

HOUSE OF ASSEMBLY**Wednesday 10 December 1997**

The **SPEAKER (Hon. J.K.G. Oswald)** took the Chair at 2 p.m. and read prayers.

HENLEY BEACH POLICE STATION

A petition signed by 180 residents of South Australia requesting that the House urge the Government to reconsider the proposed closure of Henley Beach Police Station was presented by Mr De Laine.

Petition received.

HEYSEN TRAIL

A petition signed by 97 residents of South Australia requesting that the House urge the Government to restore public access to the Heysen Trail from Newland Head Conservation Park to Newland Hill was presented by Mr Evans.

Petition received.

BROTHELS

A petition signed by 35 residents of South Australia requesting that the House urge the Government to pass legislation for the regulation of activities in brothels was presented by Mr Evans.

Petition received.

CHILD ABUSE

A petition signed by 4 421 residents of South Australia requesting that the House urge the Government to reconsider the recommendations of the National Association for Prevention of Child Abuse and Neglect Report and to establish a new mechanism to investigate child sexual abuse cases was presented by Mrs Hall.

Petition received.

SQUATTERS ARMS HOTEL TAB

A petition signed by 704 residents of South Australia requesting that the House urge the Government to support the establishment of a TAB agency at the Squatters Arms Hotel was presented by Mr Koutsantonis.

Petition received.

AUDITOR-GENERAL'S REPORT

The Speaker laid on the table the Auditor-General's report on the summary of confidential Government contracts under section 41A of the Public Finance and Audit Act 1987, for the South Australian Water Corporation.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Industry, Trade and Tourism (Hon. G.A. Ingerson)—

Adelaide Convention Centre—Report, 1996-97

By the Minister for Local Government, Recreation and Sport (Hon. G.A. Ingerson)—

South Australian Harness Racing Authority—Report, 1996-97

By the Minister for Human Services (Hon. Dean Brown)—

Reports, 1996-97—

Dental Board of South Australia
Hill Transit
HomeStart Finance
Living Health
Medical Board of South Australia
Passenger Transport Board
TransAdelaide

By the Minister for Government Enterprises (Hon. M.H. Armitage)—

Reports, 1996-97—

Attorney-General's Department
Correctional Services Advisory Council of South Australia
Correctional Services, Department for Police, South Australia
Totalizator Agency Board

By the Minister for Primary Industries, Natural Resources and Regional Development (Hon. R.G. Kerin)—

Australian Barley Board—Report, 1997

Reports, 1996-97—

Dairy Authority of South Australia
Dog Fence Board
Energy Policy, Office of Technical Regulator
Phylloxera and Grape Industry Board
Primary Industries South Australia
Soil Conservation Board
Soil Conservation Council of South Australia
South Australian Research and Development Institute.

REPATRIATION GENERAL HOSPITAL

The Hon. DEAN BROWN (Minister for Human Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: I am very pleased to be able to announce that Cabinet has approved a project to provide the South Australian veterans' community and people living in the southern suburbs with state of the art rehabilitation facilities at the Repatriation General Hospital at Daw Park. The facility will provide a new allied health unit, including physiotherapy, gymnasium and hydrotherapy pool, as well as new purpose built rehabilitation wards. The new allied health unit will offer improved patient facilities, increased efficiency in service delivery and better coordination of patient care. It will be a focus for expanded regional rehabilitation and aged care services and will provide integrated education and research facilities.

The new rehabilitation wards will replace the current wards built back in the 1960s and which are now quite unsuitable for modern health care. They will mean much better patient care as well as improved coordination of services. The new modern purpose-built facilities are necessary to meet the needs of the ageing population and in particular our returned servicemen and women who deserve the best possible care we can provide. The rehabilitation facilities will capitalise on the Repatriation General Hospital's existing extensive expertise in providing fast and slow stream rehabilitation services.

The project cost \$14.7 million and has now been referred to the Public Works Standing Committee, which will consider

it before Christmas. Tenders for preliminary work will be called in January 1998 and the new facility is expected to be open for patients by the year 2000. An amount of \$13 million has been provided to the project by the Federal Government as part of the transfer of RGH from the Commonwealth to the State Government. The State Government is contributing \$1.7 million towards the total cost of the project. This decision honours the commitment made to ex-service organisations by both the Federal and State Governments when the RGH was transferred to the State Government. This project will provide a significant boost to the care of returned servicemen and women in this State and for the aged living in the south.

ENVIRONMENT, NATIONAL ISSUES

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: In late 1996 the Council of Australian Governments agreed to review the respective roles and responsibilities of the Commonwealth and the States with respect to the environment. The Commonwealth currently does not have direct constitutional power to become involved in State environmental matters and relies on powers such as the external affair power and the use of international environmental treaties. The result has been an *ad hoc* approach, which often duplicates State systems. The Commonwealth finds itself involved in local and regional issues, yet not involved in all environmental matters that are truly of national significance.

The review has been an excellent opportunity to clarify the roles and responsibilities of the different spheres of Government in Australia through a cooperative approach. There are important benefits to all States, including South Australia. These include: increased certainty in the area of approvals for project development; a more streamlined and efficient process for development approvals where there is some Commonwealth involvement; and improved Commonwealth compliance with State environment and development laws.

The review has been conducted by a working group of senior State and Commonwealth officials, including South Australian representatives. As the review has moved closer to a conclusion in the past few months, State environment Ministers have become directly involved through a number of ministerial meetings held in conjunction with the Commonwealth Minister, Senator Robert Hill. The review has mainly revolved around introducing a concept of matters of national environmental significance, which is proposed to become the new trigger for Commonwealth involvement in environmental issues.

Using this concept as a trigger will provide increased certainty for all stakeholders in determining when, and to what extent, the Commonwealth will become involved in any particular issue. A draft heads of agreement has now been prepared as a means to conclude the review and is currently under discussion by State officials and Ministers. The agreement will result in significant clarification of when the Commonwealth can be expected to act in the interests of the environment and what that involvement will entail. The agreement will also outline the Commonwealth's commitment to require more of its agencies to comply with State environmental laws.

Reflecting the broad agreement on these central issues, the Council of Australian Governments (COAG) noted the

progress of the review at the meeting of 7 November and gave in-principle support to the heads of agreement. I am confident that the review, which is now in its final stages of negotiation, will result in a more certain outcome for South Australia and the environment at large.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the first report of the committee and move:

That the report be received and read.

Motion carried.

Mr CONDOUS: I bring up the second report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

The SPEAKER: Before calling for questions, I advise that questions ordinarily directed to the Minister for Education, Children's Services and Training will be taken by the Deputy Premier.

GLENELG SAILING CLUB

Mr CONLON (Elder): My question is directed to the Minister for Government Enterprises. Why did the Government agree to build and maintain with public money new facilities for the Glenelg Sailing Club at West Beach that extravagantly exceed both the scope and size of the club's operations at Glenelg?

The SPEAKER: I caution the honourable member against comment in the question.

Mr CONLON: Under the agreement entered into by the Government for the relocation of the Glenelg and Holdfast Bay Sailing Clubs to West Beach the Government has committed to build and maintain a protected harbor 3.9 metres deep, crane launching facilities and floating pontoons for keel boats weighing up to two tonnes in addition to facilities for dinghies and catamarans. The Government has also agreed to provide fenced boat storage and hardstand areas, grassed rigging areas, sealed car parking and \$1 million for the club house. The Government has also agreed to pay a substantial debt owed by the Glenelg Sailing Club to the Holdfast Bay Council, compensation for disruption of \$3 000 a month from April to September plus office facilities and compensation if the facilities are not completed in time. Why was the Government so comprehensively out negotiated by a local sailing club?

The Hon. M.H. ARMITAGE: It is a pity that the honourable member opposite has nailed his colours so firmly to the wall so early in his career—

An honourable member: To the mast.

The Hon. M.H. ARMITAGE: Absolutely; a good nautical analogy. He is in fact denying the opportunity to all of the boaties of South Australia the potential to use the best possible facilities. The simple fact is that at the moment the opportunity to utilise the facilities by the boaties is limited by the current situation. If the honourable member had spoken with any of the boating fraternity, the majority of whom live right in the middle of the metropolitan area, he would have heard stories about how far people have to go to utilise these

facilities. If he had attended the launch of the project he would have heard the commodores of both the yachting and sailing clubs that have amalgamated in the project say with absolute enthusiasm how much they are enjoying the possibility of providing, potentially over the lifetime of this project, the opportunity for hundreds of thousands of young South Australians to learn how to sail and utilise the water. From a former incarnation many years ago, as a member of the First Norwood Sea Scouts, I know just how much pleasure one can get from sailing boats as a youth. It is actually a fantastic recreational opportunity for young children. The Commodores of both facilities were saying they will now be able to provide those facilities better for young South Australians.

Very importantly, also, the Government has been keen to increase opportunities for tourism and international boating events in South Australia. This is an obvious springboard into international events being provided and, factually, if people come to South Australia and are provided with the appropriate launching and clubhouse facilities and so on, they are likely to do what most people would do under those circumstances: they will tell their international friends that Adelaide is a good place to come to and that the facilities are first class. Every boatie who uses the facilities will be an advocate for South Australia both nationally and internationally. I think the case is quite clear.

GLENELG-WEST BEACH DEVELOPMENTS

Mr CONDOUS (Colton): Will the Premier inform the House whether the Government has now had an opportunity to analyse in detail the Charles Sturt council's report on the Glenelg-West Beach project and, if so, does the Government accept its findings?

The Hon. J.W. OLSEN: Yes, the Government has: we had the opportunity this morning to meet with Mr Peter Riedel, the Government's consultant in a number of key areas relating to the Glenelg-West Beach developments. To say that he has been annoyed by some of the fiction which has been spread around by the Opposition and the council of Charles Sturt is an understatement, to say the least. He was particularly concerned about the lack of ethics of the authors of the City of Charles Sturt's report, Manly Hydraulics Laboratory. They did not bother to contact him to clarify or even check the facts. Mr Riedel made himself available to a press conference today to answer questions in relation to that.

I have previously commented on data misrepresentations and, for the sake of the House, I will give one more example, when I could go on about a number of the inaccuracies of the Charles Sturt eight page letter. The Charles Sturt letter, in section 3, questions the harbor configuration and design. In response, Mr Riedel says that, if the reviewing consultants had bothered to discuss the project with either the Coastal Protection Board or with him, they would have obtained the reasoning for the nominated design. The design related to public amenity and allowing flexibility with respect to sand bypassing by trucks. It certainly was not cost, as was suggested.

In fact, it was the member for Colton's representations last year that achieved the very substantial change—at an additional several millions of dollars—to this particular configuration to ensure that the beach at West Beach was not cut and to ensure that we did not discharge by pipe onto the beach out of the Patawalonga catchment area. It was the member for Colton who pursued that, and we accepted the

member for Colton's representation on behalf of the residents to the extent that, in April-May this year, the residents said of the project that is now on the deck, 'This is a smart compromise,' and they welcomed it. That was only six months ago.

This structure is a jetty that runs across the beach. It does not cut the beach, and there is no discharge onto the beach by pipes, which were one of two or three of the recommendations of the Patawalonga Catchment Board report. So, cost did not come into this, because we are putting in additional funds to ensure that there is an environmentally sustainable project at West Beach. The trestle approach as designed by the engineers—or, if you like, the jetty that runs across to this boat launching facility—is obviously far more expensive than a breakwater connection to the shore.

In addition, there are a number of other inaccuracies which the consultant corrects. And Mr Riedel has released his report in relation to the eight page letter of the Charles Sturt council, identifying the total inaccuracies contained in that report, with no research, no investigation and no substance, yet that is the basis upon which the City of Charles Sturt is now suggesting it ought not proceed.

This project has been on the drawing board for three years—not two, as I thought it was. The consortium has worked through every component of requirement of environmental impact statement assessment. They have been released publicly. December 1995 was the first release, and subsequent to that and again earlier this year. The consultants clearly put to rest that the Charles Sturt letter has any substance at all upon which this project ought not proceed. Try as the Opposition has—and will continue—to scuttle this project, it is about time, having followed due process, that this project commenced and we got out of the way for South Australia's sake.

Members interjecting:

The SPEAKER: Order!

Mr CONLON (Elder): I direct my question to the Minister for Government Enterprises. What will be the annual cost to the Government of dredging the West Beach boat basin and the approaches to the basin to maintain a depth of 3.9 metres of water? The agreement between the Government—

Members interjecting:

The SPEAKER: Order!

Mr CONLON:—and the Glenelg and Holdfast Bay Sailing Clubs requires the Government to dredge and maintain a basin to a depth of 3.9 metres below AHD which, as the Minister would know, as he said he knows a bit about sailing, is a datum point .176 metres above the mean sea level.

The Hon. M.H. ARMITAGE: I am sure that the honourable member opposite knows only too well that the average cost of this will be in the vicinity of \$250 000. That money will all come from profits to the Government from the Holdfast Shores development, if the Opposition will get out of the way and let it go ahead.

Members interjecting:

The SPEAKER: Order!

MAJOR PROJECTS

The Hon. W.A. MATTHEW (Bright): Will the Premier advise the House of any advice he has received today

regarding future investment in major projects in South Australia?

The Hon. J.W. OLSEN: I have a release from Holdfast Shores that has just been released publicly. It follows on the interjection from the member for Kaurna yesterday, when I suggested that, given the way in which the Labor Party was pursuing this project, it would put it at risk. The member for Kaurna laughed. But I notice he was prepared to pick up the phone and speak to the developers yesterday afternoon. They told the member for Kaurna that this project was, in fact, marginal and that if the Opposition pursued this—as the Leader of the Opposition was also told yesterday—it would put the project at some risk. The developers have clearly indicated that they are at the end of their tether and that, if the amendment proposed by the Labor Party goes through, they will think about their position with this project and consider withdrawing. The release of the developers puts the issue in context. I will cite some of the release—and I will make it available to anybody who would like to look at it.

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: This is the Leader of the Opposition who wants to work cooperatively for the rebuilding of the economy of South Australia. This is the Leader of the Opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN:—who, given the first opportunity to work with the Government on a major investment for South Australia, walks away.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: This is the Leader of the Opposition who would not front the media last week or at the weekend in relation to this project because he 'did not know enough about it'. If he or his staff are admitting to the journalists that he does not know enough about the most important investment project in this State, it is about time that he informed himself. Clearly—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader will come to order.

The Hon. J.W. OLSEN:—the Leader of the Opposition was not listening to the briefing which he received last Monday week from the developers. The press release from Holdfast Shores states:

For three years, the Holdfast Shores consortium has worked with Government, local government and key stakeholders to produce a master plan that meets all of the project's objectives in an environmentally responsible manner.

The Government and the consortium have engaged the most experienced consultants to advise on all environmental engineering issues, and the final solution to the Barcoo Road development is a direct outcome of all these studies. The amendment to the Development Act passed by the Legislative Council last night will effectively change the rules after it has met all the legislative requirements that have existed to date.

In the past few days, the Labor Party has been on about this question of retrospectivity. Here is a \$185 million development, \$85 million in the first stage, and a company which over three years has met every requirement. As soon as this project is ready to go ahead, what does the Labor Party do? It moves an amendment in another place to stall this project even further. That is retrospectivity! The Labor Party speaks with a forked tongue. It depends on the issue and the political circumstances for the Labor Party. The public at large will see the Leader of the Opposition and the Labor Party for what they are regarding this project. They have no interest in or

genuine concern about economic development in South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The press release continues:

Opponents have never sought to raise their concerns directly with us. They have not produced any detailed credible, professional or expert opinion to which the consortium could respond. The report they have hastily arranged nevertheless has been taken seriously. . .

