or anyone who is interested in them.

The result of this patchwork of sales is that an existing property holder may have an easement over a night cart lane but, in several places between the householder's property and the next main street, a section of the night cart lane may be sold, so the householder does not have access to the main road, thus the easement is for all intents and purposes useless. I gather that the problem in this case is that Radio Rentals wants to get hold of sections of a night cart lane at Prospect but it cannot do so as efficiently as it would like because, under the Real Property Act, notice has to be given to all people who have an interest in the whole night cart lane, even if those people cannot get access to the main street through the night cart lane.

I gather that it is rather hard for Radio Rentals and, I suppose, the Prospect council to contact all the people who have an easement over the night cart lane and to obtain their consent to extinguishing the easement. The Bill before us allows the Registrar General to dispense with the consent of the holders of the dominant tenement, that is, the holders of the tenement to which the easement is attached. The Opposition is prepared to support the Bill in principle, but we believe there are points of law and matters that ought to be addressed by the Minister on this. I must say, the normal parliamentary proprieties have not been observed and there are a couple of questions I would like to ask in Committee.

**The Hon. M.D. RANN (Deputy Leader of the Opposition):** Certainly I am most concerned about the practices that have applied in relation to this Bill. The very fact that we are considering it today is quite frankly an outrage that borders, I believe, on parliamentary impropriety. Commercial pressures have been applied to influence the proceedings of this Parliament, not only on the outcome, which is fair enough—people are able to come in and talk to people and telephone them (in fact, I had a lawyer on the phone today, ringing me on behalf of Radio Rentals and apparently some other client who is overseas who is interested in the property), but also pressure has been applied to members of the House in respect of timing and procedural matters. Those things should not be the prerogative of anyone but this Parliament through negotiation.

There is an established practice of this House about laying Bills on the table with the requisite amount of time to enable us, as members of Parliament, to go out and consult, particularly when legislation like this removes the legal rights of people. Has there been any consultation with those people? No. Are they being informed in writing? No. I certainly believe that the practice of bunging in a Bill after it has gone through the other place the night before is wrong. The Opposition does not have any in-principle objections to the substance of the Bill, but we believe that we have a right, as members of the House of Assembly, to go out and consult with the people that this legislation affects.

I believe that commercial pressures are being applied that try to frustrate that process. Whether or not we support this Bill, as members of Parliament all of us have an absolutely fundamental duty to insist that proper parliamentary proprieties be observed. The Deputy Premier and I did not discuss this; it was not given adequate notice. It went through the Upper House last night and we are being asked to consider the Bill today, which eliminates the commercial as well as legal rights of about 60 people in the Prospect area. There should be proper consultation and we must allow proper consideration. I move:

That Standing Orders be so far suspended as to enable the Bill to be referred to a select committee.

**The DEPUTY SPEAKER:** Order! The honourable member has no entitlement to move such a motion until after the second reading has been completed.

**The Hon. M.D. RANN:** The Opposition is appalled at the way members of Parliament are being treated in this House on this and other matters. Last night a Bill, copies of which had not even been circulated, was placed before this House and upon which we were asked to vote. The Deputy Premier has given us zero cooperation on a whole series of things in recent times, for example, the Estimates Committees. It is the arrogance and hubris of too many members.

**The Hon. Lynn Arnold:** They'll accommodate Di's dinner party, but they won't accommodate the Opposition.

**The Hon. M.D. RANN:** That's right; the Minister for Transport's dinner arrangements are more important than the Estimates Committees and members of Parliament wanting to scrutinise the budget process. If the Deputy Premier and the Premier regard this Parliament as a joke, they will continue to flout normal rules but, when it comes to commercial interests and phone calls being made to members of Parliament today, including to me, from a lawyer in this city apparently representing a couple of clients, including a seller and prospective buyer, not about whether or not we should support this Bill but about how we are to process the Bill, that is an absolute bloody outrage.

**The DEPUTY SPEAKER:** Order! the honourable member knows better than to use sanguinary terms. It is inappropriate.

**The Hon. S.J. BAKER (Deputy Premier):** I thank members opposite for their contribution. I share some of their concerns, quite frankly. As members would recognise, I was shadow legal spokesman for about eight years and on several occasions I made similar points to those which the honourable member is making when I thought the process had broken down.

*Mr Atkinson interjecting:*

**The Hon. S.J. BAKER:** That is exactly right, and sitting in this chair I am reminded that in Opposition I resented the fact that I could not do as the member opposite suggested, so I made complaints to Parliament on a number of occasions. There were a number of occasions (and last night I actually supplied the Bill) where there was no Bill for me at all. It would be nice if the Parliament worked perfectly, and I would like to think that in future it will work better than it has in the past. However, this is a particular case. I will reveal to the Parliament that the matter was left in the hands of the Attorney-General, who was approached by Radio Rentals in respect of a property development, and the time frame on that development was quite considerable. However, the sheer task of contacting 100 people and then gaining their consent represented an impossibility.

**Mr Atkinson:** It's their right.

**The Hon. S.J. BAKER:** It has been going on for a number of months, I understand. I do congratulate the member for Spence on his explanation of the Bill, because it was a very accurate representation of what has historically taken place with easements in this fair city. I do not know whether it has happened in country towns as well, but in Adelaide it happened on numerous occasions. I know that those lanes still run through the historic suburb of Colonel Light Gardens and, if you wish to excise part of one of those lanes irrespective of whether people use that lane, you have to obtain the concurrence of every person whose property lies along it. If it is particularly long, as is the case in certain areas, that is a very difficult task. The issue raised its head because of the need to progress this matter.

**An honourable member:** Why?

**The Hon. S.J. BAKER:** My understanding is quite clear from the information I have been provided that, unless this matter of the easements can be sorted out, the development shall not proceed.

**The Hon. M.D. Rann:** It has gone through the other House with all Parties supporting it, only with questions which must be settled but which have not been settled.

**The Hon. S.J. BAKER:** I will be happy to answer any of those questions in Committee.

*The Hon. M.D. Rann interjecting:*

**The Hon. S.J. BAKER:** I think the Deputy Leader is getting a bit anxious; he may not have the numbers and might be worrying about his future.

*The Hon. M.D. Rann interjecting:*

**The Hon. S.J. BAKER:** If the Deputy Leader wants to reflect upon me—

**The Hon. M.D. Rann:** I'm not reflecting on you.

**The Hon. S.J. BAKER:** Well, he suggested that I was taking bribes. I have never taken a bribe in my life.

**The Hon. M.D. Rann:** I've never said that.

**The Hon. S.J. BAKER:** I suggest that the honourable member look at *Hansard*, because that is exactly what he was suggesting. I can tell every person in this House—and anyone who knows me is aware of this—that I do not touch other people's money. I simply do not do it, except in an official capacity as Treasurer. Let us get the rubbish out of the system and deal with the issue, which is whether this development can go ahead, whether full contact can be made with the 100 people involved within the timeframe, and given the progress that had been made over a considerable period—

**Mr Atkinson:** You will find that it's subordinate to the sale of the land.

**The Hon. S.J. BAKER:** Well, it is not. I would like to make the point that the way this Parliament operates is also that the Minister discusses the matter with the shadow Minister. The shadow Minister, who has passage of this legislation in the Upper or Lower House, shall then seek the views of his or her colleagues and, if the green light is given, that shall be the policy that is pursued. That was my understanding, so that when the green light was turned on in the Upper House there would also be a green light in this House.

*The Hon. M.D. Rann interjecting:*

**The DEPUTY SPEAKER:** Order! The honourable member will have the chance to discuss all these issues later in the debate.

**The Hon. S.J. BAKER:** Again, I would also make the point very quietly that several times I have wandered the corridors seeking the Deputy Leader and it has not always been easy to find him, so I have invariably relied more on the member for Playford, who is particularly reliable. I hope that through one process or another I will be able to discuss the matter with representatives of the other side. I agree that we can improve our communications, and I will make every endeavour to ensure that any error or omission of the past is kept to a minimum in the future. I give that undertaking to the Deputy Leader. I have not necessarily been as—

**The Hon. M.D. Rann:** Reliable?

**The Hon. S.J. BAKER:** Well, no. I have passed messages on, but that is not the appropriate way of doing it.

**The Hon. M.D. Rann:** He is your staffer and you know it. His name is John Chapman.

**The DEPUTY SPEAKER:** Order! I warn the Deputy Leader of the Opposition. This has gone quite far enough.

**The Hon. S.J. BAKER:** I am clear about the Deputy Leader's attitude to this item. However, the Government has decided that the matter will be progressed. That is what we are doing today, irrespective of issues that have been raised. All the issues that were canvassed in the other place have been dealt with to my satisfaction. I was not willing to let this legislation go until certain issues raised by the shadow Attorney-General in another place had been satisfied, and they have been.