In fact, all the options have been pursued previously. The alternatives now suggested by either Charles Sturt or the Opposition have all been examined previously and discarded. These are:

The launching of boats into the northern end of the Patawalonga and locating all boating facilities proposed for Barcoo Road, West Beach, at North Glenelg. The first of these is clearly unworkable from virtually every point of view and the second would involve major infrastructure on the North Glenelg beach. The Holdfast Shores consortium has followed the rules in every way for three years. It has consulted, discussed, negotiated and compromised in finally obtaining all necessary development approvals and agreements.

That being the case, it is about time we let them get on with this project.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The House will come to order.

I caution members against the habit that is developing again today of continuing to interject after the Chair has called members to order. The Chair will take a dim view of this if it continues. The honourable member for Kaurna.

MARINE POLLUTION

Mr HILL (Kaurna): My question is directed to the Minister for Environment and Heritage. Given the findings of the Kinnaird review into the management of Adelaide metropolitan beaches that seagrass loss is a major issue associated with marine pollution, why has the Government agreed to discharge polluted stormwater from the Patawalonga catchment at West Beach? At a briefing on the Holdfast Quays project the Opposition was informed that the Government intends to proceed with plans to divert stormwater from the Patawalonga to West Beach.

Members interjecting:

The SPEAKER: Order!

Mr HILL: The Kinnaird review found that further study into the loss of seagrass should be undertaken urgently and be linked to studies recently commenced and planned by the EPA and the Coast Protection Branch. Submissions published in the review highlight that poor water quality and seagrass loss continue to be a major marine pollution issue.

The Hon. D.C. KOTZ: I thank the honourable member for his question, which appears mostly to deny or not to accept the fact that what this Government has done since 1993-94 is pick up the mess that the Labor Government left and start to repair the damage that has continually been done. It is an absolute disgrace to see some of the areas of the environment that have been raped and pillaged by the Labor Government through its mismanagement.

As far as seagrass is concerned, I am pleased to be able to tell the member for Kaurna that a review is under way. I expect the report of that review dealing with the result of seagrass die-back to be brought down very soon, and I will be happy at that time to provide the honourable member with

that report so that we can discuss it and see again how this Government will continue to repair what was left to it by the Labor Government.

STEEL AND ENERGY PROJECT

Mrs HALL (Coles): Will the Premier inform the House of the benefits to the State as a result of the Federal Government's \$6.5 million support for the South Australian steel and energy project?

The Hon. J.W. OLSEN: This is another important project in South Australia in terms of the capacity to create jobs, first in the Whyalla pilot project and secondly in the north of South Australia if the technology is proven. This significant project also relies on another key component of rebuilding our economy, and that is research and development. I am pleased to advise the House that the Federal Government has agreed to contribute a \$6.5 million research and development start grant to assist with the construction of the South Australian steel and energy project demonstration plant at Whyalla. This is a further commitment from the Federal Government that, like us, it is committed to developing Australian industry, moving on value adding in our mineral resources.

The demonstration plant will produce pig-iron using fellow joint venturer Ausmelt's patent submersible lance smelting technology known as Ausiron. BHP Engineering, in collaboration with Ausmelt and technical personnel from our Indonesian partners, Krakatau Steel, have prepared a project execution plan for the design and construction of the pilot plant, and a contract has been let for the engineering design of the furnace and lance system. A development application has been approved by the Whyalla City Council, and construction of the demonstration plant is due to commence early, I think, in 1998.

If this plant fulfils the expectations of the technology, the plan is to construct a full processing plant near Coober Pedy using new coal and iron ore mines in the State's north, where there are very significant deposits of coal and iron ore. A commercial plant would also well and truly benefit from the Adelaide to Darwin rail project, as it would be possible to ship the pig iron product to Darwin and then into the important Asian steel markets. On the jobs front, we find that, if the technology in this pilot plant is proven over the next 18 months to two years, 400 jobs will be created in the region which could generate \$470 million of production from 2.5 million tonnes per annum.

While I caution that we are still in the early stages of the project, we must consider the long-term benefits of the success of this technology being proven. This project is about research, development, value adding and progress. It is working on a natural resource of South Australia, and it is about working together—the State Government, the Australian company Meekatharra Minerals, Ausmelt and Indonesian investors Krakatau Steel. Once this technology is proven, it will have the capacity to open up a very significant mining operation, processing operation and value adding to the Adelaide to Darwin rail link of the future. I welcome the Federal Government's response to our request of recent weeks to commit \$6.5 million of further research and development funds.

GAMING MACHINES

The Hon. M.D. RANN (Leader of the Opposition): Does the Premier support the call by his friend and colleague the former Premier, now Minister for Human Services, for sunset legislation on poker machines which would see gaming machines banned and completely eliminated from South Australia within a decade?

The Hon. J.W. OLSEN: Over this past week and a half we have become accustomed to the Opposition relying on newspaper reports for its questions in Question Time. If the Leader of the Opposition had been at my press conference this morning he would no doubt have the answer. I am sure it has been reported to him in this regard, and it is well and truly on the record.

ELECTRONIC SCOREBOARD

Mr BRINDAL (Unley): Does the Premier support the SANFL decision to use an interstate company to supply the electronic scoreboard replay screen?

The Hon. J.W. OLSEN: As we all know, the South Australian National Football League has been after a new electronic score board screen for a number of years. Now that we have two AFL teams here and the national competition, and with the success of our league teams in that national competition, it is appropriate that we have the facilities commensurate with those in other locations. The SANFL lobbied the Government extremely hard and consistently for support, and my colleague the Minister for Human Services agreed to a \$3 million grant on behalf of the Government.

Mr Foley interjecting:

The Hon. J.W. OLSEN: It was \$3 million. That \$3 million gives this Government 50 per cent of advertising rights on the screen in addition to a number of other promotional activities at Football Park during South Australian National Football League and AFL games—a very beneficial promotional outcome for the Government. I also think it was a fair contribution to Football Park to put in place the infrastructure to ensure that we have the facilities here equivalent to those of grounds interstate. It was never the Government's role to be involved in who won the contract to supply the screen. In fact, if we had been involved, I bet the first question from the Leader of the Opposition would be, 'Did you interfere with the tendering process to award Rob Gerard and Clipsal the contract? That would have been the first question asked and it would then have rolled into a whole range of other areas, such as contracts, tenders and expenditure of Government funds.

Neither I nor this Government and the Ministers are involved in interfering in that process. As the Auditor-General advises, it is totally inappropriate for Ministers to interfere in any way in a decision of this nature. We made the contribution to the Football League, which called the tender. The commissioners of the South Australian National Football League have made this decision and, in fact, under the Public Finance and Audit Act, in accordance with which the Auditor-General reports to this Parliament, I cannot interfere in that process, nor should I be entitled or able to do so. This is a decision of the commissioners of the South Australian National Football League. To do other than that would be to interfere with the tender contracting process or expenditure of Government funds, opening one up to the political suggestions we get—usually without any credence or background from the Leader of the Opposition—about the

probity of expenditure of Government funds. Yes, I would have preferred Clipsal to be the decision of the South Australian National Football League commissioners, but that is their decision.

SCHRODERS

The Hon. M.D. RANN (Leader of the Opposition): Will the Minister for Government Enterprises confirm that the investment house Schrodgers was commissioned by the Government to report into future options for Optima Energy and ETSA, including prospects for future privatisation; and will the Minister release the report publicly?

The Hon. M.H. ARMITAGE: This is exactly the same sort of question as the Deputy Leader asked yesterday, and the answer is exactly the same. If a board of a statutory corporation decides to prepare for the future, that is the board's decision. When you look at areas such as electricity in particular, you see that the simple fact is that, with a national electricity market coming, if the boards in the electricity sector in South Australia do not look to the future, someone else will do it for them.

TRADE AND INDUSTRY DEPARTMENT

Mrs PENFOLD (Flinders): Will the Minister for Industry, Trade and Tourism advise the House of the most recent investment and jobs figures directly attributable to the State Government's effort to foster economic and employment growth in South Australia?

The Hon. G.A. INGERSON: The Department of Industry and Trade has made a vital contribution to the economy of South Australia. As was outlined last week in the yellow pages report, the BankSA report, the Centre for Economic Studies and SA Great report, all these movements are very positive as far as the State is concerned. Yesterday I tabled the annual report of the Department of Industry and Trade, which report included the following: some \$257 million in increased business investment, involving some 96 per cent from firms operating in South Australia; 2 263 new jobs, and retention estimated for 1 090 jobs; and \$44 million in additional investment achieved, resulting in 2 066 new and retained jobs in regional South Australia.

The successful attraction of business migrants has brought to the State some \$71 million, which has been vested in our local industry. It is also worth noting that, through the business investment division during 1996-97, some 98 per cent of investment went to local companies, companies that had an existing presence here in South Australia. In addition, the Business Centre and South Australian Centre of Manufacturing also have provided extensive support in the management and manufacturing areas.

Over 5 400 new and retained jobs is the outcome. The department has facilitated access to export markets with the participation of 193 small to medium local businesses in export missions and writing some \$31 million in export business. The department helped create a competitive climate for local business in projects such as the Adelaide Airport upgrade, the Australian National sale, the Adelaide-Darwin rail project and numerous other initiatives to support small business through its Small Business Advisory Service and council. It has further assisted the development of local competitive enterprises through the Business Centre and with support for some 2 400 separate businesses with some 44 000 client requests going through that centre. I repeat: some 5 400

new and retained jobs for the local economy has come about as a result of the investment programs through the Department of Industry and Trade during 1996-97.

CICCARELLO, MR S.

Mr CLARKE (Ross Smith): Will the Deputy Premier advise what are the terms and conditions of Mr Sam Ciccarello's contract with the South Australian Government, including the total cost, and why is the Deputy Premier authorising payment of invoices made out to Mr Ciccarello personally for office costs including cleaning and electricity? On 2 December the Deputy Premier told the House that Mr Ciccarello had been paid \$160 000 by the Government. The Opposition has a copy of a leaked memo, signed by the Deputy Premier, authorising payment of \$24 912.96 from his ministerial office budget as a contribution towards accounts totalling \$170 000 spent on the Minister's restructure advisory committee, whose minutes were taken by the member for Coles. The Opposition has also been leaked a copy of an invoice relating to cleaning and electricity, together with invoices relating to telephone expenses, which apply to periods as recent as September this year.

Members interjecting:

The Hon. G.A. INGERSON: There is no 'Oh' in it—just listen and I will tell you what it is. I reported to the House last week the cost of the Ciccarello report, and that total cost was in relation to the development of the report and ongoing recommendations as they related to the restructuring of the Tourism Commission, including the Department of Recreation and Sport.

Mr Clarke interjecting:

The Hon. G.A. INGERSON: Just be patient. After that, as the member would know, there was a change of portfolios and I was no longer personally involved with any contracts with Mr Ciccarello. Mr Ciccarello was employed by the next Minister of Recreation and Sport to carry out a whole range of issues including giving Government support, knowledge and understanding of the negotiations under the Sydney Olympics contract. That contract, which is still going, was entered into by the previous Minister through the Department of Recreation and Sport. When I became the new Minister, appointed some eight weeks ago, I had discussions with Mr Kowalick, head of the Department of Premier and Cabinet, in relation to entering into a formal contract with Mr Ciccarello and his company, and I understand that that is now in progress.

PARLIAMENTARY SITTINGS

Mr WILLIAMS (MacKillop): Does the Premier still believe that sitting late into the night and even into the early hours of the morning has an adverse impact upon members' ability to properly assess matters before the House? If he still does believe this, can he inform the House of the details of the review to be taken out to address this problem? I direct my question to the Premier, although I know that the Deputy Premier manages the business of the House. My reason for so doing relates to the Governor's speech in opening the Parliament in which he referred to the need for Parliament to change with the times. The Governor said:

My Government is committed to that goal and will initiate a review which analyses the processes and procedures of the Parliament as well as the accountability and responsibility of members in that parliamentary process. Significantly, current practices of sitting late into the evening and even into the early hours of the morning

often make it difficult for members to properly assess legislative matters, affect their ability to serve their electors and impact severely on the families of members.

The Hon. G.A. INGERSON: We have had some discussions in relation to this matter. I advise the honourable member and advise the House, as stated in the Governor's speech, that it is the Government's intention to look at the whole process of the sittings of this House. It is our intention to discuss with the Opposition and the Independent members of this place changes that will be looked at for the next sitting of Parliament in February next year. Those of us who have been in the House for a long time know that on occasions we have to extend the sitting time beyond what would be seen to be reasonable by the public. It is my intention as Leader of the House to ensure that we are able to get through the business of the House and, obviously with the support of the Opposition in areas where there is no general frustration of Bills, I am sure that the normal business of the House can be carried out in the time allotted.

HOME AND COMMUNITY CARE PROGRAM

Ms STEVENS (Elizabeth): Will the Minister for Human Services advise whether the State Government will charge fees to frail aged or young disabled people in receipt of home and community care services and, if so, what are the details or will South Australia lose growth funding? In the 1996-97 Federal budget the Howard Government introduced a user pays policy for growth funds for home and community care programs that require 20 per cent of the cost of providing HACC services to be covered by fees within four years. The Commonwealth estimated that South Australia would have to impose fees increasing from \$ 1.43 million in 1996-97 to \$16.38 million by the year 2000.

Members interjecting:

The Hon. DEAN BROWN: Are you finished? The honourable member is correct in saying that the Federal Government has imposed on State Governments around Australia a requirement that there has to be a 20 per cent fee collection for HACC services. This is to apply fully in the year 1998-99. As a result there have been some discussions with various organisations. Equally I look forward to a discussion with the Federal Minister on this requirement. The Federal Government has put down certain conditions including the fact that, if the people cannot afford those services, they will not have to pay the 20 per cent service fee. In talking about the frail, the aged and the poor, the honourable member needs to qualify that by saying that those who cannot afford to pay will not be expected to pay.

The other point is that there is an out on this, namely, that we give money to organisations to provide services to the people in need in South Australia. The Federal Government has said that, if we want to achieve a growth in funds, we must do it through the charging of a service fee. I believe that the Federal Government should be putting in additional money. As the honourable member would know, I have been arguing for that as part of the national Medicare agreement, and I would hope that we achieve a much better deal for South Australia than the Labor State Government delivered to us in 1993.

It effectively short-changed South Australia by more than \$40 million a year as a result of the poor negotiating skills of the then Minister for Health, and we in this State are still suffering from the poor negotiating skills of the former Labor Government.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I also point out that what the honourable member failed to acknowledge is that a number of these organisations are already charging a fee.

Ms Stevens interjecting:

The SPEAKER: Order! The member for Elizabeth will be silent.

The Hon. DEAN BROWN: Meals on Wheels is a classic example. Meals on Wheels already charges a service fee.

Ms Stevens interjecting:

The SPEAKER: Order! The member for Elizabeth will be silent.

The Hon. DEAN BROWN: In fact, Meals on Wheels charges a service fee substantially greater than that required by the Federal Government. I had some discussions with Meals on Wheels this morning in terms of how we might handle the service fee aspect, so that it would not adversely affect those who obtain the services of Meals on Wheels.

Whilst I acknowledge that the Federal Government—and I think quite incorrectly—has tried to achieve growth funds from imposing a service fee in all cases, I believe that there are ways in which we can minimise the impact of that and, equally, I will be going back to the Federal Government to argue for an adjustment of that policy. However, I stress that it does not start to apply in terms of achieving the 20 per cent until 1998-99.

LAND TITLES

Mr VENNING (Schubert): Will the Minister for Primary Industries, Natural Resources and Regional Development advise the House of the benefits that new forms of land titling are now bringing to rural developments such as those being undertaken in the Clare region?

The Hon. R.G. KERIN: The honourable member, along with the member for Chaffey, joined me at Clare on Friday to open the new Kirribilly vineyard development, which is a 226 hectare private development. It was terrific to be there on Friday to open that project. It has been done under the Community Titles legislation which came into effect on 1 November last year, and it has opened up some extra opportunities for investment and development in rural areas by being able to go through that community title.

It was only about 15 months or 16 months ago that the developers met with me to ask about whether or not we could assist in making sure that when 1 November came around for that legislation much of the groundwork could be done so that they could get on with it because the vineyard development hung on that. It is pleasing that, within 15 months or 16 months of their coming to see us, 226 hectares (which is over 500 acres for those less educated) have been sown down, everything is ready and 550 000 vines are growing in an area of 1 000 kilometres.

One of the good things about the project was that the three levels of Government worked together. The State Government introduced the legislation and ensured that things kept moving, and local government through the Clare council (as it then was) accepted the new legislation. Senator Chris Ellinson, who is the Federal Minister for Schools, Vocational Education and Training, joined me on Friday at Clare and announced three employment initiatives. Some of those initiatives are being used on the Kirribilly development because skills and training are absolutely essential to this type of development.

Previously, this development would have taken half the farmer's time, yet all of a sudden it is employing 40 people. Two projects are involved in the development, and 70 people are working on the two projects on land which previously would have employed only a couple of people. We are seeing more of that, whether it be potatoes at Pinnaroo, grapes and associated processing in various regions, or pigs and abattoirs in the Mallee; and, hopefully, the pig iron plant near Coober Pedy that the Premier spoke about earlier will join these projects in the future.

The Kirribilly projects when fully developed—a couple more are occurring at the moment—will employ over 300 people, and it is terrific to see those jobs going into regional areas. We are starting to turn around a lot of the rural-urban drift through far better use of the resources, and we are seeing higher value crops grown and greater employment created. Recently, we saw that reflected in our record levels of exports from South Australia, exceeding \$5 billion for the first time. Certainly, regional South Australia is a major contributor to that figure and, as we see higher value crops planted, value adding increased and more intensive industry practice, I am confident that employment in regional South Australia will continue to increase offering many opportunities to young South Australians.

COBBLER CREEK

Ms RANKINE (Wright): My question is directed to the Minister for Environment and Heritage. Did the previous Minister for the Environment and Natural Resources or senior officers of his department instruct officers of the National Parks and Wildlife Service to take no action to stop Vodafone entering the Cobbler Creek Recreation Park on the morning of 16 October 1997 to erect a telecommunications tower?

Members interjecting:

The SPEAKER: Order!

Ms RANKINE: On the morning of 16 October, in a telephone conversation with the then Minister, I was told that he had withdrawn—

Members interjecting:

The SPEAKER: Order!

Ms RANKINE: This was not about mobile phones, and you know it.

The Hon. G.A. Ingerson interjecting:

The SPEAKER: Order on my right!

Ms RANKINE: It is about proper planning procedures and about our national parks.

Members interjecting:

The Hon. M.D. RANN: I rise on a point of order, Sir. It is impossible to hear the question because of interjections from the Chairman of Committees and the dumped Speaker.

The Hon. G.M. Gunn interjecting:

The SPEAKER: Order! The member for Stuart will come to order. I remind members that it is both discourteous to the Chair and to members to continually interject when the Chair is about to make a ruling. There was no point of order, but I also point out that when a member rises to ask a question that member deserves the courtesy of at least being heard, as does the Minister when he or she responds. Yesterday we had a late sitting until 3 a.m., so the Chair has been lenient this afternoon, but I ask members for their indulgence by cooperating with each other.

Ms RANKINE: I will repeat my question to the Minister for Environment and Heritage. Did the then Minister for the Environment or senior officers of his department instruct

officers of the National Parks and Wildlife Service to take no action to stop Vodafone entering Cobbler Creek Recreation Park on the morning of 16 October 1997 to erect a telecommunications tower?

The Hon. G.A. Ingerson interjecting:

Ms RANKINE: The Minister well knows that this issue is not about mobile phones: it is about proper planning procedures.

The SPEAKER: Order! The honourable member is now debating the matter, and I ask her to return to the explanation.

Members interjecting:

The SPEAKER: I do not need assistance from my right.

The Hon. G.A. INGERSON: I rise on a point of order, Mr Speaker. This is comment and not explanation.

The SPEAKER: If the Deputy Premier had been listening, he would have heard the Chair advising the honourable member that she was in the process of starting to debate the explanation, and I asked her to come back to the explanation without debate or comment.

Ms RANKINE: My apologies, Mr Speaker. On the morning of 16 October, in a telephone conversation with the then Minister, I was told that he had withdrawn permission for Vodafone to enter the park. The Minister provided me with a copy of a letter which he said was faxed to Vodafone the previous evening and which indicated he was in the process of seeking legal advice. The letter went on to state:

In the circumstances I expect that you will not undertake any works on this site until the matter has been clarified. As things currently stand, I am in some doubt as to your rights to enter to complete the work and I therefore do not grant permission for you to do so. Should you proceed to enter the site and to undertake any works prior to this matter being clarified, I will consider taking the appropriate action to prevent you from doing so.

Despite this, officers from the National Parks and Wildlife Service took no action to either stop work or have Vodafone removed. Why?

The SPEAKER: Before calling the Minister, I remind members once again that they do not need to have a question at the beginning of the explanation and at the end.

The Hon. D.C. KOTZ: I thank the honourable member for her question. I must admit that I was expecting it a great deal sooner. I should in the first instance remind the House that the telecommunications carrier debate is not new. In fact, I would imagine that most members in this place have had some form of representation throughout the past two years on the issue of telecommunications carriers. In fact, many local councils, groups and organisations throughout Australia, let alone South Australia, fought numerous great battles to attempt to stop telecommunications towers from being erected not only in reserves and national parks but in different areas of our State. It was clarified through the courts that it was absolutely impossible for any State or local government to take action to stop telecommunications towers.

Ms Rankine: No, it was not.

The Hon. D.C. KOTZ: This was well and truly established. The member for Wright, during the time she was talking about, took great delight in making sure that this was one of the election issues that was alive and well in the area of Wright.

Members interjecting:

The Hon. D.C. KOTZ: She did an exceptional job because, in handing out misinformation to the public, she again set a great degree of fear and anxiety amongst a particular community, who had already had the answers to this issue. I admit that the member for Wright did an

exceptional job: she managed to convince a great number of the people of Wright that her misinformation was correct. Unfortunately, members of the House already know the answer to her question—

An honourable member interjecting:

The SPEAKER: The member for Elder.

The Hon. D.C. KOTZ: —but, to respond to the specifics of the honourable member's question, let me say that I am not the previous Minister, so I acknowledge that we are talking about the then Minister. I do not have a crystal ball: I cannot give you the answers to that question, but I can read a quote from the ministerial statement that was made in this House. Perhaps, if members did not have a selective memory, they would not have to ask questions that have already been answered. The ministerial statement—

Members interjecting:

The Hon. D.C. KOTZ: There is *Hansard*; it is a public record and I should imagine that a candidate wishing to become a member of the House would have read *Hansard*. The ministerial statement states:

Vodafone gave the required notification prior to 1 July—

An honourable member interjecting:

The SPEAKER: The member for Ross Smith.

The Hon. D.C. KOTZ: It continues:

—to install a tower at Golden Grove Arts and Recreation Centre adjacent to three schools with 3 000 students. In fact, this was notified under the Federal Telecommunications Code of 1994. Vodafone was entitled to commence construction on that site.

The people of the area had two choices: a telecommunications tower would have been thrust down the throats of 3 000 school children or it could have gone into a reserve and park over which we had no control, in any case. I believe the choice was right: rather than putting it next to 3 000 school children, it went into one of our parks. Unfortunately, I do not agree that it should have gone there either, but it was the best of two choices. That is why all that occurred.

Members interjecting:

The SPEAKER: Order!

NOARLUNGA SHOPPING CENTRE

Mr BROKENSHIRE (Mawson): Will the Minister for Human Services advise the House of the benefits that will result from the sale of land at the Noarlunga Centre to the AMP Shopping Centre Trust?

Members interjecting:

The SPEAKER: Order!

Mr BROKENSHIRE: Many constituents in my electorate, including me as the local member, have been concerned about what opportunities could be created to further enhance shopping and retail facilities for the southern region and additional job opportunities.

The Hon. DEAN BROWN: I am pleased to be able to say that this morning it was announced that Noarlunga Shopping Centre has been sold for \$25.5 million. It was owned by the South Australian Government through the South Australian Housing Trust. The money collected will now go towards helping to pay off the trust's debt, which is over \$1 billion and, through the savings in interest alone, we will save about \$2.7 million a year. This means we will be able to put that extra money into additional housing or the refurbishment of existing Housing Trust houses. That is good, because it helps to meet the need of those in the community with an urgent housing problem.

I am delighted to be able to say that this sale is a real win for South Australia and particularly for the Housing Trust. It is not appropriate that the Housing Trust of this State should be the owner of a large shopping complex such as that. Frankly, that is the prerogative of commercial interests. They have bought it and have paid substantially more than we were expecting. The reserve price was about \$18 million, so we are delighted that we have \$25.5 million. That sum will go towards paying off the debt and, more importantly, it then saves money every year from now on, and that can go into additional housing or the refurbishment of existing Housing Trust homes.

LOCAL GOVERNMENT INCOME COMPENSATION

Mr HANNA (Mitchell): Mr Speaker, I take this opportunity to congratulate you on your election, as to date I have not had the chance to do so formally. Does the Minister for Local Government, Recreation and Sport support the push by councillors of the Marion City Council for income compensation to be paid when they are on council duties or on interstate conferences and, therefore, prevented from attending their paid employment? On 24 November 1997, the policy and resources committee of the Marion council resolved that the council take up the provisions of section 154 of the Local Government Act to reimburse elected members for income lost while attending council functions until the new Local Government Act is enacted.

The Hon. G.A. INGERSON: I thank the member for Mitchell for his question. I am surprised he has not already received the letter I sent to the council. I advised the council yesterday that the Government's view, on advice from the Crown Solicitor, was that no local government council could in essence use section 154 to pay people for any services that they provided. That view differs from the council's, and I requested that the council not make any decision on that matter until the Act was reviewed next year. I stated in the letter that it was the Government's position that the whole issue of payment of councillors needed to be reviewed and to be made much clearer to councils. I understand that at a meeting the night before last the council decided not to proceed. That is the advice I have been given.

WATER OUTSOURCING CONTRACT

Mr EVANS (Davenport): Will the Minister for Government Enterprises advise the House of the economic development impact of the water contracts with the South Australian Government?

The Hon. M.H. ARMITAGE: I thank the member for Davenport for his question and I advise that the Government has a strong commitment to using contractual arrangements to help foster industry development. This can be seen in many diverse areas: in collocated public and private hospitals, in the involvement of EDS in information technology and particularly in a burgeoning water industry. As a result of contracts with both United Water and Riverland Water, a number of jobs have been created in South Australia and, frankly, more are expected in the future. In particular, resulting from contract activities of United Water, about 20 jobs have been created as a result of the establishment of United Water's headquarters activities in Adelaide.

A further 50 new jobs are expected to result from the \$30.8 million worth of orders placed by United and associat-

ed companies during the first year of operation and, importantly, as previous Ministers in this area of responsibility and I have said, as we build an international water industry based in South Australia large numbers of the orders that I mentioned before have contributed to the \$24 million of net exports delivered by the agreement during 1996. If we look at Riverland Water and North West Water contract activities, we see that 20 jobs have also been created as a result of the establishment of the headquarters and operations in Adelaide. The construction phase at Swan Reach and summit storage water filtration plants has resulted in about 60 jobs.

A further 60 jobs are being created right now from the commencement of construction of two further plants at Waikerie and Barmera. Another 30 people will be involved in the construction of the filtration plants that will be dotted around South Australia, providing filtered water to another 100 000 South Australians, and about six new jobs for operators are anticipated at the summit storage and Swan Reach plants as operations commence.

I have just given an example of the practical result of employment from the contractual negotiations and from refocussing South Australia's water industry into an internationally competitive one, and one that provides better services in South Australia. All those jobs that I have just enumerated flow from the contractual negotiations. That is obviously an enormous bonus for those people, their families and their relatives, and also for all South Australians because of the flow-on benefits from those jobs into the economy.

COBBLER CREEK

Ms RANKINE (Wright): Will the Minister for Environment and Heritage advise the House when arrangements were made for Vodaphone to enter the Cobbler Creek Recreation Park and who made them? As I said in my previous question, which remains unanswered—and despite the previous Minister's sending a letter to Vodaphone on 15 October withdrawing permission for it to enter the park—when I arrived that morning at approximately 6.15 a.m., local residents were being denied access to the park, yet we were greeted with a large contingent of Vodaphone workers, all the necessary equipment to erect the tower, a large contingent of police and officers of the National Parks and Wildlife Service.

The Hon. D.C. KOTZ: I will offer to get the exact date for the member for Wright, but I would suggest that it would be reasonably obvious that it was on the same day that the protesters and the construction workers arrived at the site at the same time. I will obtain that specific date, but through you, Mr Speaker, I would like to say to the member for Wright that the issue she is talking about was a dead issue when she raised it. It is still a dead issue.

I refer to members of Parliament wishing to ask questions that relate to incidents in which they themselves have taken part, particularly given the irony of the member for Wright's standing on the site utilising her mobile phone to call the Minister's office. This is a piece of legislation that those in State and local governments had no jurisdiction over whatsoever. It was actually set in place by a Federal Labor Government—the exact same legislation that put the telecommunications tower in Cobbler Creek.

GLENELG-WEST BEACH DEVELOPMENTS

Mr HILL (Kaurna): I seek leave to make a personal explanation.

Leave granted.

Mr HILL: Earlier today in Question Time, in answer to a question relating to the Holdfast Quays development, the Premier made a couple of comments, to which I would like to refer.

The SPEAKER: I caution the honourable member. There are strict rules on personal explanations. It must be just that.

Mr HILL: Certainly, Sir. He mentioned that I had spoken to the developers of Holdfast Quays yesterday and the developers had told me that the project which was under discussion today was marginal. That is certainly true, but the developers also told me that they had an alternative proposal if it became politically impossible for the development to go ahead.

The SPEAKER: The honourable member is debating the question. I withdraw leave.

MINISTERIAL STATEMENTS

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I table two ministerial statements given today by my colleague the Attorney-General in another place, the first dealing with a model criminal code discussion paper on sexual offences and the other relating to the Correctional Services Advisory Council.

TRANSPORT, PUBLIC

The Hon. DEAN BROWN (Minister for Human Services): I table a ministerial statement made in another place today by the Minister for Transport concerning public transport patronage. In particular, the Minister has highlighted the fact that, for the first time in 15 years, there has been an increase in patronage, so there is good news. She has been out there driving the buses and attracting more passengers.