I appreciate the comments that have been made. This is not the way that I would normally do business. Unfortunately, this is the way we have to do it to ensure that this development proceeds, and I understand it is a worthwhile development. We will ensure that such occasions visit us only infrequently so that we do not have these protestations from the other side. There were a number of occasions when I was in Opposition on which I expressed some disquiet about the procedures that were being followed.

Bill read a second time.

**The Hon. M.D. RANN (Deputy Leader of the Opposition):** I move:

That Standing Orders be so far suspended as to enable the Bill to be referred to a select committee.

**The DEPUTY SPEAKER:** There not being 24 members present, the motion lapses.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

**The Hon. M.D. RANN:** Why the haste? Who are the prospective offshore buyers? I understand that a Mr Michael Liebich, who seems to be ringing my office and who is a solicitor with Thomsons, barristers and solicitors, is acting on behalf of a number of clients. Why this date, why the rush and who are the clients?

**The Hon. S.J. BAKER:** The honourable member is referring to the date to be fixed by proclamation. That will be as soon as the legislation is passed and the proper procedures are followed. In relation to the rush, I thought I had spent some time during the second reading when wrapping up the debate explaining why we did it. If there was no rush, I would allow the Bill to be debated when the Parliament resumes on, I think, 11 October. That is the way I would normally treat Bills such as this, as everybody would recognise. The explanation given to me is that the development will fall over because it cannot be satisfied in the time frame. I am going on the information I have received, and I have to trust my Attorney.

**The Hon. M.D. RANN:** With regard to the date of commencement, is this an attempt under pressure to ensure that the people who will have their rights removed—all 60 or however many there are—have insufficient time to be consulted by letter? I am prepared to donate the postage—\$45—for them to be consulted. This date has been set and it is being rushed to prevent consultation.

**The Hon. S.J. BAKER:** I am advised that, consistent with the Bill, notice will be given by publication in the local paper and in the *Advertiser*. I understand that the 28-day rule will be invoked. Clause 3 provides that the notice must 'invite the person to whom it is given to make representations to the Registrar-General in relation to the proposal within 28 days'. The provisions are outlined in clause 3. I refer members particularly to paragraph (d) and the following provisions which explain the proposal. It was also explained in the second reading explanation. That matter was questioned in another place and was found to be satisfactory. However, that does not mean that this place will find it satisfactory.

**The Hon. M.D. RANN:** As a follow-up question about the other place finding it satisfactory, the Deputy Premier will be aware that questions were asked in the other place about too much discretion being given in the Bill with regard to insufficient provision of notice. Can we assume that the provisions of section 276 of the Real Property Act will

operate? That section gives the Registrar-General discretion as to the form of notice, that is, whether it is a notice by certified mail or by general publication. If it is not by certified mail, we can only assume that this is an attempt to prevent people from exercising their rights.

**The Hon. S.J. BAKER:** The land concerned is completely surrounded by Radio Rentals' property. We are talking about land that is outside the boundary, except for the easement, so nobody is directly affected. However, under our traditional laws—and I was explaining the situation in Colonel Light Gardens—you must cover everybody in the whole lane. As the member for Spence pointed out, if the council had excised a part of that lane for someone to use as a market garden and if somebody else wanted to use it, they would still have to get the full concurrence of the people along that lane. It is one of the traditional, time honoured rights.

I must make clear that there is no part of the property that directly affects these 100 people. It is at the registrar's discretion but, if they had been directly affected, they would receive notice by certified post but, as they are on either side, notification will be by the normal advertisements.

**Mr QUIRKE:** If I heard the Deputy Premier correctly, he said that this will be fixed by proclamation as soon as the legislation is passed, so one would presume that would be next week. My understanding is that the Act will be proclaimed after Executive Council meets next week. I have not sat in Cabinet but I understand it means that seven days from now this piece of legislation would become law.

*An honourable member interjecting:*

**Mr QUIRKE:** It is also my understanding, and I am helped by the member for Giles who has had more experience in these matters than I, that it could be done as early as tomorrow or Monday, but in all probability it will be done in the normal course of events over the next seven days or so.

It would be an absolute record if it were passed in two Houses of Parliament, whisked off to the Governor to be signed and brought into effect. That could be put in *The Guinness Book of Records*. I have never seen anything as quick as that, and that is probably reason for concern. We are not opposed, as the member for Spence said, to arrangements made 100 years or so ago with respect to land titles and other things becoming the subject of modern variations. That is understandable. But we are told that the developers will pull out if they do not get a speedy performance in here.

I have been involved in a few deals this year of one kind or another and they were pretty quick deals, but nothing has been as quick as this. This is really setting records. The Opposition is concerned about two issues, and they run into each other. One is the process by which this Bill has been debated today. The Deputy Premier is correct that we had discussions about this issue, and I made it quite clear to the Deputy Premier and his staff that we would proceed with this matter in the usual parliamentary schedule: that would have been on 11 October. Clause 2 gives me considerable concern. I raise the point that things seem to be happening in an awful lot of haste.

**The Hon. S.J. BAKER:** Particular cases do not make for good law—and some variation was mentioned previously. In this circumstance, buildings are over the easement: it is self-contained, except for the easement. What we have is an aberration, and we are trying to fix up the aberration to allow it to proceed. I understand members' concerns. I did not know how much time had already been taken to track down the 40 people involved or how much longer it will take to

trace the other 60 people. It has been made clear that, if this matter was not resolved, the development would not proceed. It is useful for members opposite to appreciate that not only is the area effectively straddled by buildings which are owned by Radio Rentals now but I understand that this development, if it takes as much time as it is taking at the moment, will be overtaken by another development from interstate which is coming through the door and which must be preceded. That is the only information I have available. I am simply saying to this Committee—

**The Hon. M.D. Rann:** That was not revealed in the other House. Are we acting as commercial agents or members of Parliament?

**The Hon. S.J. BAKER:** The Deputy Leader has made his point. I take his point. I believe that, if this assists local development, that will be an appropriate outcome. I believe I have answered the question as well as I can.

**The Hon. FRANK BLEVINS:** I have some reservations about this Bill. I do not want to have reservations, because I believe that many of our Acts are unnecessary impediments to development—hangovers from another age—and the sooner they see the light of day and are disposed of, the better. There is no argument from the Opposition on that general principle. Let us identify clearly what we are dealing with. We are dealing with an interference in people's property rights. I suggest that, if the Labor Government had come to this Parliament this time on a Thursday, with a Bill that interferes in such a draconian way with the property rights of individuals, the Opposition would have gone absolutely bananas.

The explanation that we have been given is pitiful. If the Government wants the cooperation of the Opposition to get this through, why not take us into its confidence? What is the deal? Who are these people who allegedly require this quite draconian interference in property rights on their behalf? Who are they? We may agree, but we are expected to take the word of the Deputy Premier that this very serious taking away of people's property rights has to be done on his say so: accept my word. I have a fair bit of cheek myself, but even I would not have put such a proposition to the Parliament, because the Opposition then would have screamed blue murder, and properly so.

The way this has been handled has given the whole thing a bit of a smell. This very significant taking away of people's property rights at the last minute without proper explanation has a smell about it. I do not want to be a party to that: nobody on this side wants to be a party to it. Maybe members opposite have been taken into the Deputy Premier's confidence in the Party room, and maybe they know the real reason why this Bill is before us. It may well be that they have been persuaded it is for the good of the State. They may be right. I am not saying they are wrong: all I am saying is that, unless you take all the Parliament into your confidence, it is legitimate for us to assume that there is something just a little bit off in this Bill.

I hope that all members on the other side have been taken into the Deputy Premier's confidence, because it is a significant taking away of people's property rights, and I hope they know exactly what they are doing.