GRIEVANCE DEBATE

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

Mr HANNA (Mitchell): In my first opportunity to address the House, I raised a matter of interest and concern, namely, open space in the electorate of Mitchell. There is a particular site to which I refer today and it is on O'Halloran Hill near Majors Road: there is a proposal, as I understand it, for a juvenile detention facility to be sited there. The background is that the Department of Family and Community Services, as it was a couple of years ago, had a proposal to build such a facility of 60 or 80 beds or so on Warriparinga, Laffer's Triangle. That is open space and very significant ground, both in white and Aboriginal cultural terms, in my electorate at Bedford Park. It is the land also known as Science Park.

The plans for that particular juvenile detention facility were uncovered and abandoned after some publicity. However, rumours are circulating in my community now that a deal has been struck, or so I have been told, in relation to a juvenile detention facility to be built at O'Halloran Hill. The residents of Seacombe Heights, O'Halloran Hill and Trott Park in my electorate do not want that facility there and have advanced very persuasive reasons why it would be

inappropriate. First is the issue that it is open space and should be kept as such. Secondly, a facility such as that, in my submission, needs to be located close to transport hubs. It needs to be near where the parents and friends of the inmates can be readily available to visit. There needs to be ready access to the teenagers kept in such an institution. In my submission, the site that has been chosen, although near South Road, will be very poorly serviced by public transport. Certainly, that is the current situation.

I wrote to the Minister for Family and Community Services several months ago and received an inconclusive answer from the then Minister. I look forward in due course to receiving details of any proposal about a juvenile detention facility in the electorate of Mitchell from the Minister for Human Services, and I shall be contacting the Minister about that. I would be grateful for a frank and open reply. Indeed, a public announcement would be appropriate, because one of the difficulties that the local residents have is that they feel they have not been consulted, yet they suspect some sort of secret deal has taken place.

Mr BROKENSHIRE (Mawson): Yesterday the Police Commissioner reported that he had handed down his findings regarding the suggestion of bribery allegations against two members of Parliament in this House in the last Parliament, one being the former member for Norwood, John Cummins, and me. The fact is that the police report clearly spelled out that there was no such thing as any bribery allegation concerning any member of Parliament on our side. During the election campaign, because I was very keen to remain focused on the real issues—creating a sustainable future for South Australia and fixing up the mess that we all know the other side created—I said to the media then, ‘No comment.’ Of course, then it got to a police report situation and, now that that has been released, there are a few things I want to say.

First, there was never, ever any truth whatsoever in that allegation. It was simply Labor putting out beat-ups and lies to try to mislead the people of South Australia and take them away from focusing on the real job of providing a future for our young people. To support this, on the Sunday of our campaign launch here in Adelaide, interestingly enough there was a report in the *Sunday Age* by a journalist, Mark Forbes.

Before most people were even out of bed, from the Leader of the Opposition’s office, faxed to all South Australian journalists, was a copy of the story in the *Sunday Age*. It was no coincidence, I would suggest, and it just proves the fact that the Leader of the Opposition would stoop to the lowest levels to try to misrepresent the real truth of this situation. The fact of the matter is that—

Mr Hill interjecting:

Mr BROKENSHIRE: The member for Kaurna asked from where the *Sunday Age* received its information. I will tell him where they got it from: the Leader of the Opposition’s office. However, there was not a journalist in South Australia who was prepared to stoop as low as the Labor Party in this State. So, they had to go across the border to get a Labor mate, a journalist with the *Sunday Age*, to drop the story over there, because that then gave credibility to South Australian journalists in picking up the story.

I want to speak about that journalist. At least South Australian journalists adhere to a code of conduct. That was not the case with the journalist from the *Sunday Age*, which harassed my staff—belted on their door at 7 o’clock at night and demanded to know whether any bribery allegations had

been made to me. That journalist telephoned my SEC president at 8 o’clock on a Thursday night demanding to know whether any bribes had been put to me. What a nonsense the whole thing is.

The Leader of the Opposition and the Labor Party did not think the plan through too well because, according to the report in the paper, the \$20 000 would go into the campaign fund to help with the election. Every member in this place knows that details of the money one spends in the election campaign have to be tabled and scrutinised. Clearly, if \$20 000 was put in there, there would be a real question mark. But, of course, the fact of the matter is that this journalist was working for the Labor Party.

I have told this House previously of the occasion when the Leader of the Opposition, at the McLaren Vale oval, offered me \$100 in a bet, in front of a witness, that the Liberal Party would call an election prior to April this year. He had been calling for early elections and disrupting the economic opportunities for small business and jobs in this State since about November-December of 1996. The fact of the matter is that, even though the Leader of the Opposition lost the bet, he never paid.

Senior commissioned officers have told me—it is a fact: the report has never been tabled in this House, and I challenge the Opposition to table it—that the so-called leaked report on the Christies Beach Police Station was a report of commissioned officers. The fact is that it was not: it was made up by Labor people.

Mr Hill interjecting:

Mr BROKENSHIRE: If it is untrue, then table the report, because the only way the Labor Party will ever get any credibility with the people of South Australia is to stop spreading innuendo and be honest. Today some members of the Opposition got as low as one can possibly get, breaking protocols that have been around this Parliament for a long time. But we have long memories, and every dog has its day. The people in this State are sick and tired of the way in which the Leader of the Opposition and the Labor Party are carrying on. It is about time that members opposite got serious and helped us fix this State up.

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

Mr HILL (Kaurna): I would like to talk about the most recent State election, where the Leader of the Government and the Government’s campaign team were clouded in secrecy and control, and there was absolutely no trust between any of the elements of the Government. That was a feature of the State election campaign, and there were some fantastic images through the campaign. The one that I remember particularly was the time when the Premier (Hon. John Olsen) was pretending to be Elton John—or was it the other great—

Mr Foley: Billy Joel.

Mr HILL: —Billy Joel, playing the piano. He did not hit any keys, he did not sing, and when he left the room he would not talk to any of the journalists. Then there was the time when the Deputy Leader, who is not here today, was given the job of holding the umbrella above the Premier. That was the only job he got during the election campaign. This is because they did not trust each other and everything was done in secrecy and in a controlled way. And the poor old Minister for Transport (Hon. Diana Laidlaw) had a starring role when she was whipped away from the media by her press secretary when she started to talk about aeroplane training flights for

the Federal Environment Minister. This was a campaign where the staff were kept in the dark, their Party office was kept in the dark and various members of the Premier's staff would not talk to each other. It was a kind of a spy versus spy campaign. It was an outstanding campaign and, as someone responsible for the campaign on the other side—

Mr Brokenshire interjecting:

Mr HILL: We won the campaign. The question I would like to ask today is: has the Government learnt since the election; has the Government learnt about secrecy, about trust and about openness? The answer to all those questions is, 'No, the Government has learnt nothing.' I will cite an example. Five or six weeks ago, I was appointed—and very proudly appointed—as a member of the front bench of the Labor Opposition. And I did the right thing: I telephoned the office of Minister for the Environment as a matter of courtesy and said that I would like to make contact with senior people in the department so that I could get briefings on important environmental issues. I did that as a matter of courtesy. After waiting for a couple of days, I eventually received a telephone call from the office of the Minister for the Environment and was told that I had to put my request in writing—that was the protocol—and I would get a response. So, I said that I would put it in writing. I sent off my letter by fax. A couple of days passed and I had not heard anything, so I thought that I would take some action.

I telephoned the head of the Department for the Environment and a number of other senior bureaucrats and arranged some meetings so that I could receive briefings from these people. They said they were happy to meet me but that they needed to obtain permission from the Minister's office. So, I tried the Minister's office again and I spoke to Mr Bob Jackson, who is the political head of the Minister's office and a former Liberal candidate for the seat of Norwood—

Mr Foley: And a former member of the Labor Party.

Mr HILL: A former member of the Labor Party and a former member of the Teachers Union—a good friend of mine, someone I know well. So, I had a long chat with Mr Jackson about protocol, and he told me—and this has been repeated since—that, if I wanted to meet with anybody from the department, he had to be in attendance to observe the meetings. So, this was another spy versus spy—or maybe *The Man from Uncle*—situation: I am not quite sure. But I had to have him in attendance when I met with the—

Mr BROKENSHIRE: I rise on a point of order. For three minutes we have heard the member for Kaurna talking about 'he' and 'she'. Not once has the member for Kaurna followed Standing Orders, which is that you either name the person by their electorate name—'Mawson', or whatever, or you refer to the relevant ministerial title.

The DEPUTY SPEAKER: I uphold the point of order. The honourable member will do that.

Mr HILL: I am sorry, Mr Deputy Speaker. I was not sure that I was referring to any member of Parliament at the time.

The DEPUTY SPEAKER: I am not sure that you were either.

Mr HILL: But I was attempting to get meetings and briefings from the Minister's office. As it turns out, I could not get those briefings without a spy from the Minister's office being there. I believe that this is demeaning for me, the Minister, her staff and her departmental heads. Interestingly, I could not get a briefing from the EPA, which the former Minister for the Environment assured us in Estimates last year was a statutory authority and independent of Government and could not be influenced by Government. But the

executive head of the EPA in South Australia cannot meet with me, the Opposition spokesperson. He could meet with any citizen in the State other than me, presumably, but because I am a Labor Party member of Parliament he cannot meet with me. That is a shameful and outrageous arrangement.

Mr McEWEN (Gordon): I rise to tell a sorry saga of seaweed and sand and stench in the Port MacDonnell harbor. Port MacDonnell harbor, which is the largest rock lobster port in Australia and a premium tourism destination, is filling up with sand, and nobody wants to accept the responsibility. With the debate proceeding on the West Beach boat haven, this is a timely warning to the House.

A brief trip back in time would reveal that in the early 1980s a large breakwater was constructed by the Federal Government—note, the Federal Government. The purpose of this breakwater was to protect the fishing fleet from southerly gales—gales which in the past had washed a number of vessels ashore. And, further, the breakwater was to protect the town from flooding. Since that date, the local fishermen have been paying mooring fees of the order of \$50 000 a year to the State Government, purportedly to be paying off the expenses of the breakwater, which I remind members was funded by the Federal Government. But that is not the real problem. The real problem is that the bay is filling up with sand, and before much longer one will be able to jump off the end of the rapidly deteriorating jetty onto a sandy beach—a beach that is now 100 metres further seaward than it was 10 years ago.

As the harbor silts up, seaweed accumulates in a stinking fly-blown mess on the shore close to the motel and other local businesses. As the harbor fills up, it becomes increasingly more expensive and difficult to keep open the slipway. As the harbor silts up, a drain running into the harbor becomes blocked, creating a stagnant mess and attracting vermin.

A 1993 Parliamentary Public Works Committee report made recommendations regarding the harbor. The member for Price will well remember this because he was a member of that committee. It recommended two things: that a mining licence be issued to the local council to allow commercial dredging of the harbor; and that the breakwater be breached to allow a through-flow of water so that some flushing of the harbor could occur. Since that recommendation, the amateur fishermen have built a boat ramp, a construction that would now limit the breaching opportunities. Nonetheless, breaching further to sea should still be trialled. Notwithstanding the parliamentary report, nothing but nothing has been done. The extortion continues, and so does the silting up of the harbor.

Mr KOUTSANTONIS (Peake): I rise in this grievance debate to talk about the recent Labor Party State Convention. At the weekend, the Australian Labor Party held its annual State Convention, of which I am a delegate. At this convention, the association by which I was formerly employed, the Shop Distributive and Allied Employees Association, passed a motion calling on the Labor Party to introduce a system to charge expiation fees on speeding motorists not according to the speed at which they are travelling but by the fee being tagged to their income or to the value of their car. Over the past couple of days, this matter has been reported in the newspaper, and my office has been inundated with letters and telephone calls from people all over the State congratulating me for having the courage to take up this issue on behalf of ordinary South Australians, the battlers whom this Government has forgotten.

Unfortunately, speed cameras are being used by the Government, not as a tool to reduce the death toll but simply as a means of tax collection and revenue raising. We have seen our proud men and women of the Police Department being used as tax collectors, hiding behind bushes and trees to nab unsuspecting motorists. If the Government were serious about reducing the death toll, it would identify the black spots on our roads, install speed cameras in those areas 24 hours a day and notify motorists of that fact and indicate that if they speed in areas where there is a high crash rate they will be pinged for speeding.

Currently, the Government uses police officers to hide and catch honest South Australians for speeding. Radar cameras are set up underneath bridges and at the end of slopes, and motorists, who are paying attention to the road, taking care to drive carefully and not paying attention to their speedometer, accelerate to 65 or 68km/h and are pinged for a \$114 to \$135 fine. This is not reducing the death toll but increasing State revenue.

An honourable member interjecting:

Mr KOUTSANTONIS: It has nothing whatsoever to do with the death toll. If the Government were serious about this matter, it would place signs in areas where the death toll is high, where road accidents occur more frequently, and it would install 24-hour speed cameras. But it does not do that, because it is not interested in reducing the death toll. All it cares about is increasing revenue and taxing South Australians. In the great debate during the election campaign, the Leader of the Opposition (Hon. Mike Rann) made a very good point. He comprehensively floored the Premier when he said:

South Australians don't need more taxes to get the State going; we need less.

What does this Government do? It wants to increase revenue and it wants to increase the burden on ordinary South Australians. People who can afford a more luxurious car such as a Ferrari or a Porche which can probably do 100km/h in first gear should not be on our roads. They are not getting fined more. A person who drives a Commodore receives the same fine as someone who drives a Ferrari. This is inequitable and unfair.

The Hon. G.A. Ingerson interjecting:

Mr KOUTSANTONIS: The Deputy Premier, who lives in the plush green, leafy suburbs of, I think, Burnside, on the other side of Portrush Road, probably drives a very luxurious car. He would not like to see people on a higher income being burdened with heavier fines. Instead, the Government wants to punish ordinary South Australians who cannot afford the luxurious cars which members opposite can afford. In the car park downstairs you will see Mercedes, Range Rovers and other expensive luxury cars which are probably not even made in South Australia.

Members interjecting:

The SPEAKER: Order!

Mrs PENFOLD (Flinders): I would like to correct the previous speaker by telling him that my car is at least 12 years old. In my electorate of Flinders, the care given to aged people is particularly good. The elderly are treated with dignity and respect often within the communities where they have lived for most, if not all, of their life. This personal care is exemplified by the staff of Miroma Place Hostel in Cummins. All the staff attended a national residential dementia intensive training course run by TAFE. Miroma

Place is the only nursing establishment in Australia to have had a 100 per cent staff participation and pass rate in the course. One volunteer also undertook the course, successfully reflecting community interest and participation in the care of the aged.

The staff and volunteers are: Kay Meyers, Anitra Olsson, Caryll Cabot, Clarice Cummings, Kerry Green, Lyn Laube, Helen Hammond, Sonya Cronin and Barb Diment. Additionally, Barb Diment and Helen Hammond undertook the workplace category training course, which will enable them to train others in dementia care. Cowell people who completed the 18-month course were: Pauline Crettenden, Lynette King, Margaret Deer, Sharon Smith, Renate Grgurovic, Mary Cox, Caroline Heath, Glenys Kolosche, Colleen Panter and Judy Francis. Rural communities have a history of self-reliance in providing for themselves many facilities and benefits that city people automatically expect from Government.