The Deputy Leader wanted this matter to go to a select committee. The Leader of the House said that he would not agree to that, so that was the end of it. I think that that is a pity, as a select committee probably could have dealt with this in a couple of weeks and, if it is as squeaky clean as the Deputy Premier suggests, I am sure that all the people and

companies concerned will want the project to go forward with the unanimous support of both sides of the Parliament and without this uncertainty hanging over it. Because of the action of the Government in refusing a select committee on what is a very significant principle, I move:

Page 1, line 14—Leave out ‘a day to be fixed by proclamation’ and insert ‘1 January 1995’.

The purpose of the amendment is obvious: it gives breathing space so that the proponents of the development can talk to the Opposition and explain why they believe that the Government should intervene in property rights in this substantial way on their behalf and why they feel that it is for the overall good of the people of South Australia, and the Opposition may well agree. Members of the Opposition are not frightened of interfering in property rights if it is all open and above board. In relation to the Hilton development, there was significant intervention by this Parliament in individual property rights when we compulsorily acquired the land for that development. It was all open and above board, and that is the way these things ought to be. So, members of the Opposition are not necessarily saying that this is wrong: all we are saying is that the Opposition will not be a part of buying a pig in a poke.

If this amendment is rejected and the intervention goes ahead, I hope all members opposite know precisely what they are agreeing to, because the talk around the corridors of Parliament House is suggesting some very peculiar things in relation to this development. I do not know whether they are right or wrong: I have no idea, but I hope they are wrong. I also hope all members opposite understand what they are doing, on whose behalf they are doing it and what the price has been, because members of the Opposition do not know; we are having no part of it. I urge the Committee to support the amendment in order to give breathing space so that the whole issue can be examined in a bipartisan way and so that it is above board—for the protection of all members of Parliament and not just members on this side.

**The Hon. S.J. BAKER:** I have listened to the Opposition and I will make two brief comments. The first is that the Opposition has a shadow Attorney-General who has prided himself on being the chief law maker of this State: he has discussed this matter with the developers and the Attorney-General, and he has said that he agrees.

*Members interjecting:*

**The Hon. S.J. BAKER:** No; just get it right.

**The Hon. M.D. Rann:** Read the *Hansard*.

**The Hon. S.J. BAKER:** In fact, those questions have been satisfied. I gave the briefing.

**The Hon. M.D. Rann:** Who are the developers—just their names?

**The CHAIRMAN:** Order! The honourable member has been warned once.

**The Hon. S.J. BAKER:** I am amazed that the Deputy Leader has got as far in this House as he has, because he has a mean and nasty streak about him, which I can say is common only to him, and that is terrific because at least I can deal with his colleagues a little more easily. When we are talking about cooperation, perhaps members opposite should look at the Deputy Leader. I did not have any problems with the member for Giles.

I will return to the subject. I rely on advice that has been given and, indeed, if there were one person in the whole Parliament who would apply the greatest amount of scrutiny to this particular Bill, it would be the former Attorney-

General, the then chief law maker in this State. Quite frankly, he has not passed down to any member here a concern about this proposition. The questions have been answered and I showed—

*The Hon. M.D. Rann interjecting:*

**The CHAIRMAN:** Order!

**The Hon. S.J. BAKER:** There are two other things I will mention briefly. First, if members of the Opposition are in chaos, I hope that that will not affect the outcome of these issues. Secondly, in the normal course of events they would all be applauding this measure, as it is sensible and it should have been in 10 years ago. It is an anachronism to have these easement areas, which have no meaning whatsoever, except in relation to history.

*The Hon. M.D. Rann interjecting:*

**The Hon. S.J. BAKER:** I am saying that the process was quite simple. It was plain: if the Attorney could get the cooperation of the shadow Attorney, and hence the Labor Opposition, we presumed there would be some level of cooperation on this deal.

*The Hon. M.D. Rann interjecting:*

**The CHAIRMAN:** I call the Deputy Leader to order for the last time.

**The Hon. S.J. BAKER:** As I said, he is a hard man to deal with. I have explained, first, the reason why we believe it should proceed—because of this particular development—and, secondly, the fact that the most scrutinising person (next to the Hon. Trevor Griffin) and the most inquiring mind in the Parliament, in the shape of the shadow Attorney-General, has been on this case and has discussed it with the developers and with the Attorney-General. I would have thought that, in the normal course of events, there would be confidence in that process, even though I have admitted that this is quite imperfect; it is not the way that I would want to proceed. However, my advice has been—and obviously both the Attorney’s and the shadow Attorney’s advice has been accepted—that, unless this matter proceeds now, that development will not occur and South Australians will be the losers. I have said that until I am blue in the face. The amendment refers to January 1995, and that is an incompetent amendment.

**The Hon. FRANK BLEVINS:** I was happy to let the matter go until the Deputy Premier said that the amendment was incompetent, without in any way giving a reason why this is so. Why is it incompetent? He may not agree with it; he may not like it. That is up to him, but there is certainly nothing incompetent about the amendment. I want to repeat that members on this side of the Committee are not against the principle of this Bill. In fact, we have no fears, provided it is all open and above board and that it comes before Parliament. It is about interfering in people’s individual property rights when it is in the interests of the State as a whole. We have done it on several occasions since I have been a member of Parliament. We did it in relation to the ownership of SANTOS and we did it in buying the land for the Hilton. It was all brought before Parliament, it was all open and above board and all names were on the table, and that was for the protection of all of us: nobody could suggest that the Parliament was being used for the private advantage of a few people. That is particularly relevant when there is some suggestion that one of those groups to be advantaged has some arrangement with the Liberal Party.

**Mr Becker:** What arrangement?

**The Hon. FRANK BLEVINS:** I do not know.

**Mr Becker:** How the hell can you make that statement?

**The Hon. FRANK BLEVINS:** Because that is what people are saying around this place.

*Members interjecting:*

**The Hon. FRANK BLEVINS:** No, I am not making it up at all. All we are saying is that, if this is open and above board, that is fine; let us have a brief delay, let everybody get together and let us put all the cards on the table. I am quite sure that the development will not be damaged in any way by waiting until 1 January. In fact, if the Government is so sure that this can be cleared up, it can make a further amendment and do it for a month or a fortnight. It can give an undertaking that it will brief the Leader of the Opposition in a proper manner, with all the cards and names on the table.

I do not like it, and everyone on the other side should be nervous about a Bill before the Parliament that takes away property rights and gives an advantage to individuals, and we are doing that blind. It would not be tolerated anywhere else, and I appeal to the Treasurer, who has already said that he understands the point we are making, for his support. I think the Treasurer is uncomfortable with the process that is going on. I know he is uncomfortable, but there is one way to fix it, and that is by accepting the amendment, moving a further amendment or giving assurances to the Opposition and every member of Parliament.

The Committee divided on the amendment:

AYES (10)

Arnold, L. M. F.	Atkinson, M. J.
Blevins, F. T.(teller)	Clarke, R. D.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hurley, A. K.
Quirke, J. A.	Rann, M. D.

NOES (25)

Armitage, M. H.	Ashenden, E. S.
Baker, S. J.(teller)	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Evans, I. F.
Hall, J. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Leggett, S. R.	Lewis, I. P.
Matthew, W. A.	Meier, E. J.
Oswald, J. K. G.	Penfold, E. M.
Rosenberg, L. F.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Wade, D. E.	

Majority of 15 for the Noes.

Amendment thus negated; clause passed.

Clause 3—'Variation and extinguishment of easements.'

**Mr ATKINSON:** Can the Deputy Premier explain to the Committee what new subsections (3b) and (3c) do that subsections (3) and (3a) do not already do?

**The Hon. S.J. BAKER:** That question was asked in another place, and I will do my best to ensure that I get the answer right. There is a level of complication that only true lawyers can clearly understand, but I will give the explanation my best shot. The issue revolves around rights of way, which are not catered for particularly well under the existing Act—

**Mr Atkinson:** Yes, they are.

**The Hon. S.J. BAKER:** The explanation was provided along these lines and the shadow Attorney nodded wisely at the time. The measure is being implemented with an abundance of caution to ensure that the rights of way are extinguished at the same time. I understand that that was accepted by not only the shadow Attorney but also the Law Society, so I will take their advice.

**Mr ATKINSON:** Let me enlighten the Deputy Premier a little bit. A right of way is a form of easement. It is a subset of the category 'easement.' We are dealing with easements in clause 3. To clear the Deputy Premier's mind on this I will read clause 3(3), as follows:

The Registrar-General may dispense with the consent of the proprietor of the dominant or servient land required by subsection (2).

*Mr Brokenshire interjecting:*

**Mr ATKINSON:** I will explain it to the member for Mawson since he interrupts me. The dominant tenement—

*Members interjecting:*

**The CHAIRMAN:** Order! Members will stop facilitating this Bill by interjection. It is complex enough.

**Mr ATKINSON:** I am glad the member for Mawson asked that question. The dominant tenement is the land to which the rights are attached, and the servient tenement is the land over which the rights are exercised. If you live in, say, Olive Street, Prospect, and you have a night cart lane running down the back of your property, and you have been granted an easement to drive your car out the back of your property down the night cart lane and on to Prospect Road—I do not know whether that is the situation, but let us say it is—your land is the dominant tenement.

*Mr Brindal interjecting:*

**Mr ATKINSON:** Mr Chairman, I am surprised by members interjecting out of their seat. The servient tenement is the night cart lane over which you have a right of way.

*Mr Brokenshire interjecting:*

**Mr ATKINSON:** Of course, you are a real estate agent, how could I forget? It is a trade to which you will be returning in about three years, so I advise the member for Mawson to keep himself well informed.

*Mr Becker interjecting:*

**The CHAIRMAN:** Order! The honourable member will have the right to ask a question if he wishes. The Chair is having difficulty following the line of argument, and I am sure the Minister is having the same problem. The member for Spence said he would enlighten the Minister and therefore the Committee. I ask members to give the member for Spence the opportunity to do that.

**Mr ATKINSON:** That is very kind of you, Mr Chairman. Now that we are clear about dominant tenements and servient tenements, I refer again to clause 3(3), which provides:

The Registrar-General may dispense with the consent of the proprietor of the dominant or the servient land required by subsection (2) if the Registrar-General is satisfied that—

(a) notice complying with subsection (3e) has been given to the proprietor. . .

Clause (3e) provides

The notice referred to in subsections (3) and (3d) must—

(a) be approved by the Registrar-General;

(b) include details of the proposed variation or extinguishment of the easement;

and

(c) invite the person to whom it is given to make representations to the Registrar-General in relation to the proposal within 28 days.;

That is the kind of notice that must be given. Subclause (b) provides:

28 days has passed since the notice was given;

Subclause (c) provides:

the proprietor's estate or interest in the dominant or servient land will not be detrimentally affected by the proposed variation or extinguishment of the easement.

It seems to me there is nothing in subclauses (3b) and (3c) that is not already covered in clause 3. What we are seeing is unnecessary reproduction of clauses in a Bill. We have enough problems in this State with the post war legislative explosion and the passing of so many Acts of Parliament that no one person can possibly read them all, and now within a very complicated Act, namely the Real Property Act, we have a multiplicity of clauses all doing the same thing. The Attorney-General in another place says that this is out of an abundance of caution. I cannot see what the threat is. Subclause (3) does all that is necessary. I will go through subclauses (3b) and (3c) to see what the difference is. Subclause (3b) provides:

- Without limiting the generality of subsections (3) or (3a) where—
- (a) The original purpose of a right of way was to provide access to the dominant land to which it is appurtenant;
  - and
  - (b) the right of way can no longer be exercised by the proprietor of that land for that purpose because the land has subsequently been separated from the right of way by the creation of intervening allotments—

and that is exactly the case before us—

the Registrar-General may extinguish the right-of-way without the consent of a person required by subsection (2) if he or she is satisfied that there is no reason to believe or suspect the proprietor of that land or a successor in title of the proprietor has any reasonable prospect of using the right-of-way for access to that land in the future.

I do not see how that differs from clause 3(3)(c), which provides:

- (c) the proprietor's estate or interest in the dominant or servient land will not be detrimentally affected by the proposed variation or extinguishment of the easement.

It gives the Registrar-General exactly the same powers he already has under the previous clause. It seems to me an unnecessary repetition of clauses. I think the Attorney-General is renowned for his prolixity and his abundance of caution. I think this place should look carefully at whether his prolixity should have our agreement. I do not really see the point of it. I ask the Deputy Premier again: if clauses (3b) and (3c) are merely subsets of clause 3, why are we promulgating them into law? Why are we doing this? Why is it necessary? When the Deputy Premier rose to reply to my question before he did not really answer the question—he just read from the *Hansard* of another place. It seems to me that it is rather unsatisfactory that the person representing the Attorney-General in this place is not legally qualified. We have a perfectly good lawyer, namely the member for Norwood, who could be handling this Bill and answering these questions.

*Mr Bass interjecting:*

**Mr ATKINSON:** No, I put buckets on him today on account of his membership of the socialist left faction in my Party.

**The CHAIRMAN:** Order! The member will return to the subject of the debate.

**Mr ATKINSON:** I shall return forthwith, Sir. It seems to me that the Bill would be better handled by someone who has legal qualifications, and we have those people in abundance. We even have that bush lawyer up the back, the member for Florey, who I am sure could find his way and help the Committee find its way through the thickets of legislation. Can the Deputy Premier tell me what is in subclauses (3b) and (3c) that is not in clause 3?

**The Hon. S.J. BAKER:** I thought I explained it previously. I will explain it again very briefly. Subclauses (3b) and (3c) do not have relevance to the particular property we are talking about but have greater relevance to people's rights.

It means that the Attorney-General is giving land-holders greater rights through that provision because the existing provision deals only with general detriment. Under these provisions there is further specification of matters that the Registrar-General must consider before a person's rights are extinguished. That is why the Attorney-General said, 'This is with an abundance of caution.' It does in fact increase people's rights, not take them away.

**The Hon. M.D. RANN:** I understand that a member of the Property Law Committee has contacted the Opposition saying there is a real problem with the Bill. I understand the current practice is to partially discharge mortgages if an easement on the mortgaged land is extinguished. I will repeat that: the current practice is to partially discharge mortgages if an easement on the mortgaged land is extinguished. Who will bear the expense of producing and varying the mortgage?

**The Hon. S.J. BAKER:** If there is a change of ownership, it is the person who is proceeding with that change of ownership that pays the fee. That is my understanding. I think the member for Spence understands that.

**The Hon. M.D. RANN:** You can guarantee that in this place?

**The Hon. S.J. BAKER:** That is the normal procedure and practice. I have no reason to believe that it will not be the procedure and practice in this case.

*Mr Atkinson interjecting:*

**The Hon. S.J. BAKER:** Again, I would say that is what is required. I know of no reason why that should be departed from.

*The Hon. M.D. Rann interjecting:*

**The Hon. S.J. BAKER:** That is the normally accepted practice. If this practice is not pursued, I cannot see what allowance is made for it not to proceed. I do not know whether there is any provision in the legislation for the Government to say, 'Hang on, we want to change the rules.' I do not think there is, but I am not a lawyer. I would presume this normal practice would occur. If the Government should depart from it, I expect the Opposition would take the appropriate action within this Parliament. I know that the member is very good with publicity. I do not suspect there is anything particularly different or difficult about the proposition with which we are dealing. It is only the timeframe we are dealing with. We are trying to progress something that should have been sorted out years ago. We are doing it now. The development is not affected in the areas that the member suggested.

**The Hon. M.D. RANN:** This is not a question of publicity but a question of natural justice. I am not a lawyer, but I do have a very keen interest in jurisprudence, which most members in this House are aware of. There is also the question of whether adequate compensation is available for land owners who complain that their easement was extinguished without sufficient notice being given, that is, notice by writing individually to those whose rights are to be removed. What guarantees is the Deputy Premier prepared to provide in terms of compensation provisions?

There are a number of questions that need to be answered today. I will not tolerate the suggestion that the Deputy Premier has received any donations. I never said that. He misunderstood what I was saying. There are lots of things I would say about the Deputy Premier and Treasurer, but I would not say that of him. I want to put that on the record. I hope he takes that in the spirit it is given.

I believe that, in respect of this Bill, the parliamentary process has been perverted by either omission or commission.