I am proud of the hostels for the aged and the nursing homes in my electorate. Because this care arises out of the concern by the community for those in their midst, communities look to provide care for the aged ranging from unit accommodation and hostel facilities to nursing home care. Most of these have been built with the help of significant funds raised by local communities. These facilities are very much part of their community and therefore residents are included in visits, outings and other events. Residents who are able to do so assist in money raising through gala days, stalls and other functions, and are thus able to contribute to the community, a factor which gives them a sense of self worth and counteracts the feeling of being cast aside at this time of life. City people who have links with the country might well look at spending their retirement years in a rural town.

This State has a tremendous resource in its elderly people. In South Australia, 14 per cent of the State's population is aged over 65 compared with the national average of 12 per cent. It is estimated that within a single generation by the year 2021 the State's over 65s will make up 19 per cent of the population. Speaking at the 1997 World Congress in Gerontology, held at the Adelaide Convention Centre, the then Minister for the Ageing (Hon. David Wotton) said that for 80 per cent of people no special services or treatment are implied by the mere fact of growing old. He said:

The ageing population will give South Australia several advantages: first, in the pool of wisdom and expertise that we have; secondly, the access we enjoy to the valuable work of retired volunteers; and, thirdly, in many cases, accumulated life savings which can be invested wisely to generate returns for the individual and the State economy. Older people are valued in South Australia. That's why the Liberal State Government has endorsed the concept of positive ageing, encouraging older people to live in good health with dignity and respect.

I am proud of the seniors in my electorate and the contribution they make. Two weeks ago I was a guest at the Adelaide Women's and Children's Hospital Port Lincoln Auxiliary, where Pearl Beinke was presented with life membership for her work for the auxiliary over more than 30 years. Her husband Eric Beinke was awarded life membership last year. Last week, older volunteers Stan Oats and Alex Nicol were presented with a 10 year service award by Red Cross for their work as installers of baby capsules in cars in the Red Cross Baby Safe project. Another senior, Rae Brewster, organised a very successful celebration at Streaky Bay on the 1997 October long weekend to mark 125 years of schooling in that district.

Under the Government's 'Ageing—A 10 Year Plan' we have embraced the concept of full citizenship, that is, participating in the responsibilities, rewards, pleasures and duties of the community, undiminished by age, gender, disability, race or any other artificial barrier. The 10 year plan looks at ageing from the perspective of well-being. It recognises the importance of independence, inter-generational contact, consumer rights and equal status for older persons. This is the approach across all State Government agencies. Where services are required, the most successful approach is one of partnership which taps into and combines the best of private, non-government and community sectors.

Ms WHITE: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

EDUCATION (GOVERNMENT SCHOOL CLOSURES) AMENDMENT BILL (No.2)

Received from the Legislative Council and read a first time.

Ms WHITE (Taylor): I move:

That Standing Orders be and remain so far suspended as to enable the second reading of this Bill to be moved forthwith and the remaining stages to be dealt with tomorrow at the conclusion of Government business.

This is an important and urgent Bill. It has been passed in another place and is aimed at putting into law a safeguard to deal with flaws in the decision making process that the Government has employed in its decision to close schools against the recommendation—

Mr BRINDAL: I rise on a point of order, Mr Speaker. The question before the Chair is the matter of the suspension of Standing Orders, not the matter of the Bill that might then be debated. I ask you to rule on the width of the debate that the honourable member can canvass in putting this motion to the House.

The SPEAKER: The honourable member is explaining the reason why she proposes the suspension of Standing Orders, for which she has 10 minutes, and the Deputy Premier will have 10 minutes in which to reply.

Ms WHITE: I am urging members to support this motion because this is an urgent Bill. If this Bill is not passed through its final stages in this sitting of Parliament, we will not be able to affect the closure of particularly the Croydon Primary School. This Bill deals with the closures of primary schools and inserts an appeal procedure into the decision making process after a Minister decides to close a school against the recommendations of a review committee. If we do not allow this Bill to proceed through its final stages this week—and it has been indicated to me that there will be a move against that—it will be February before we deal with it, and those schools that are due for closure at the end of this year will have closed and it will be too late for them.

I would have thought that every member of Parliament would take note of the fact that a clear message was sent at the last election campaign, during which this issue, that is, the closure of primary schools, particularly Croydon Primary School, was particularly important and much raised. There was not only resistance to the moves by Opposition Parties but also pleas by community groups and school communities, particularly the efforts in the determined campaign by the parents and children associated with Croydon Primary School—

The SPEAKER: Order! The honourable member is starting to drift into debate.

Ms WHITE: My reason is quite simple: if we do not pass the Bill through its final stages this week, the House will have allowed Croydon Primary School and other schools to close, against the wishes of the communities and against the recommendations of the Department for Education, Training and Employment. I urge all members to support this motion. We received a clear message during the election that the people want us to take account of community concerns and wishes. Their wish is clear in respect of the McRitchie Crescent, Croydon and Croydon Park schools, whose closure is addressed by this Bill. I urge all members to vote for the motion to enable the Bill to pass through its final stages in this sitting of Parliament.

The Hon. G.A. INGERSON (Deputy Premier): The Government opposes the suspension. We do not believe the Bill is urgent. A very similar private members' Bill will be debated in the House tomorrow in the normal way. We do not believe that private members' Bills that come from the other place should take precedence over Government business. Clearly, a similar Bill is to be debated in this place in private members' time, and it is our view that it is the normal procedure of this House that private members' Bills be dealt with in private members' business.

Croydon Park Primary School has been mentioned. Clearly that has been brought up as a political stunt; it has not been brought up as a matter of urgency in respect of this Bill, because the honourable member and the Opposition are fully aware that a very similar Bill is to be debated tomorrow in private members' time. My understanding is that the Government has made a commitment to take into consideration the issues that have been put forward by some members in another place and examine the issues that have been expressed by the honourable member opposite, and I understand that some other members of the House have been involved in discussions.

I understand that the Minister has given an assurance to not only other members of this House but also the member opposite that he will favourably look at a quick process in February next year. For those reasons and those reasons alone the Government opposes the motion.

The House divided on the motion:

AYES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hill, J. D.
Hurley, A. K.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.(teller)	Wright, M. J.

NOES (23)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Condous, S. G.	Evans, I. F.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L.	Ingerson, G. A.(teller)
Kerin, R. G.	Lewis, I. P.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	Meier, E. J.
Olsen, J. W.	Penfold, E. M.

NOES

Scalzi, G. Such, R. B.
 Venning, I. H. Williams, M. R.
 Wotton, D. C.

PAIRS

Hanna, K. Buckby, M. R.

Majority of 3 for the Noes.

Motion thus negatived.

**CHILDREN'S SERVICES (CHILD CARE)
 AMENDMENT BILL**

The Hon. G.A. INGERSON (Deputy Premier) obtained leave and introduced a Bill for an Act to amend the Children's Services Act 1985. Read a first time.

The Hon. G.A. INGERSON: 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—

- allow a family day care careprovider to have up to seven children in care at any one time (including those of the careprovider), provided that not more than four have not yet commenced their first year of schooling;
- permit one additional child to be in care under exceptional circumstances;
- provide transitional arrangements to prevent any existing careprovider being disadvantaged in relation to children now in the person's care;
- amend the definition of a "child care centre" to be compatible with the above;
- extend the licensed period of operation for a child care centre from twelve months to two years.

In June 1995 the relevant Ministers involved in the Council of Community Services and Income Security Ministers' Conference approved Family Day Care National Standards and agreed that these were to be implemented in 1997.

The agreed national standards differ from those applying in this State with respect to the number of children able to be cared for at the one time in a carer's home.

To implement the national standards a change is required to the *Children's Services Act*.

At present in South Australia a careprovider can care for "*not more than three children under the age of six years*". The practice has been for a maximum of seven children to be cared for at any one time and this has included school aged children up to twelve years of age as well as the carer's own children. This limit was negotiated with the Careproviders of South Australia and has been in effect for many years.

The national standard states "*a carer must not provide at any one time for more than seven children, four of whom have not started school*"—this includes the caregiver's own children.

The phrase "started school" refers to the commencement of "formal" schooling and excludes children attending any form of preschool.

A change to the existing State legislation to meet the provisions of the national standards for family day care will also require an amendment to the definition of a child care centre because the definitions which identify these two forms of care are interlinked.

An additional minor amendment to ease the administrative burden on both centre operators and government resources is proposed to extend the current licensed period for a child care centre from twelve months to two years.

Extensive community consultation has been undertaken within the context of developing and implementing the national standards for family day care and long day care child care centres. All peak bodies participated, as did many individual carers, centre operators and users of services.

In early 1994 meetings were held in both metropolitan and country areas to gauge careprovider comment. In mid 1994 the Executive Director, Children's Services wrote to individual careproviders and parents, advising of significant changes. Careproviders who were members of the Careproviders of South Australia (COSA) were also invited to forward comments to the

National Secretariat of the Council of Community Services and Income Security Ministers. COSA was supportive of the proposal to increase the numbers of preschool-age children in care.

Many family day care providers will be able to increase their income if the proposed change, to increase from three to four the number of children not yet attending school, is approved.

Transitional arrangements to protect the current arrangements for a minority of carers are proposed—to allow the youngest possible child of a carer to commence school. South Australia proposed this transitional requirement to ensure that SA carers are not in any way disadvantaged by the introduction of national standards.

There is no particular implication for long day child care centre operators with the changing definitions. However, centre licensees have been seeking an extension to the current licence period of twelve months and will support this measure. This measure will reduce the administrative requirements and subsequent assessment processes linked to the reissuing of licences. It should be noted that centres will still be subject to regular random visits to ensure that licensees are adhering to the *Child Care Centre Regulations*. This move has been strongly supported and lobbied for by the Child Care Industry Reference Group.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause substitutes a new definition of "child care centre" and amends the definition of "family day care agency" to make those definitions consistent with the proposed amendments to section 33. The clause also inserts a definition of "young child" (which is defined as a child under the age of 6 years who has not yet commenced attending school) for the purposes of the child care centre and family day care provisions.

Clause 4: Amendment of s. 25—Business of child care not to be carried on without licence

This clause amends section 25 of the principal Act to make the child care centre licence period two years. A minor amendment is also made to subsection (6) to match up the language of that subsection with one of the proposed amendments to section 33.

Clause 5: Amendment of s. 33—Application for approval of family day care

This clause amends section 33 of the principal Act as follows:

- Paragraph (a) of subsection (1) is replaced, so that a family day care provider may care for not more than 4 young children. Reference to "relatives" of the child is also removed so that what is relevant is whether the child is being cared for away from his or her guardians.
- New subsection (2a) provides that a family day care approval is conditional on the care provider not having the care of more than 4 young children or a total of more than 7 children.
- New subsection (2b) allows the Director to exempt people from the conditions in subsection (2a) in certain circumstances. An exemption may, for example, be granted if all children to be cared for are of the same family. Alternatively, if there are special circumstances, a family day care provider may be able to care for one extra child without losing their approval. In addition, to assist family day care providers who currently comply with section 33 but who would not comply under the proposed amendments, the Director is empowered to issue an exemption to a person who, immediately before the commencement of the amendments, had the care of more than 4 young children or more than 7 children in total.
- New subsection (2c) provides for conditions to be imposed on exemptions issued under the section.
- Subsection (4), which currently provides that the limitation on numbers of children do not apply where the children are of the same family, is removed and replaced with a provision specifying that in this section, for the purposes of determining how many children a care provider has the care of, the care provider's own children and any other children residing in the family day care premises will be counted if those children are under the age of 13 years.

Clause 6: Amendment of s. 48—Restriction on child minding advertisements

This clause is consequential to the insertion of a definition of "young child".

Mr FOLEY secured the adjournment of the debate.

GAMING MACHINES (GAMING VENUES IN SHOPPING CENTRES) AMENDMENT BILL

In Committee.

(Continued from 9 December. Page 187.)

Clause 2.

Mr HANNA: As a result of the amendment that was passed in the other place, I query the status of applications for gaming licences made but not granted after 17 August 1997. Members will note that this clause provides that the Act, except for section 3, will come into operation on assent but section 3 will be taken to have come into operation on 17 August. New section 15A(2) provides that the shopping centre prohibition applies only in respect of an application made after the commencement of this section. Presumably, the commencement of the section will be 17 August 1997. My understanding of the debate in the other place is that it was intended that a retrospective effect would be removed. Has it, in fact, been removed in respect of applications made after 17 August but not yet granted?

The Hon. G.A. INGERSON: The advice I have been given is that any application that has been made after 17 August cannot be proceeded with. Any application made prior to 17 August can proceed, even though it might not have concluded at this stage.

Mr HANNA: I have been informed that approximately another 120 machines have been approved after 17 August. If that is so, is that on the basis of applications made prior to 17 August or, if any of them involve shopping centres, do they involve applications made after 17 August and granted after 17 August?

The Hon. G.A. INGERSON: I am advised that no applications that have been received after 17 August have been granted. As I said earlier, any applications that had been put in prior to 17 August could still be in the process and could, of course, be granted.

Clause passed.

New clause 2A.

Mr HANNA: I move:

Page 1, after clause 2—Insert new clause as follows:

Insertion of section 14A.

2A. The following section is inserted in Division 2 of Part 3 of the principal Act before section 15:

Moratorium on gaming machines

14A. (1) Despite any other provision of this Act, the Commissioner cannot after the commencement of this section grant an application for—

- (a) a gaming machine licence; or
- (b) approval to increase the number of gaming machines operated under a gaming machine licence,

whether the application was made before or after the commencement of this section.

(2) Any grant by the Commissioner of an application to which subsection (1) applies will be taken to be void and of no effect.

(3) This section expires three months after the Social Development Committee presents to the Parliament its final report on the inquiry conducted by the Committee into the impact of gambling.

This amendment is probably described as a moratorium on the granting of gaming machine licences or an increase in the number of gaming machines operating under a particular gaming machines licence. During the second reading debate, various members expressed sympathy with the view that this Bill should be broader to truly do something substantial about

poker machines and the social impact of them. This amendment seeks to do that.

We all recognise that not enough research has been done into the impact of gaming machines. By and large, we do not know who gambles, why they gamble and why a proportion of gamblers—maybe 1 per cent, maybe 5 per cent, maybe more—have serious gambling problems which wreck their lives and their families and which impose an ever increasing burden on the social welfare agencies who are left to pick up the pieces.

There are two ways that we as a Parliament can handle a situation where we are aware of a severe social problem through what we hear from the churches, the social welfare agencies and individuals but where there is not a clear path forward because of insufficient research. The member for Elder referred to a lack of scientific approach. There are two courses: one is to let the problem run, to let the social impact and its resultant harm continue until adequate research is done. The concern is that probably we will not have a report from the Social Development Committee, which is looking into the impact of gambling—not just poker machines, but other aspects of gambling—for six, nine or 12 months.

The other option is to do something about the problem now and, when we have better and appropriate research, take more detailed steps to address the problem. I seek to achieve a suspension, if you like, of the spread of poker machines in South Australia. Many of my constituents have said to me, 'Enough is enough.' There is a widespread sense in the community that poker machines have gone too far and that the social impact is severe and widespread to a greater or lesser extent; it is severe only in a small percentage of cases but, nonetheless, a large number of families and small businesses are touched by the negative social impact.

This amendment provides that no more gaming licence applications will be granted until we know what to do about this problem. Almost all members who contributed to the second reading debate acknowledge that there is some sort of problem. Even if we say that it is people's choice whether or not they become involved in the problem, all members acknowledge that there is a social problem associated with poker machines in particular and (a debate for another day) perhaps other forms of gambling.