We must not allow it to happen again. It concerns me greatly that this Chamber and this Parliament appears—and I do not know why—to be being used to assist one commercial entity so that it has an advantage over another. I would like to know who Mr Michael Liebich's clients are other than Radio Rentals. That is something I put on notice, because it is very instrumental to the passage of this Bill and the way the practice has been adopted of bypassing normal procedures. There is the question of compensation. That is the question I want answered because I believe that people should be aware of their rights.

**The Hon. S.J. BAKER:** The Deputy Leader asked two questions. One related to whom Mr Liebich was acting on behalf of. There is the owner of the piece of land and there is a lessee of the piece of land. I understand Mr Liebich was acting on behalf of both people in this development. As to compensation, the member for Spence would understand that, if someone raises the concern that their rights are being reduced as a result of this excising of the easement, the Registrar-General would ask that there be consent, I understand under normal circumstances, so that would normally be negotiated. That is the provision that prevails.

**Mr ATKINSON:** I thank the Deputy Premier for his valiant and patient explanations. He just has to understand that the Labor Opposition is intensely interested in the Real Property (Variation and Extinguishment of Easements) Amendment Bill. He has been most patient with us and I thank him for it.

Clause passed.

Title passed.

Bill read a third time and passed.

**THE FLINDERS UNIVERSITY OF SOUTH  
AUSTRALIA (CONVOCATION) AMENDMENT  
BILL**

Returned from the Legislative Council without amendment.

**ADJOURNMENT**

At 6.6 p.m. the House adjourned until Tuesday 11 October at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday 6 September 1994

### QUESTIONS ON NOTICE

#### GOVERNMENT VEHICLES

**3. Mr BECKER:**

1. What Government business was the driver of the vehicle registered VQQ-262 attending to whilst travelling on The Parade, Norwood on Saturday, 2 July at approximately 9.45 a.m. and why was there an infant in a child safety seat in the rear of the vehicle?

2. To which Government department or agency is this vehicle attached?

3. Are the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle, and if not, why not and what action does the Government propose to take?

**The Hon. S.J. BAKER:**

1. The driver of the vehicle registered VQQ-262 was on film production business whilst travelling on The Parade, Norwood on Saturday 2 July 1994 at approximately 9.45 a.m.

The vehicle was hired by the South Australian Film Corporation for a film production company, Furry Feature Films Pty Ltd, who were conducting scene writing for film production, involving varying hours and locations. It is the present practice for Government registered vehicles from State Fleet to be made available to film production companies during production.

On this occasion the driver had been accompanied by his wife and child who was secured in a child safety seat in the rear of the vehicle.

2. This vehicle was being leased from State Fleet by the South Australian Film Corporation.

3. No. However, the South Australian Film Corporation provides a copy of Commissioner's Circular 30 titled 'Use of Government Vehicles', to all production companies using Government vehicles. Film production companies will be reminded of their responsibilities when using Government vehicles and the need to comply with the Commissioner's Circular reinforced.

#### ADOPTION

**5. Mr BECKER:** What financial assistance has been given in the past three years to post adoption services, what are the names of the organisations involved, when was assistance given and how much in each case?

**The Hon. D.C. WOTTON:**

1993-94\$

Australian Relinquishing Mothers Society S.A.31 050

Australians Aiding Children Adoption

Agency S.A. Inc.35 750

Jigsaw1 000

1992-93

Australian Relinquishing Mothers Society S.A.31 150

Australians Aiding Children Adoption

Agency S.A. Inc.50 750

Jigsaw1 000

Post Adoption Service (Lutheran Community

Care)80 000

1991-92

Australian Relinquishing Mothers Society S.A.33 840

Australians Aiding Children Adoption

Agency S.A. Inc.25 500

Jigsaw500

#### FAMILY INFORMATION SERVICES

**6. Mr BECKER:**

1. How many staff are employed by Family Information Services and what roles do they undertake?

2. How much has been spent on the property/office of the Family Information Service in the past two years and what upgrading and refurbishment is required in the future?

**The Hon. D.C. WOTTON:**

1. The following information details the staff employed by the Family Information Service:

Supervising social worker: Administers the Family Information Service, releases information to clients, undertakes administration of Section 27 of the Adoption Act (relates to administration for release of information about the adoption and requests for restriction (veto) of information) and the Freedom of Information Act.

Social worker: Undertakes administration of Section 27 of the Adoption Act and the Freedom of Information Act.

Aboriginal social worker: Undertakes administration of Section 27 of the Adoption Act and the Freedom of Information Act for Aboriginal people.

Administrative manager: Supervises administration staff, receives lodgement of restrictions on information and applications for information, maintains information systems and records.

Administrative officers: (3.5 full time equivalent): Receives lodgement of restrictions on information and applications for information, maintains information systems and records, conduct searches for documents, maintains files.

2. The Family Information Services property at 4 Rowells Road, Lockleys is a large old house which was used for other departmental purposes in the past. In the future the property may become surplus to departmental needs. There has been no major expenditure on the property since the Family Information Services occupied the premises and none is planned. Expenditure over the last two years on the property has consisted of the usual rates and taxes and minimal breakdown maintenance and repairs to the value of \$2 500.

#### ADOPTION

**7. Mr BECKER:** Following amendments to the Adoption Act, what publicity was undertaken to advise adoptees and birth parents of their rights and what was the annual budget for such expenditure?

**The Hon. D.C. WOTTON:** The current Adoption Act 1988 was proclaimed in August 1989.

There was extensive press coverage given to the new legislation at that time.

A public relations firm was engaged at the time to provide advice about the most appropriate community education and publicity process. The cost was \$26 500.

Pamphlets have been produced each year to advise interested people and applicants about the processes of applying for information and lodging a restriction on information. The cost has been \$4 000 for booklets.

This year marks the end of the first five year veto period. Early in the year there was a series of advertisements in all the metropolitan and country newspapers advising people of the end of the five year period and the process for renewal. This cost \$5 400.

**8. Mr BECKER:**

1. During the two years to 30 June 1994, how many vetoes under the Adoption Act have been lodged by—

- (a) birth parents; and
- (b) adoptive parents?

2. During the two years to 30 June 1994, how many applications for information have been received from—

- (a) relinquishing mothers;
- (b) birth parents; and
- (c) adoptive parents?

3. Will the Minister consider amending the Act to allow for a one-off refusal which would remain in force until cancelled in writing and, if not, why not?

4. How many reunions have been arranged under the Adoption Act and how many have been successful and for what periods and if such reunions have not been followed up, why not?

**The Hon. D.C. WOTTON:**

1. During the two years to 30 June 1994, 74 vetoes were lodged under the Adoption Act.

- (a) 27 birth parents;
- (b) nil adoptive parents as they are ineligible under the Act; and
- (c) 47 adopted persons.

2. During the two years to 30 June 1994, 1 072 applications for information were received.

- (a) and (b) approximately one third are relinquishing mothers/birth parents;
- (c) nil adoptive parents as they are ineligible under the Act; and
- (d) approximately two thirds are adopted persons.

3. The Adoption Act 1988 is currently under review. The review is about selected sections of the Act. Section 27 which deals with the applications for information, and the restrictions (vetoes) on information is under review. The review committee will report to the Minister in September. The review committee is considering a range of proposals. The one-off veto or lifetime veto is being considered.

4. Approximately one third of the clients who apply for information ask the department to assist in their reunion.

Some applicants may choose to arrange their own reunion because fees of \$80 are involved, in addition to a \$50 search fee.

Clients may also choose to use one of the alternative organisations such as Jigsaw or Australian Relinquishing Mothers Society S.A. Inc. to assist them with their search and reunion.

Feedback about the reunion will vary according to the experiences, needs and personalities of the people involved. The department staff do not maintain ongoing involvement with people in these situations, nor is this sought by people. Information that is available about reunions tends to be anecdotal. Most literature is from the United States or the United Kingdom.

### RECYCLING

#### 9. Mr BECKER:

1. Has the Government requested recycling programs in the following local government areas—

- (a) City of West Torrens;
- (b) City of Thebarton;
- (c) City of Hindmarsh and Woodville; and
- (d) City of Port Adelaide,

and, if so, when will such programs commence?

2. Has there been a delay in implementing programs in these areas and, if so, why?

3. What is the total cost to implement the program in each area?

4. What support will the Government give these councils to implement such a program?

#### The Hon. D.C. WOTTON:

1. No. The Government does not request recycling programs. However, it does support recycling programs (see later question).