This amendment catches all applications, whether they are contemplated or have been made but not yet approved. I am aware, as other members would be aware, that there will be some applications in the pipeline and those applications will represent sums of money spent on investigating, planning and researching the proposal for gaming machines for licensed premises.

This amendment does not kill off those applications. The original Bill did, and I would not have voted for that because I am concerned about retrospectivity. The amendment is open to debate about whether or not it is retrospective. It depends on one's definition. But it does not kill off those applications: it simply defers consideration of those applications until we know more. Let Parliament decide then whether those applications should be granted or whether they should be granted with restrictions or different conditions to those which presently attach to them. Let us decide then. Let us freeze the situation for the moment and decide what should happen in 12 months. That is why the amendment is framed in that way.

Effectively, subsection (3) of new section 14A is a sunset provision so that, if the Social Development Committee reports and no-one introduces a Bill to change the *status quo*,

this amendment vanishes into thin air and the applications that have been made can be dealt with and anyone else who wants to, or is in a position to, can make an application for a gaming machine licence. I make it very clear that the intention of the amendment is to suspend the growth of poker machines in South Australia until we know more. I put my amendment to the Committee on that basis.

Mr FOLEY: With due respect to my colleague the member for Mitchell, I am sorry that in the first debate he enters in this Parliament I have to oppose him, but that is the nature of conscience issues: I oppose his amendment. Much of the argument was put forward last night. Because there are a few new people around, I will rehash the debate from last night but in a brief summation. I oppose a moratorium on a number of grounds. First, if we have a moratorium pending the outcome of the Social Development Committee deliberations, we do not know when the committee will report. It could be six months, 12 months or two years.

Mr Evans interjecting:

Mr FOLEY: As the member for Davenport correctly points out, it could well be that the make-up of the committee means that the report is an ongoing report. We do not know for how long we would have a moratorium. Further, regardless of who the Premier of the day is, whether it be a Labor or Liberal Premier, if a moratorium takes hold, and given the nature of the debate on this issue, it would be a fair assessment in my political judgment that the Premier of the day might have some difficulty lifting a moratorium because that Premier would then come under significant pressure. If we had a moratorium for a couple of years—

The Hon. Dean Brown interjecting:

Mr FOLEY: I appreciate the former Premier's giving me advice on what a Premier would do. Perhaps he is already thinking through what he might do in the future. The point of the matter is that we do not know how long the moratorium would be in place. That would automatically add significant value over time for existing hotel operators. I would have thought that, if one of the reasons members may espouse—and I am not saying this is necessarily the view of the member for Mitchell—is that too many operators make too much money or have exclusive rights over pokies in large venues, they would not be totally unhappy with a moratorium, because competition would be eliminated. Once you have eliminated competition, there is no competitive pressure on that business, first, to maintain service or, secondly, to be fair to the punter, because the punter has no other choice.

I would have thought that you immediately add—and the member for Davenport is a business person and the Deputy Premier would understand this better than I—to the goodwill value of the business: it must increase. If I were a hotel operator who wanted to change careers or sell the business, and if there was a one or two year, or an indefinite, moratorium, I would ring up the hotel broker and say, 'I have a pub on the market. There is not another pub for 20 kilometres (or whatever distance). It is a pretty exclusive franchise and there is this indefinite moratorium.' You would have to argue soundly that the value of the business would be greater.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: Exactly. It is the same as if you were the owner of the only chemist shop in a shopping centre, as the Deputy Premier would know only too well. If I were concerned about profit taking by hoteliers, that would be one reason why I would oppose this proposition, but there are other reasons. First, whilst it is probably true to say that most of the major venues in South Australia have their own pokies,

there are still a number of smaller operators wishing to put pokies into hotels and clubs. I know of a couple of clubs in my electorate that are doing that. I have been to them all and perhaps even drunk at them all, if the truth be known.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: No, they have their 40. I am advised, as other members would have been as we all have the correspondence, that the average number of machines coming on line in venues is less than 30 and closer to 27 compared with, I am told, 45 in Victoria. The point is that smaller venues which would not have had the cash, the resources or the guts to leap into the pokies industry at the beginning over time have found that now is the right time to do it. Why should not the smaller and more conservative business operator have that opportunity? In some cases it might be an issue of the survival of their business. They might not have wanted to go into this area of activity but, business or competitive pressure being what it is, for that business to survive or to prosper, they might find that they have to enter into it. By a moratorium, we are denying hoteliers that opportunity. Again, it could be argued on an equity or a fair justice basis as to why a small hotel operator, who has taken a few years to develop financial strength or commercial confidence, cannot enter into it.

I suspect that clubs in all electorates are debating the pros and cons of poker machines. The reality is that some have been forestalling the option to put poker machines in and may be coming around to that conclusion to compete with the hotels. In a perfect world, we may not want that. That is the law as it stands and I think they should be given every opportunity to do that.

Another issue is that the member for Mitchell says that retrospectivity is not an element of this amendment. I say that is not correct. I understand that it provides that their licence application would be considered as with all others once the moratorium was lifted. But that could be in one, two or three years down the track. As the honourable member would know, particularly given his profession prior to coming into politics, the business operator at the time—and this is the argument run in another place—operated under the rules as they existed. There was no discussion or hint of a moratorium. They entered into two to three years of planning under the laws as they existed.

Members need to think this measure through, because I think there was a little confusion in the understanding of the amendment. This is not a prospective moratorium. It will catch all those operators whose licences have not yet been granted and, by definition, it will catch the developers of the Westfield Marion Hotel. That may not bother some members. That is their choice. But members need to be clear of the fact that this amendment will do what the Premier's original amendment was designed to do, that is, to stop the development at the Westfield Marion site. Our debating style last night was a little more agro than it is today and I will not inflame the situation by running the arguments as to why we are trying to frustrate a developer, given the sorts of pressures and comments made across the Chamber, but the argument is that, if this amendment is agreed to, as was the original amendment in the Bill, it gives a poor signal to developers because the clause is retrospective.

Mrs Hall interjecting:

Mr FOLEY: The member for Coles can laugh. I do not know how else you would interpret it, but that is her choice.

Mrs Hall interjecting:

Mr FOLEY: How does the member for Coles draw the distinction? I look forward to her contribution.

Mrs Hall: You're the ones trying to stop it.

Mr FOLEY: You tell me how you draw the distinction? With all due respect to my colleague, because I know he is moving this with every good intention, as every member has, I do not believe that sufficient work has been put into the rationale, the implication or the cost of this and the signals that it sends. I just think it is ill prepared and, on that basis alone, it should be rejected by this Committee.

In the last 24 to 48 hours, we have seen the temperature rise on issues involving poker machines. The Premier, on morning radio today, said that the Labor Party and the Democrats had combined in the Upper House to defeat his original motion. That was plainly untrue, as I responded on morning radio today. The Premier should have treated the Parliament with more respect than that because, as we all know, it is a conscience issue. All members of another place voted on their respective consciences on this issue. The reality is that the Premier's motion was defeated on the voices. There was not a division called. We do not know the exact make-up of those who opposed the Premier, but we do know that there were calls from the Liberal side of the Chamber, so some Liberals opposed the retrospective nature of that original legislation in another place. A number of Labor members opposed it, but I do not know whether all Labor members would have. None of us will, because it was a conscience vote taken on the voices. The Premier was wrong to say this was the combined forces of Labor and the Democrats that stopped that amendment in another place.

The other point made in the *Advertiser* this morning was that the Labor Party and Democrats had combined to defeat the whole clause, to restrict poker machines in shopping centres. Again, that is untrue, as the second reading was passed in this House last night, and it will be voted on at the end of the Committee stage. The majority of members support the idea of banning them in shopping centres in the future, and in fact members in another place amended that legislation to also include the CBD. That was ratified in the second reading stage down here on the voices, so the Premier's motion was not defeated. The retrospective element only was defeated on a conscience vote of all members in another place—Labor, Liberal, Democrat—but, I suspect, not the no pokies member.

Again today on morning radio the Premier has said that enough is enough, and that his view was always that we should never have put pokies into hotels: they should have only been in clubs. The Premier is now saying that it was the horrible Bannon Labor Government that introduced this legislation to give us these pokies. The Premier at every opportunity is misrepresenting the history of this legislation, trying to weave the politics he is currently embroiled in to shift blame to the Labor Party. As members will recall, I was not in the Chamber at that stage, but I do recall the fact that it was a conscience debate. Sure, it was sponsored by the former member for Giles, Frank Blevins, but with a conscience vote.

Mr Evans interjecting:

Mr FOLEY: Exactly. I am not saying otherwise. It was a Government Bill that had a conscience vote.

Mr Evans interjecting:

Mr FOLEY: I am not sure what the honourable member's point is.

Mr Evans interjecting:

Mr FOLEY: Yes, but with a conscience vote.

Members interjecting:

Mr FOLEY: That is it. The member for Spence just stole my thunder. The point I am making is that many members opposite supported it. From memory, the Deputy Premier supported it, the member for Adelaide supported it, no doubt the member for Newland would not have, but many members did. Let us put history into perspective in this debate. It was a conscience decision of this Parliament. It was not a Labor Government decision. It was a Government Bill which a very large number of Liberal Party members supported. It is important to remind members of the history, because that is not what the Premier was saying on radio this morning, and it needs to be put into perspective.

I hope that all members will think long and hard about this. Not only is this decision on a moratorium retrospective but it has very serious ramifications for the hotel, gaming and club industry in this State. It should not be passed in this House. It is ill thought through, potentially very dangerous and should be opposed in this Chamber.

Mr SCALZI: I support the amendment moved by the member for Mitchell. In so doing, we have to again look at this in its proper perspective. The member for Hart has outlined the problems that would be associated with this amendment with regard to having a moratorium disadvantaging small operators, and has said that the moratorium will be ongoing, indefinite, and Governments will have difficulty in lifting the moratorium, as well as the problem of the values of the hotels that have gaming machines and so on. He is basically saying that that stifles competition and is disadvantaging the smaller operators who have now had the opportunity to compete with the others. I understand that, but I am not denying that those difficulties are not present. They are, but with all legislation you will have those types of problems.

However, here we have a choice between supporting this aspect of competition and dealing with the problem of what the South Australian public wants us to look at. I think it was made evidently clear at the October election and prior to it that people have concerns about gaming machines. As I said last night, regardless of whether or not those concerns are scientifically correct, the reality is that in a democracy, if a significant proportion of the population has those concerns, then we, as the Parliament, have to deal with the matter. I believe that having a moratorium, although not the perfect solution, does that. It reflects the wishes and concerns of the community. Members have been lobbied, no doubt, as I have been lobbied, about those concerns. There are concerns about the expansion of gaming machines in shopping areas. We have to deal with that, and I commend the Government, as I said yesterday, on bringing in a Bill as promised to deal with that problem. I believe that the moratorium is in keeping with that: it is dealing with that particular problem. It will not go on forever as the member for Hart suggests. It is good to see that he is a born again supporter of competition. I really applaud him for that.

Mr Foley: I am the last remaining capitalist in this place!

Mr SCALZI: That is very good. I was really heartened when I heard the member for Hart say that he was concerned about the messages we would send to the community about competition, investment and so on. The reality here is that we have two options. Do we take into account the social concerns of the community at large or do we hide behind the aspect that a particular section of the community should be given a fair go in competition like the rest? That is the question. I think the moratorium deals with that. It does not say it will be indefinite. The Social Development Committee will hand down its report. It will not be late next year or the

year after. It will not be held off indefinitely. It will hand down a good report.

The Social Development Committee comprises members who have been hearing evidence and looking at gambling in general, and that aspect of the poker machines operation is being looked at. I believe that it is quite reasonable, as the member for Mitchell has indicated, that we have this moratorium and that we look at it in an objective way and respond to the concerns of the community. After all, that is what democracy is all about. We are not here to say that these operators were not given the same opportunity as the others—and I was surprised when I heard the member for Hart talking about equity and justice with regard to competition.

An honourable member interjecting:

Mr SCALZI: I like the alliteration, yes. That is why I will support the member for Spence in changing the names of seats in the future to districts. I look forward to being the member for Campbelltown!

An honourable member interjecting:

Mr SCALZI: Not quite: I am too young to go there. This amendment is about having a moratorium, and let us look at it in an objective, cool and calm way. Let us hold things as they are, because if a poll were to be conducted it would show that that is what people want: they want us to stop the proliferation of these gaming machines. Let us look at the evidence. As I said yesterday, I do not believe that poker machines are the source of all evil: they are not.

I believe that within the Hotels Association there are operators who have done a lot of good and who have ploughed money back into the community, and that should be commended. So, the moratorium is not denying that; it is not saying that poker machines are evil, and so on. Let us look at it in a cool and rational way. The moratorium is responding to people's concerns. People are concerned about the parameters—the expansion. Let us look at the situation, freeze it for a while and then come back and make a proper assessment. I believe that that is a rational way to look at it. That is what democracy is all about—responding to the wishes of the people. I commend the member for Mitchell for putting forward this amendment.

Mr CONLON: I oppose my friend's amendment. I believe that it is very important to have conscience votes on some matters but I believe—with the greatest respect to the member for Mitchell—that sometimes the existence of a conscience vote on a matter leads people to believe that they can amend laws based more on a developed personal view than on an appropriate body of research. That is why I oppose this moratorium. This is the Legislature for the State of South Australia and we owe a responsibility, in making laws, to ensure that those laws disclose the proper chain of reasoning. I do not mean to be disrespectful to the member for Mitchell; I greatly respect his views on this matter. However, it is my opinion that the call for a moratorium does not disclose that chain of reasoning. Ordinarily, when one makes a law, one would address it to some evil that it is to overcome or some good that it is to achieve.

The call for a moratorium would suggest that the evil that this law is to overcome is that there are too many poker machines. I do not take that as being very scientific. The simple truth is that we could bring 100 poker machines into this Chamber and line them up against the wall: they would not bite you, and they would not even make you infertile if you stood next to them too long. The problem is problem gambling—the problem of those people who, unfortunately, are not able to control the way in which they gamble. If the

position promoted is that we want to tackle some other form of gambling, where people have proper control, make proper choices and enjoy what they are doing—if we are telling them that that is bad—that is a bit of paternalistic wowsersism that I will not endorse.

The problem that we have to address is problem gambling. I believe that it is incumbent upon the member for Mitchell to tell members how a moratorium would do that. I do believe that there is a high level of problem gambling in the electorate, and my own anecdotal evidence would suggest that poker machines are associated with that. As I have said, there is no evidence to support the fact that a moratorium would have any effect upon problem gambling. However, there is clear evidence to support the view that it would create an unfair situation. There are two groups of people who have acted according to the law of the land as it is: one group of people who have applications for poker machines in process and the others whose applications have been successful and who are operating them.

This process would punish those people with applications in process for having abided by the law of the land and offer a windfall gain to some others who have also engaged in what the amendment believes is morally wrong behaviour. That is the second reason why I have difficulty in accepting the logic of this amendment. The truth is that the Social Development Committee will address these issues—and I sincerely hope that it does address problem gambling—and it will come back with recommendations. This is why I talk about Bills and laws being thought out properly. What if it brings back a recommendation that says moratoriums are not good, they are a bad thing? Then we could say that we have had this one for two years and we had best get rid of it.

An honourable member interjecting:

Mr CONLON: Moratorium on moratorium; that is not a bad idea. That is my difficulty with this amendment.