2. No. Details regarding any apparent delays should be sought from the councils concerned.

3. The Government does not have this information. Councils normally appoint contractors to undertake the kerbside collection process through the normal tender selection process. Costs would vary from council to council. Costs would depend on the extent of promotional campaigns, type and quality of materials collected, participation rates among residents, and the size of the area being serviced. Some councils cooperate with their collection services, sharing costs.

4. The Government has entered into an agreement with local government to subsidise the collection and assist with the sale of materials collected as a part of the kerbside collection program. As a result of this agreement the Local Government Recycling and Waste Management Board has been formed to oversee these developments. Subsidies are paid on the amount (tonnages) of material collected. This subsidy is in part derived from a levy on waste being disposed of in landfill within the metropolitan area. Rates for subsidies and methods of payment will be revised as soon as a business plan has been developed by the board.

### CHILD CARE

11. Mr BECKER: Has a child-care centre been built on the Cowandilla Primary School campus and if so—

- (a) why;
- (b) at whose request;
- (c) at what cost;
- (d) who funded the project;
- (e) were tenders called to operate the centre; and
- (f) has the centre encroached on any recreation area of the School and, if so, why?

The Hon. R.B. SUCH: A centre has been built on the grounds of the Cowandilla Primary School campus. The centre is called Taikurrendi Children's Centre.

The Cowandilla area was identified by the State Planning and Advisory Committee as a high need area for the establishment of a child-care service to meet the needs of the immediate community. The location being on an arterial route from suburbs to the west of the city also supported the needs of workers commuting to the city. The school had land available and the first priority for locating new

child-care centres is both the use of available public land and proximity to existing community services.

The building of this centre is part of the 1989-92 State-Commonwealth National Child Care strategy. Approval to build such centres under this strategy is given jointly by the relevant State and Commonwealth Ministers.

The total cost of the building is \$411 000—this was funded jointly by the State and Commonwealth. The State contribution was \$210 000. Construction of the centre was undertaken by Tagara Builders as the successful tenderers.

All such centres are operated by an incorporated local community based management committee. In this particular case a number of interest groups were invited to establish an interim management arrangement until a public meeting is called to finalise more permanent arrangements. The particular interest groups included:

- school council
- Aboriginal community
- Lebanese community
- Chilean community.

The area identified for the child-care centre did encroach on part of the soccer field. The Children's Services Office has provided funds for the soccer field to be realigned. It is understood that this is to the satisfaction of both the local soccer club and the school.

### FABCO

13. Mr BECKER: What happened to the First Adelaide Building Workers' Cooperative (FABCO), originally established by the Office of Employment and Training since merging with TAFE, how was it funded and by whom, how many persons were assisted and what were its achievements?

The Hon. R.B. SUCH: The Office of Employment and Training advanced an initial loan of \$3 214.28 in September 1989 to each of the eight members of FABCO under the terms of the Self Employment Ventures Scheme (SEVS).

In August 1990, new loan agreements were offered to and accepted by seven of the original eight FABCO members. The new loan agreements, under a 'Special Projects' program, superseded the original SEVS arrangements and added an additional \$8461.54 to the total amount of loan monies. The new loans addressed an immediate cash flow problem and were conditional upon the co-operative members agreement to a new schedule of loan repayments directly to SEVS to commence in October 1990.

FABCO successfully tendered for, and completed a number of building projects, principally on properties purchased under the South Australian Housing Trust Cooperative Housing Development Program.

Employment was provided full-time for seven of the original eight co-operative members for a period of at least 1 year. Subsequently most of the FABCO members obtained work either in conventional businesses or as sub-contractors.

As a 'pilot project' FABCO demonstrated many of the issues associated with a co-operative business structure, and identified a number of problems which need to be addressed in any future similar enterprise.

As a result of trading difficulties, primarily generated by the failure to win sufficient contracts in the private marketplace the cooperative has ceased to operate. Consistent with the closure of the Self Employment Ventures Scheme steps are being taken to recover the monies owing.

### SUNSCREENS

#### 14. Mr BECKER:

1. What investigations has the South Australian Health Commission conducted with respect to the use of sunscreens and, if none, why not?

2. Is 15+ sunscreen beneficial and, if so, when and for how long?

3. What tests are being conducted regarding the protection rate of clothing against UV rays and what results are known to date?

#### The Hon. M.H. ARMITAGE:

1. In association with the Anti-Cancer Foundation of the Universities of South Australia, a number of health omnibus survey questions were asked of a representative sample of South Australians in 1990 and 1993 in relation to use of sunscreens and awareness of risks from solar skin damage.

The Anti-Cancer Foundation has used the answers to those questions to target awareness programs better, for example, the Slip,

Slop, Slap campaign and the Skin Cancer Awareness Week publicity at the beginning of each summer.

The SA Health Commission's Central Cancer Registry provides data on the incidence of all cancers which are used to evaluate the impact of cancer prevention initiatives.

2. The Anti-Cancer Foundation's information sheets which deal with sunscreens recommend that sunscreen SPF 15+ is applied 15 to 30 minutes before exposure and reapplied every 2 hours to account for loss of efficacy from sweating, nose blowing, missed areas, etc.

A recent study in Melbourne by Thompson et al showed that a regular use of sunscreen can reduce the development and hasten the remission of solar keratoses in people with sun damaged skin. Solar keratoses are strong predictors of skin cancer. The belief that sunscreen reduces risk of skin cancer is considerably strengthened by this important study.

3. There are currently two testing authorities in Australia—The Australian Radiation Laboratory in Melbourne and Unisearch at the University of NSW. They are working collaboratively to establish standards.

Fabrics are graded as providing moderate, high, very high or maximum (SPF 50+) protection.

Tests by ARL indicate that two-thirds of commonly available polyester/cotton fabrics screen out 95% of harmful UVB radiation.

Both ARL and ACF provide information sheets on this topic.

#### CEILING FANS

15. **Mr BECKER:** Are overhead fans installed in non air-conditioned classrooms at primary and secondary schools and, if not, why not?

**The Hon. R.B. SUCH:** A program to install overhead ceiling fans in timber and metal relocatable classrooms only was initiated by a former Liberal Government during the early 1970s. This program was completed over a two to three year period. Since that time no formal policy has existed to install overhead ceiling fans. It has, however, been general practice to consider the provision of overhead ceiling fans on an individual application basis. Any school requesting the installation of overhead ceiling fans as part of the annual Minor Works Program are considered on an individual basis.

There are Occupational Health Safety and Welfare limitations which apply to the installation of overhead ceiling fans, specifically the height from the floor to the under side of the fan must be a minimum of 2.4 metres and not all classrooms can accommodate this requirement. The installation of overhead ceiling fans has not been given a priority for installation in many solid construction buildings because the opportunity exists to provide classroom ventilation by simply running the central mechanical heating plant without the boiler or furnace section functioning.

#### GOVERNMENT VEHICLES

16. **Mr BECKER:**

1. What Government business was the driver of the vehicle registered VQM-242 attending to whilst at the Henley South Tennis Club on the morning of Saturday 9 July 1994?

2. To which Government department or agency is this vehicle attached?

3. Were the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle and, if not, why not and what action does the Government propose to take?

**The Hon. S.J. BAKER:** The driver of the vehicle registered VQM-242 was not attending to any Government business at the Henley South Tennis Club on the morning of Saturday 9 July 1994.

The vehicle concerned belongs to the State Fleet Government car pool and was, at the time, on short term hire to the South Australian Tourism Commission.

On the Saturday morning the driver of the vehicle attended an official early morning meeting with a Japanese business group in Hahndorf. Following the meeting the driver stopped, on the way home, at the tennis courts to support his son who was playing in a competition tennis match. The vehicle was then driven directly home.

This action by the driver was not unreasonable given that earlier his wife had driven their son to the courts in their only family vehicle and the courts were on a route from Hahndorf to his private home. In addition at no point did any other person travel in or enter the vehicle other than the driver.

Therefore the driver did not contravene any Government regulations concerning the use of a Government vehicle. Accordingly no disciplinary action will be taken.

It is worth noting that the Government employee driving the vehicle was not paid overtime for attending the Saturday morning meeting in Hahndorf and also continues to work voluntarily outside normal working hours without financial compensation.

22. **Mr BECKER:**

1. What Government business was the driver of the vehicle registered VQH-468 attending to whilst travelling east along Regency Road, Croydon Park at approximately 8.15 a.m. on Friday 27 May 1994 and who were the two children in school uniforms in the rear seat?

2. To which Government department or agency is this vehicle attached and is it leased from State Fleet or owned by the department/agency concerned?

3. Is provision of the motor vehicle part of a salary package and if not, why does the driver have access?

4. Were the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle and if not, why not and what action does the Government propose to take?

**The Hon. S.J. BAKER:**

1. The driver of vehicle VQH-468 was Mr Aris Ahladas. Mr Ahladas is a teacher in the Department for Education and Children's Services attached to the Adelaide North East Behaviour Support Team.

On Friday 27 May 1994 Mr Ahladas was travelling to work from his home in Woodville Park to his office located at Adelaide North East Teacher and Student Services Centre, Briar Road, Felixstow. Mr Ahladas has stated he transported his two children to school on this morning while travelling to work.

2. The vehicle VQH-468 was leased from the Department of State Services to the Department for Education and Children's Services Adelaide North East Teacher and Student Services Behaviour Support Team.

3. The vehicle VQH-468 is not part of a salary package. Mr Ahladas was using the vehicle on DECS business in accordance with Commissioners Circular 30.

4. No. Mr Ahladas was travelling to work transporting his children without permission of the Manager Behaviour Support Team.

Mr Ahladas has been counselled by the Manager Behaviour Support Team concerning the inappropriateness of his action. Mr Ahladas has given an assurance to the Manager Behaviour Support Team that such an incident will not occur again. The Manager Behaviour Support Team is satisfied that Mr Ahladas made a mistake without fully realising the implications of his actions.

28. **Mr BECKER:**

1. What Government business was the driver of the vehicle registered VQK-910 attending to whilst the vehicle was parked in the private car park at the rear of the shopping centre at 207 Sturt Road, Seacombe Gardens on Friday 20 May 1994 between 11.15 a.m. and 12.20 p.m. approximately?

2. To which Government department or agency is this vehicle attached?

3. Were the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle and if not, why not and what action does the Government propose to take?

**The Hon. S.J. BAKER:**

1. The driver of vehicle VQK-910 was returning to the Drug and Alcohol Services Council's Education and Development Unit, Bedford Park after attending meetings at Parkside Headquarters. The driver stopped en route to purchase stationery items and materials used in his teaching role and to purchase lunch. The vehicle was parked in a car park opposite the shopping centre and not in the shopping centre precinct.

2. The vehicle was attached to the Education and Development Unit of DASC.

3. It is considered that the terms of the relevant circulars pertaining to the use of Government vehicles were being observed at the time.

30. **Mr BECKER:**

1. What Government business was the driver of the vehicle registered VQL-816 attending to whilst travelling along South Road, O'Halloran Hill on Saturday 7 May at approximately 4.30 p.m.?

2. Who was the young girl passenger in the front passenger seat?

3. To which Government department or agency is this vehicle attached?

4. Were the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle and if not, why not and what action does the Government propose to take?

**The Hon. S.J. BAKER:**

1. Although the time and location do not correlate precisely with the question, Government vehicle VQL-816 was used on Saturday 7 May 1994 by a Family and Community Services (FACS) volunteer to transport a child who is under the Guardianship of the Minister to and from an access visit with her natural family.

The vehicle, which is attached to the Happy Valley FACS Office, was picked up by the volunteer at Unley (where the vehicle is home-garaged). The volunteer then proceeded to pick up the child from her foster placement at Happy Valley and transport her to the access visit at Flagstaff Hill.

- 2. Refer to 1 above.
- 3. The vehicle was on hire from State Fleet to the Department for Family and Community Services.
- 4. Yes.

**NATIONAL PARKS**

**31. Mr LEWIS:**

- 1. How many National Parks Passes have been sold to tourists?
- 2. Through what offices were tourists visiting or intending to visit desert national parks issued with those passes during each of years 1991-92 and 1992-93?
- 3. What was the revenue from that source in the year 1993-94?
- 4. To what extent are potential visitors to the region told they will require a National Parks Pass to the desert parks if they travel north of Port Augusta?

**The Hon. D.C. WOTTON:**

1. Desert Parks Passes.  
From January 1989 to December 1993 = 9844. From January 1994 to July 1994 = 1392 Passes and 181 Renewals.

2. There are 45 agents who distribute Passes throughout Australia. The following Department of Environment and Natural Resources offices are responsible for the issue of Passes:

Adelaide; Hawker; Port Augusta; Port Lincoln; Balcanoon; Wilpena; Innamincka (resident campground host); Mount Dare (lessee of homestead).

Other agents are:

AANT (Alice Springs) Russ Driver; All Camping Supplies; All trac Services; Arid Lands Environment Centre; Ballarat Off Road; Birdsville L. Harms (Post Office); Bowyangs; Brashers Agencies; Brooklands Store; Bus and Coach Association; John Coats; CIS Department (Head Office); John Deckert; Four Wheel Drive Association; Friends of the Simpson Desert; Graham Edwards 4WD; Hawker Motors; Innamincka Trading Post; Marree General Store; Kulgera Hotel; Melbourne Map Centre; Melrose Trading; Mobil, Birdsville; Mount Dare Homestead; Mungarannie Roadhouse; NPWS—Flinders Ranges NP; GRNP—Balcanoon; NPWS—Hawker; NPWS—Port Augusta; NPWS—Eyre Region; NPWS—Tibooburra; NPWS—Broken Hill; NRMA; Oasis Cafe; Old Andado Station; Oz Auto Centre; Oodnadatta Traders; RAA; RACV; Simspeed; Shell Todd Roadhouse; Underground Books; Wadlata Tourist Centre; William Creek Hotel; Wimmera Off Road.

3. Income 1993-94 \$131 561; Expenditure 1993-94 \$90 430.

4. Parks of the Far North pre visit brochure; 5 000 are issued annually to all agents, relevant Departmental offices and tourist orientated businesses within the region.

Desert Parks Pass information bays are located at Mount Dare, Oodnadatta, Birdsville Track, Strzelecki Track and Cameron Corner.

Advertising campaigns have been established with advertising in:

4 x 4 Australia Magazine; Overlander Magazine; SA Motor Magazine (RAA); RACV Magazine (Victorian equivalent of RAA); National 4 Wheeler Magazine; Flinders Ranges and Outback Regional Tourist Book; Outback Regional Tourist Book; RACQ Regional Map (Queensland equivalent of RAA); Sightseeing SA Magazine; Around and About SA Magazine.

As well Direct Marketing was used with the issue of 3 000 postcards promoting the Pass posted directly to owners of registered four wheel drive vehicles in SA, VIC and NSW.

The Pass has also received much unpaid promotion such as through

- numerous radio interviews
- as editorials in 4WD and tourism publications
- exposure to National television (Great Outdoors—Nine Network)
- displays at 4WD, tourism and Royal shows throughout Australia

· exposure in the Australian Geographic magazine.

**HOUSING TRUST VALUATIONS**

**32. Mr BECKER:**

1. Why did the South Australian Housing Trust not complete revaluations of non-current assets, including vacant land and rental housing properties by 30 June 1993?

2. Was the revaluation of all such property completed by 30 June 1994 and, if not, why not?

3. What is the cost and current valuation of each category of non-current assets including vacant land and rental housing properties?

**The Hon. J.K.G. OSWALD:**

1 and 2. The Housing Trust has a large and complex portfolio of property assets. In the past it has carried those assets both at historical cost and at market value. Valuer-General's valuations exist for all of the trust's 63 000 rental properties as is required for rating purposes. With large scale development programs being underway at the end of any financial year there are always complexities in terms of valuing land which is in the process of conversion to new housing.

The trust has always complied with Australian Accounting Standards and Treasurer's Instructions in respect of valuation of non-current assets.

In the knowledge that Accounting Standards and Treasurer's Instructions were proposed to be changed in 1995, the trust in 1993 moved to abide by the new standards and put in place a strategy for the progressive revaluation of all assets. The first stage application of these new standards in respect of vacant land holdings has been completed for 30 June 1994 and work on the larger task of revaluing all of the 62 322 rental properties is well underway and will be completed by 30 June 1995.