Mr EVANS: I support the comments of the members for Hart and Elder, and I wish to expand on them. The problem with the—

Mr Atkinson interjecting:

Mr EVANS: That might be fine. I do not have the same view as my father on everything. The problem with the amendment, as I see it, is that there is no definite date for the report. The fact is—

An honourable member interjecting:

Mr EVANS: There is more than one branch. The fact is that there is no definite date for the report from the Social Development Committee to come down. I note that my colleague the member for Hartley has said it will not be this year or next year, which will push it into at least about March in the year 2000. There is also the problem that there is an opportunity to have a minority report: for those new members of the House I point out that there is an opportunity within the report to have a minority report by some members. So, you may wait 2½ years for the Social Development Committee to report, only to find that it reports both ways: so they have 50¢ each way. There are plenty of reports around in this Chamber where people of different Parties have taken different views on various issues. So, a minority report becomes a particular problem.

There may also be the opportunity for the Social Development Committee to change the reference. That committee may get sick of talking about problem gambling and decide to go on to talk about AIDS in prisons, or whatever the issue may be, and it may put this matter on hold.

Mr Atkinson: Been there, done that!

Mr EVANS: That is right: 'Been there, done that', says the member for Spence, who is a member of the Social Development Committee. Already a member of the Social Development Committee is saying, 'Been there, done that.' So, in other words, the Social Development Committee can change the reference, or stop talking about a reference whenever it wishes. What we are really saying to the Social Development Committee with this moratorium is that, if it goes down this path, it controls the future of pokies forever: because it never wishes to report, this moratorium never comes off. That is the simple fact of the matter.

It is an unworkable amendment, although I understand the reason why the honourable member has moved it. Just for devilment, let us say that three members of the Social Development Committee just happen to oppose pokies. Let us say that they do not turn up—

Mr Atkinson interjecting:

Mr EVANS: That is right: the committee does not get a quorum. If I were on the committee and I opposed pokies and wanted to stifle the moratorium so that it goes forever, I just would not roll up to the Social Development Committee hearings. You do not have a quorum—you have an inquorate committee.

Mr Atkinson interjecting:

Mr EVANS: I had thought of that. I asked the Clerk of the House about that very point. So, you are setting up a position where Parliament does not necessarily have control over when the moratorium is held. The members of the Social Development Committee can wreak a lot of havoc in respect of when they bring this back. They do not have to roll up to have a quorum to even hear the evidence. They can decide to change the reference and talk about another issue and never again talk about pokies or gambling. They can do that with a simple vote without telling us. So, the whole concept of a moratorium based on the Social Development Committee's one day eventually reporting is absolutely flawed. My other comment is that I understand that the Social Development Committee is talking about all forms of gambling, not just pokies. So, I guess I would have to—

Mr Clarke interjecting:

Mr EVANS: Apparently. I raise the question: why then are we having a moratorium just on pokies? Why not have a moratorium on horse racing or bingo tickets? This is an obvious question. If the Social Development Committee is so concerned about problem gambling in those areas, why not have a moratorium on those areas?

Mr Foley interjecting:

Mr EVANS: Speaking of investment, the other point that I make is that there are many clubs and hotels that have applied for 40 machines, done all the building work, spent their money and invested their capital, but they might have installed only 10 or 20 machines. Under this amendment they cannot bring in the other 10 or 20 machines to improve their cash flow. In other words, they have spent all their money investing in their business, but this amendment means that for the next two years, perhaps forever, they cannot bring in the other 20 machines, for which they have already received approval and been given a licence, to prop up their business. I have a problem with that. If someone has quite rightly and in good faith gone through the legislative and legal processes to invest in their business, I have a problem with their not being able to generate income to develop their business as their cash flow requires. So, I have a problem with that aspect.

I also have another problem with it. If a local club gets into trouble—from memory, I think the Central Districts Football Club at Elizabeth got into trouble—under this legislation it cannot sell its machines to bring money into the club. If it decides to withdraw its poker machines because the club is having cash flow problems, to whom can they be sold? Under the Bill that is not possible. So, you are saying to that club that its one lifeline to try to cash up the club and save its members from going to court for bankruptcy is taken away by this legislation just like that, because we have decided to have a moratorium in the faint hope that a committee might report to Parliament one day. So, I have a problem with the whole concept of a moratorium. The member for Hart and the member for Elder have outlined other concerns. I think the whole concept of a moratorium is totally unworkable.

Mr HILL: I also support the opposition to the moratorium. I will not go over the grounds that have already been explained well by the members for Elder, Davenport and Hart. However, I particularly want to talk about the effect that a successful moratorium would have in my electorate. There is a new development in the electorate of Kaurna in the area of Seaford Rise. For three years, the population of that area has been looking forward eagerly with great anticipation to the development of a tavern. I know—

The Hon. W.A. Matthew interjecting:

Mr HILL: No, this is not Colin McKee's speech, but it is true that Colin McKee is the proponent of the development. Over the past few years, the proponents of this development have spent an enormous amount of time going through the courts. Every legal attempt has been made to stop this development, so it has well and truly gone through the legal process. I understand that the development is due for signing shortly and that building work will start early next year.

The majority of the electors whom I represent in Seaford Rise are very much in favour of a tavern being built in their community. It is a young community with children. Families want somewhere to go to have a meal and a drink and enjoy themselves. Other pubs in the district are quite some distance away, and they do not want to travel to them. If this moratorium proposal goes ahead today, it will mean that this development in Seaford Rise will not proceed, because these days no developer will build a tavern if it does not have the capacity to install poker machines. This would be very deleterious to the residents of Seaford Rise.

The Hon. G.A. Ingerson interjecting:

Mr HILL: Absolutely. Whilst door knocking extensively throughout this community, a number of people have asked me when the tavern is going ahead. This is a new community. There are few focal points in that community for social interaction, and a tavern would provide one. So, I strongly oppose the moratorium on that basis alone. However, in general terms, it seems to be a terribly unfair provision, because it would stop any number—we do not know how many, and I would like to ask that question of the honourable member who put forward this amendment—of other developers mid-track. I would like to know how many of them would be made bankrupt by this amendment and how many of them would incur losses. So, I ask the honourable member just how many developers will be caught by this provision.

The Hon. W.A. MATTHEW: I support the amendment put forward by the member for Mitchell and I commend him for doing so. A moratorium is sensible. It is not a total ban; it is a moratorium to enable the Parliament appropriately to obtain further information on the damage that has been caused by the spread and proliferation of poker machines

throughout our community and to make considered and definite decisions on future applications, indeed on those applications which may be before Government but which have not yet been approved.

I think it is important to reflect on the nature of the community debate which has taken place following the announcement of this Bill and which has led to this amendment being put forward by the member for Mitchell. The member for Mitchell and I have been lobbied fairly strongly by our respective electorates regarding the issues surrounding whether or not poker machines should be installed at the Westfield Marion Shopping Centre. The reason for that is simple: whilst the shopping centre is located in the electorate of the member for Mitchell, it is only just outside my electorate. Indeed, it is situated on the same road as my electorate office. Together, the member for Mitchell and I lodged a petition containing 974 signatures in this House yesterday. It is worth putting on the record that those signatures of local residents, all opposed to the installation of poker machines at the Westfield Marion Shopping Centre, were collected within less than 24 hours. I have no doubt that, if we continued to collect signatures, there would be many thousands by the end of the week.

The petition, which was lodged in my name, was the result of a petition document being circulated in one train on the Noarlunga line that came from that area. The people on that train willingly and quickly signed the petition and passed it on. This was their opportunity to say, in relation to poker machines being installed in the Westfield Marion Shopping Centre, 'Enough is enough.' The public have had a gutful of the spread of poker machines. There is no doubt that if a referendum had been held at the time—something which incidentally was refused by the Labor Government: Premier John Bannon is on the public record refusing such a referendum—there would have been strong and overwhelming public opposition.

The electorate also made its views known in the recent State election when for the first time they put into the Upper House an Independent candidate, who crusaded on one issue and one issue alone: opposition to poker machines. I believe that the public have demonstrated strongly their opposition to poker machines. I also believe that the words of the AHA, which I put on the record last night, when it strongly opposed poker machines 10 years ago, are just as relevant today as they were then. I am only disappointed that the AHA has done a backflip, for reasons best known to itself, and today it supports poker machines. Perhaps personal financial vested interests may come into it.

The public have had enough, and they are demanding that the Parliament do something. The member for Mitchell's amendment allows this Parliament to appropriately and properly investigate the effect of poker machines, this menace to our society, where we should go with future applications and where we should go with the machines that are already established in clubs and hotels in this State. During the course of the debate on this Bill, all members have acknowledged the negative effect of poker machines. Some have been a little stronger in their conviction as to how great that negative effect has been, but I have listened carefully to the debate whilst sitting in this Chamber and in my office, and I have not heard one member not acknowledge that poker machines have had a negative impact in some way.

The member for Hart also indicated in addressing this amendment that there was a conscience vote on the original Bill in 1992. There was a conscience vote within the Liberal

Party; and there may have been a conscience vote within the Labor Party in the Lower House, because two members voted against poker machines. However, there was no conscience vote in the other place. One only needs to ask Mario Feleppa, a former member of the other place, just how he was able to exercise his conscience. The final vote was adjourned for 5½ hours, while the Hon. Mario Feleppa was placed in an office near the other place and berated for a considerable period—well over 1½ hours—by the former Premier, John Bannon, the former Finance Minister, Frank Blevins, and the former Attorney-General, Chris Sumner, until he eventually gave in.

I spoke to the honourable member straight after they had broken him and he advised me that he had no choice and was disappointed with what he would have to do and go against his convictions. The Hon. Mario Feleppa was not able to exercise a conscience vote. If he had been able to do so, there would be no poker machines in South Australia today and we would not be debating this Bill nor this amendment, but at least this moratorium gives us the chance to redress the imbalance. I commend the member for Mitchell on bringing forward this amendment.

Mr CLARKE: I oppose the amendment, but I will not canvass all the reasons given by other members. The member for Davenport gave one of the best reasons for not supporting the amendment, in that he very carefully worked out the tactics and composition of the current Social Development Committee whereby the report it finally handed down could be pushed out forever. Without doubt, the Social Development Committee of the last Parliament was the most socially dysfunctional committee of this Parliament, and there were certainly very poor attendances on the part of some members of that committee from time to time. I can see very easily how the Social Development Committee could manipulate the circumstances by which its report would come down years afterwards, if at all before the next Parliament.

The Hon. G.M. Gunn interjecting:

Mr CLARKE: As the member for Stuart says, they would see it as their bounden duty to protect the rest of us from the evils of gambling. I do not want to put all my conscience solely in the hands of the Ayatollah (the member for Spence) in these matters. I would prefer to be in charge of my own conscience rather than simply handing it over to the member for Spence. I perhaps would even prefer the member for Stuart in so far as that matter is concerned.

The moratorium has another problem. I am somewhat uneasy already about how we have turned some hoteliers into sultans, sheiks and potentates as a result of allowing gambling machines into hotels, where they have done very well, thank you very much, without a proper taxation regime for those at the top end of the scale. If we placed a moratorium on poker machines, those successful hoteliers would be potentates beyond their wildest dreams; indeed, I am surprised they are not on the phone lobbying very hard for the moratorium amendment to be passed. I would not mind that so much if the member for Mitchell had also included a super profit taxation measure so that, if we were to have a moratorium and hotels with licences could be sold on to another operator without any competition from other hotels opening with poker machines, a special capital gains tax could be levied by the State, taking account of those hotels doing so well out of this proposal.

I declare an interest, in that I am a patron of the Kilburn Football, Cricket and Community Club, which is in the process of seeking to install only six poker machines. When as patron I was asked for my advice on that I was against the

introduction of poker machines, but the committee duly went about its business and believed that it was appropriate and financially affordable, and it is in the process of doing so. As the member for Hart and others have pointed out, sporting organisations and new owners of hotels who will take over now and in the future during the time of the moratorium might believe that the time is now right to install in their club or hotel premises poker machines that they were not able to afford a few years earlier, but now they are in a position to do so. My club has already undertaken some extensive work in the redesign and development of the club to install those poker machines, as it also has to service a significant debt because of the fact that we have new clubrooms, substantially paid for by the Port Adelaide Enfield Council, but certainly the club has to meet its contribution toward the costs.

I do not believe the moratorium will achieve what the author of the amendment has set out to try to achieve, with the best will in the world. I also think that poker machines are blamed too much for every ill in our society. If I knew what I know now and had been a member of Parliament several years ago when this Bill was voted upon I may well have voted against it, but that is only in hindsight. The fact is that these machines are now here. Many millions of dollars have been committed in investment, where hotel operators and sporting clubs have acted in good faith in those establishments. I do not believe that poker machines have directly caused all the businesses to go broke that have blamed poker machines. I do not believe for an instant that a car yard dealer loses their business simply because the mums, dads and grandparents have gone out and gambled away \$20 of their pension and have not gone in and bought a \$30 000 Statesman. That person has not lost their business simply because those persons have gone out and gambled away \$20 or \$30 on poker machines simply because they cannot afford a \$30 000 Statesman.

Many problems in small business have more to do with the fact that our unemployment levels are too great. The State Government has sacked 15 000 full time employees of the State Public Service, so that represents 15 000 pay packets that are not being spent in the local community. I think it is a result of a whole range of circumstances, such as all day Sunday trading in the city which, rather than rejuvenating the city, has caused loss of business to a number of small retailers in the strip centres of Adelaide who in some instances have lost trade to the Sunday trading in the city.

It is also a result of very poor planning laws or lack of action by the Government in particular to allow the establishment of monstrosities of the size of Westfield Marion, which is cutting the guts out of the retail trade in the city centre itself. That digresses from the amendment at hand, but there are many complex reasons as to why people are losing jobs and businesses are folding. It is not simply due to the fact that a few pensioners go to hotels or their club and spend a few dollars.

Yes, there are people who are chronic gamblers and I have in my electorate the Lutheran Community Care organisation, which is very near and dear to my heart. Despite my intensive lobbying through the AHA to its members in hotels in my electorate, they have been too lousy to give the Lutheran Community Care Centre sufficient funds to help it carry out its task with respect to financial counselling. I have made that clear to the AHA on a number of occasions, and one day my patience will run out and on a vote such as this I might have to exercise my conscience in a very deliberate fashion to

awaken its conscience with respect to such a worthwhile community organisation. However, I have patience.

In conclusion, I do not believe the moratorium will achieve what the mover would like it to achieve. Indeed, I would prefer a straight out vote if a private member's Bill was brought in that sought to repeal full stop the legislation with respect to poker machines. At least that would be a more open approach by saying that, if poker machines are evil, let us get rid of the whole lot; let us not mess about with the situation but let us just get rid of the whole lot. Let us not do it in a piecemeal fashion or put on a moratorium that will put a few hoteliers into the stratosphere as far as their incomes are concerned by limiting competition from others. We would be, in effect, handing over the deliberations of this Parliament to the Social Development Committee to finally report upon its findings with respect to poker machines. There are skilled practitioners on that committee who would do exactly what the member for Davenport has already alluded to, namely, to push out the moratorium effectively until the next Parliament. For all those reasons, particularly those advanced by the member for Davenport, I oppose the amendment.