3. The valuation of each category of non-current assets at 30 June 1994 is as follows:

Rental properties	
Book Value of 62 322 properties	\$'000
Freehold land	328 268
Buildings—at cost	1 638 970
Less Accumulated Depreciation	201 699
Total	1 765 539
Market Value of 62 322 properties	
Land and Buildings, the Valuer-General's capital value exceeding	3 000 000
Administrative properties	
Book Value	
Land and Buildings at cost and independent valuation	4 972
Market Value	
Valuations now dated	
Revaluation to be completed 30/6/95	
Vacant Land	
Book Value—	
Freehold land	15 729
Market Value	
Freehold land at independent valuation 1994	11 676
Difference brought to account 30/6/94	
Capital Work in Progress	
Book Value	
Capital work in progress at cost	35 019
Market Value	
Not available on work in progress	
Plant and Equipment	
Book Value	
Plant and equipment at cost	6 958
Computer System development	3 119
Total	10 077
Market Value	
Plant and equipment	7 500
Industrial and Commercial property	
Book Value	
Land	8 500
Buildings	18 315
Less accumulated Depreciation	4 247
Total	22 568
Market Value	
Commercial property	53 500
Industrial property	7 098
Total	60 598

In addition to the above non-current assets, land held for sale which is classified as inventory was compared with independent valuations and where the carrying amount exceeded this value the land was written down to the independent valuation during 1993-94. Its value at 30 June 1994 was \$34,840m.

#### LANGUAGE EDUCATION

33. **The Hon. LYNN ARNOLD:** With respect to language education in TAFE for each year from 1990 to 1994—
- how many colleges/institutes, offered or are offering language courses;
  - what languages were or are on offer;
  - in aggregate for each year, how many students (in hours and actual numbers) were or are studying languages;
  - in aggregate for each year, how many staff (in FTES and actual numbers) were or are involved in delivering language programs; and
  - what plans are there for the expansion/maintenance/reduction of language programs in 1995?

**The Hon. R.B. SUCH:**

- Eight colleges/institutes
- Aboriginal languages: Pitjantjatjara; Auslan (deaf sign language); Chinese (Mandarin); Croatian; French; German; Indonesian; Italian; Japanese; Polish; Russian; Spanish; Swahili; Vietnamese.
- 1990—1067 students 68288 hours  
1991—1073 students 68627 hours  
1992—1142 students 73088 hours  
1993—1060 students 67840 hours  
1994—1112 students 71168 hours (not all results entered)
- 1990-1994; 2 Full-Time and 35-40 Part-Time Instructors (FTE = 6-8)
- Program: Introduction of following Certificate Language Courses; Certificate in Languages; Advanced Certificate in Languages; Certificate in Japanese Language for Tour Guides; Advanced Certificate in Para-Professional Interpreting; Certificate in Italian Language.

#### ROAD TRAFFIC LEGISLATION

34. **The Hon. LYNN ARNOLD:** Are any changes being proposed to the Motor Vehicles Act or other legislation/regulation for users of skateboards and rollerblades with respect to—

- helmets;
- insurance;
- liability; and
- anything else,

and, if so, what are those changes, why are they being proposed and when will they be introduced?

**The Hon. J.W. OLSEN:** Amendments to the Road Traffic Act in relation to roller-skates, skateboards, and other types of human powered vehicles other than bicycles will be introduced into Parliament during the current session. Any requirement for persons using such vehicles to wear helmets will be addressed in the proposed amendments. Issues of insurance and liability are not being covered in the proposed amendments.

#### SOUTH AUSTRALIAN DIRECTORY

36. **The Hon. LYNN ARNOLD:**

- How much did the South Australian Directory 94-95 for the Seniors Card cost to produce and how many copies were printed?
- Was consideration given to the environmental soundness of publishing a smaller 'supplement' that users could have combined with the 93-94 Directory, and if not, why not?

**The Hon. DEAN BROWN:**

- There were 200 000 copies of the South Australian 1994-95 Seniors Card Directory printed at a cost of \$77 605.00.
- Consideration was given to the environmental soundness of publishing a smaller 'supplement' that users could have combined with the 1993-94 Directory but it was not viable because of the following:

There were too many changes between the issuing of the 1993-94 Directory and the 1994-95 Directory to expect existing Seniors Cardholders to amend their 1993-94 Directory with a supplement. Further confusion would be experienced by older people who did not amend their original Directory with the supplement.

Businesses pay an annual listing fee to be in a Seniors Card Directory and it is important that a professional approach is taken to

ensure that they are not disadvantaged. Every State in Australian with a Seniors Card Scheme issues an annual directory to existing Seniors Cardholders. After 12 months use of the 1993-94 directory it has been found that with constant use the Directory has become soiled and worn and requires replacement.

#### ETHNIC COMMUNITY

38. **The Hon. LYNN ARNOLD:** What forms of assistance does the Government propose to provide to ethnic community groups wishing to build community facilities and what guidelines will apply?

**The Hon. DEAN BROWN:** The Government will continue to provide grants to various ethnic groups for a range of activities, but there is no intention to extend the utilisation of those funds to build community facilities.

#### AGED PERSONS

41. **The Hon. LYNN ARNOLD:** What process of consultation and decision-making will the Government pursue in determining whether funds for aged-care workers to be employed by ethnic community groups will continue to be provided once the present commitment for funding finishes in December 1994?

**The Hon. D.C. WOTTON:** Changes to Government funding policy at both the Commonwealth and State Government level in recent years have resulted in a reassessment of guidelines and priorities for funding programs and services to community organisations.

These changes have resulted in a number of organisations providing programs for the elderly no longer being eligible for funding through existing funding sources.

The Government's attention has been drawn however, to the need for services and programs that provide early intervention and support to assist older people to remain living in the community.

I have therefore asked the Commissioner for the Ageing to investigate the need for a broadly based community aged care program to support early intervention/prevention services that currently fall outside the scope of existing Grants Programs such as Grants for Seniors, Family and Community Development Grants, and HACC.

The Commissioner's study will include specific consideration of the needs of ethnic communities.

The Commissioner's Office is conducting consultations with key organisations and service providers and I am expecting him to report to me by the end of September. Until the Commissioner's report has been considered by the Government, I am not in a position to indicate how or whether funding will be allocated to organisations working in this field after December 1994.

#### THEATRE GROUPS

42. **The Hon. LYNN ARNOLD:**

1. What payments (itemised by recipient group) were made in 1993-94 by the Department for the Arts and Cultural Development to theatre groups that perform some or all of their productions in languages other than English?

2. Since 1 July 1994, have any changes been made to funding programs (or the guidelines of those programs) to which such groups can apply for support?

**The Hon. J.W. OLSEN:**

1. Doppio Teatro is the major theatre company in Australia performing in Italian and English. This company is based in Adelaide and is funded by the Department for the Arts and Cultural Development on an annual basis. For 1993, the company received a grant of \$118 500, and for 1994 the allocation was increased by \$5 000 to a total of \$123 500.

Theatro Onieron is a Greek/Australian theatre company, based in Adelaide, that performs much of its work in the Greek language. In 1993, the company received a project grant of \$3 000, to assist with the script development of "The Skaubryn Project"—a newly devised piece on the migration of Greeks to Australia in the 1950's. In 1994, another project grant of \$11 000 has been awarded to the company for the production of a new play in Greek by the Sydney writer Sophia Catharios.

Labyrinth Theatre Workshop is a group of Latin American

migrants who perform political street theatre in Adelaide. In 1993 they received a project grant of \$2 000 for the development of a new work, as well as a small travel grant of \$1 000 for the group to attend a community theatre conference in Sydney. The members of the group perform mainly in Spanish.

In November 1993, Claudia and Nigel Larose-Bell were awarded a project grant of \$6 322 to develop a play about a family of Mauritian immigrants learning to deal with the mother's schizophrenia. The play is to be partly in French.

To summarise, the Department for the Arts and Cultural Development has funded Doppio Teatro to the tune of \$118 500 in 1993, and \$123 500 in 1994. Project Grants for specific non-English speaking theatrical activities totalled \$6 000 in 1993 and \$17 322 in 1994.

2. There have been no changes to funding of such programs since 1 July 1994, and certainly no changes to the guidelines for funding.