Mr SCALZI: The members for Davenport and Ross Smith might have misunderstood what I said with regard to the Social Development Committee. To think that the Social Development Committee will drag this out for one, two or three years is totally wrong: just the opposite is true. In the past the Social Development Committee has delivered reports in this place on time with regard to rural poverty, HIV and AIDS, and prostitution, and at present it is looking at gambling. We are hearing evidence and no doubt this side of the financial year the Social Development Committee will report to this Chamber on its findings.

To suggest that there are no problems with gambling, and in particular no problems with poker machines, is just as naive as to suggest that all evils in the community are the result of poker machines. This amendment is not against poker machines but is stating that we should look at it, that we should hold things and have an objective view of the problem. That is reasonable. The moratorium will not be a panacea for all the problems but will simply allow an objective assessment. The Social Development Committee will present its report and this Parliament will be able to make decisions. No-one will be disadvantaged. At the last election the community expressed concerns. Whether or not you agree with those concerns, they are reality—they are out there—otherwise they would not be referred to on the front page of the newspaper.

Members interjecting:

Mr SCALZI: I was referring to my local paper distributed by the Messenger Press, as well as to the *Advertiser*. The concerns are there. We can listen to talk back radio. We have to look at it in an objective way. I commend the member for Mitchell. To suggest that the Social Development Committee is run by a mob of right-wing conservatives who will not report to this Chamber is judging those members a little too harshly. Members such as the member for Spence and the Hons Terry Cameron and Sandra Kanck from another place are on that committee. No-one has claimed that we have not delivered an objective report in the past. Given the evidence we are hearing now, members will find that it is a comprehensive, objective report on which members will be able to make a decision. That is all we are asking with regard to the moratorium.

Mr FOLEY: Some new information has come to light that should be introduced into the debate. I obtained this

year's thirtieth anniversary report of the Lotteries Commission. I did not realise how evil is the Lotteries Commission. In any moratorium we should be looking at other areas of gambling. If we are to be objective and fair, these figures that I have just discovered are very important. For Saturday Lotto, there are 298 000 entries per week for \$107 million worth of turnover. Poor old South Australians are losing what is left of their weekly salaries with nearly 80 000 weekly entries in Monday Lotto. Come Tuesday, there are another 36 000 entries. Whenever Powerball is run, there are 93 000 entries per week by the citizens of South Australia.

With Keno the returns are pretty ordinary. I think that one would get better returns at the pub on the pokies. The real evil in our delicatessens is Keno. I do not know whether members opposite realise, but there are 460 000 weekly entries in Keno. Where do we find Keno? You find it when you go to get a litre of milk, when you go to get the *Advertiser* or when you send your sons or daughters down to the shop to get a bottle of sauce for the evening meal. In clubs and pubs the evil of Keno is there. Its turns over \$72 million. There are the instant scratchies, which I have never played but which my father-in-law thinks are a hoot: 21 million scratchies are sold a year. That is 400 000 scratchies a week. One-third of the population is buying scratchies. That number all up totals—

The Hon. W.A. Matthew interjecting:

Mr FOLEY: I accept that there are multiples. That totals some \$270 million worth of sales per annum in those products.

The Hon. G.A. Ingerson: There is \$550 million in the TAB.

Mr FOLEY: And \$550 million in the TAB. If people want moratoriums and want to do away with the evils of pokies, where is the consistency? We should propose a moratorium on Keno. Let us take Keno out of the local tuckshop.

Mr Evans interjecting:

Mr FOLEY: As the member for Davenport says, 'Let's kill the Keno.' Let us take the TAB out of shopping centres and clamp down on those terrible instant scratchies that you find on the floor all the way through shopping centres. If you are worried about people losing their income in shopping centres, I suspect that there is a lot more opportunity to do your dough on scratchies, Keno, Monday Lotto, Tuesday Lotto, Saturday Lotto, Oz Lotto, Powerball, the pools, cards and whatever else. I do not know what else the evil Lotteries Commission does, but when we are finished with gaming we had better take on this institution. Lurking out there for 30 years has been the horrible Lotteries Commission.

An honourable member interjecting:

Mr FOLEY: Exactly; the money goes to the hospitals. At the end of the day, Government gets revenue from these evil institutions and, in most cases, puts it to the good of the community. I thought that the Parliament should be aware of those facts in order to highlight what I consider to be the nonsense of the argument that the pokies in this world are the only evil form of gambling that require so much attention. Yet again, I urge all members to defeat this amendment calling for a moratorium.

Mr WRIGHT: I would like to make a couple of brief comments about this amendment. I cannot go along with the proposal for a moratorium. The pokies issue is one of the great social issues with which we will have to wrestle. Many people in the community have major concerns about poker machines. Irrespective of our personal views, we must be cognisant of what the community is feeling and thinking

about poker machines. Having said that, I think this is an issue about choice and control. I do not think that the proposed moratorium is the way to go. I am also not happy with the Government's proposal with respect to retrospectivity. I do not think that is the way to go either but, of course, that has been knocked out in another place.

I have sentiment for and support the Government's proposal in relation to shopping centres. However, I am concerned about the definition of 'shopping centres' and I think it should be clearer. More to the point in relation to the amendment before us, a moratorium is not the way to go: you cannot simply change the rules on the run. It is another example of retrospectivity. If there is a problem with poker machines, we must think it through more clearly; we must think it through over a period of time; we must consult with the local community; and we must get the decision right. We should not simply put in place a moratorium that we think will overcome what may be problems with poker machines in the community.

Also, I do not agree with suggestions over the past couple of days that there is no difference between poker machines and other forms of gambling. I do not concur with that view. I do not play poker machines, but that does not give me the right to say that other people should not play them. But, perhaps, at a given time, this House in consultation with the community may need to look carefully at the ramifications of poker machines and may need to consider how we go about taking into account some concerns which exist in the community. But I do not believe a moratorium is the way to do it. I simply cannot support the amendment proposed by the member for Mitchell, certainly with good intention. I do not think it is the way to go and I cannot support it for the reasons I have outlined.

Mr MEIER: I support this amendment, and I am pleased that the member for Mitchell has introduced it. In reflecting on the debate, it is interesting to note that last night so many members from both sides of the House indicated concerns with respect to poker machines and said they felt that, in many cases, they should not have been introduced—certainly not on such a wide scale. We now have an amendment before us that will seek to address this issue for a limited period in a limited way, yet suddenly so many members who contributed to the debate last night have done an about face and said, 'Not now. We will not address this issue now. Why should we try to make a small change now when it might inconvenience or hurt a few people who have applications in the pipeline?'

I find it incredible that members are not prepared to tackle the issue. It was put to me that we should wait until the No Pokies member in another place introduces a Bill. Surely, members would appreciate that, if that member should proceed to put forward a Bill, there is no guarantee it would pass in another place, so the chances of its coming before this place are very small indeed. That argument can be put to bed straight away.

Members should come back to the key focus of this Bill, that is, to stop poker machines from being situated in shopping centres. I am very disappointed that members in another place knocked out a retrospectivity clause, because that clause was to apply to the largest shopping centre in this State, I believe one of if not the largest shopping centre in Australia. If that is not in the Bill, it makes a mockery of trying to stop poker machines in shopping centres, because the biggest one will have them. Obviously, pressure will be put on any Government to allow poker machines in other

shopping centres. We should keep that in mind first and foremost.

This amendment will go beyond shopping centres and will apply to clubs and hotels that wish to introduce poker machines. Members should be aware that I have spoken to some proprietors of hotels in my electorate over the past year or so in relation to poker machines in their hotels. Several of the proprietors have admitted to me that they are far from happy with having poker machines in their hotels. They see the damage they are doing. Members only have to go into a hotel at 11 a.m. to see how people are throwing in their money in a way that is sad for all to see.

But, at the same time, the proprietors of those hotels openly admit that they must have poker machines. Why? Because other hotels have them and because it is certainly giving them a much more attractive income. They will not deny for a second that they are happy to have poker machines from a financial point of view, but they also admit that from a social point of view they wish South Australia had not gone down the track where all hotels are seeking to introduce poker machines into their premises—and I guess the same would apply to clubs to some extent, although in my electorate very few of the 50 or 60 clubs have poker machines.

Last night, I sought to highlight many of the negatives of poker machines in relation to small business, to society in general and to children. I do not intend to repeat that, but I was interested to read an article in the *Advertiser* which highlighted the experience of one young lady, and I quote:

... a trip to the Colonnades isn't complete without a quick visit to the local pokies haven. Once a week—and after completing her shopping and banking—[this lady] nips into the gaming room of the Colonnades Tavern, spending up to \$20 within 30 minutes on a machine. If she wins \$50 or more, she packs up and leaves with her winnings—and when she loses, it is never more than \$20.

I guess we could say that she is a responsible gambler. I would be concerned if my wife said, 'I put \$20 through the poker machines when I went shopping.' I would say, 'I think you ought to stop that immediately and put the \$20 towards food or some more valuable commodity rather than giving it away to the State.'

I guess that that is her business. I want to emphasise that a shopping centre like Westfield Marion is very much a family shopping centre. It is a wonderful place for families, individuals, young people and not so young people to visit. Why should we as a Parliament be going out of our way to say, 'Yes, we want to help make sure that you waste more of your money by playing pokies there'? Surely we should be responsible and say, 'No, we believe it is not in your best interests to have poker machines right there where so many of you are going to be tempted and it is going to muck up the perfect family situation.' I believe the amendment has a lot going for it. I do not believe it will delay things unnecessarily, and I hope that members of the Committee see the responsible approach taken to this matter and support the amendment.

Mr HANNA: I will make various points in reply. I have information from the Licensing Commissioner that there are two applications predating 17 August 1997. Those applications have been referred to specifically in debate. They are the Seaford Rise development and the Westfield Marion development. Further to that are 15 applications, mostly for smaller venues of five to 10 machines, typically applications made after 17 August and they are yet to be dealt with. Being very frank, I am aware that those applications are caught by the proposed moratorium and, in putting this matter forward,

I, as every member would do, have considered the impact on the commercial interests at stake, the employees of the developments presently on foot and those proposed, as well as the people who are affected every day by existing poker machines. Much of the debate was about the impact of the moratorium. With about 500 poker machine venues, the temporary capping will not have a drastic effect on competition within the industry.

Basically, we have two scenarios. The bulk of suburban areas, whether they be in Adelaide or regional centres, are already largely at saturation point, and in other areas those who wish to use poker machines have ample choice. The other scenario involves areas perhaps in small country towns or high growth areas on the fringes of Adelaide where there may be few hotels. There are few places in South Australia where there are none but, in those places where there are few hotels, it is true that there may be a commercial advantage to those who have existing premises; but, even in that scenario, there are not many places in South Australia where you cannot drive a fair or reasonable distance and go to a hotel or club which has pokies. The other factor to bear in mind is that growth is slowing anyway. By the end of 1996 we had our 10 000 or so pokie machines but in the last year we have had only a few hundred. Only 15 applications have been made since mid-August, about four months ago. Members can see that the rate is slowing. We can see that in South Australia we are reaching saturation point anyway.

The point of a moratorium in that situation is that, although the impact may be limited, it is an important statement to South Australians, to those who play poker machines, to those who do not and to those involved in the industry that there is a severe social impact from having poker machines. That leaves aside other forms of gambling and I will speak on that in a moment. When the report of the Social Development Committee is brought down, whatever its recommendations might be, we will have ample research on the impact of gaming and, in particular, the impact of poker machine introduction in South Australia. We will then be in a position to say, if we want to say this, 'You can proceed with applications now but under these specific conditions, which will address the problem of problem gamblers and addicts in particular.' There is virtually nothing in the existing Act which goes anywhere near addressing specifically the problem of problem gamblers, apart from excluding minors from gaming areas and the like.

As to other forms of gambling, that is an issue for another day. The fact is that the Government has brought in an amending Bill to the Gaming Machines Act, which is the Act before us. That is the issue before us and that is why we deal with this particular issue. In terms of a signal to developers throughout the State, we must recognise that poker machines are a special feature of our commercial development and commercial life in South Australia. It is not the same as your average shop. It is not the same even as another entertainment venue like the cinema. There is something peculiar about those venues which have gambling facilities, and they are peculiar if for nothing else than the fact that they have led to this severe social impact which everyone is aware is taking place. It may be that only a few hundred families a year are severely affected by pokies. However, as with other laws, we need to balance the civil libertarian rights of the majority of the population that can behave sensibly and with restraint, against a few people who cannot control themselves and who are not only wrecking their own lives but the lives of others around them.

We make these laws every day. Traffic laws are a perfect example where we will place speed restrictions, not because we expect everyone to drive at 100km/h if we do not have a 60km/h suburban speed limit but because there will be a few people who will act in a stupid and reckless way if we do not have some sensible limits. The same applies in respect of regulating the gaming machine industry in South Australia. I am aware that the moratorium does not immediately address the issues of the problem gambler, the person who desperately wants to go somewhere where there are poker machines in order to play the machines and perhaps lose a lot of money. However, this is a symbolic statement, apart from having a real impact in the sense of limiting the growth of poker machines. As other members have pointed out, it is this sort of measure that the public wants at this time.

As to the Social Development Committee, I would say that committee members are certain to be heavily lobbied, particularly by those who have a vested interest in the gaming machine industry to ensure that they will not be tardy in bringing down their report. Whether members are for or against poker machines, whatever position is taken there will be a lot of pressure on the Social Development Committee to report.

I will not agree with the attacks on the integrity of Social Development Committee members, in which other members have indulged. The fact is that there is currently a public call for limits on poker machines. There is a widespread feeling and, as I said in my second reading contribution, the call for limits on poker machines in South Australia comes from a wide range of people. It is true and I recognise the fact that many people like to play them and play them responsibly. They are a form of entertainment: that is not disputed. But the essence of this debate is about money. The reason poker machines were introduced, and the reason we are now talking about restrictions, is money. The Government wants money, the publicans want money, and there are those of us in the community who care about families being wrecked, money going from pockets that cannot afford to lose it, whether or not it be that individual's choice. Taking into account all the concerns raised by members, including the social impact, the commercial interests referred to and the employees who service the gaming machine areas in clubs and hotels, I commend the amendment to members.

Ms STEVENS: I have not been able to hear all of the debate, but I would like to make a few comments. My impression is that the people who are arguing sincerely in favour of this measure are essentially saying we need a moratorium so that we can actually gather together the information in order to have a clear and careful look at what is happening. A moratorium is a very serious move because you are actually coming in, and saying, 'We will put a stop to this activity that we legalised a couple of years ago until we get more information.' That is a serious move and should not be made without careful consideration.

I am one person who believes that there are many issues involving poker machines with which we have to deal, and I outlined those in my second reading contribution. However, I cannot support this move because I think you have to have been convinced, having weighed up all the issues, that a moratorium is the right thing to do and will achieve what you want. I do not think we have had that debate.

I noted that the member for Mitchell mentioned a few minutes ago that growth in the uptake of poker machines is actually slowing, so I wonder what the point of a moratorium is. The horse has bolted. We have a very large number of

poker machines with us, and it seems to me that it is an empty symbolic gesture which will discriminate against sections of the market that do not deserve that discrimination. Further, people will think that if we have put a moratorium on it that that is the end of all the problems. It is not the end. There are other issues we need to address, such as problem gambling, taxation revenue, the issues of licensed clubs and whether we ought to be changing the amount of tax between hotels and clubs. We need to address the issues concerning charitable and social welfare organisations. They are the issues that I believe we need to address. I do not think that a moratorium at this stage without all the facts before us is the way to go.

The Hon. G.A. INGERSON: I want to make a few comments, from two points of view: first, from a Government Bill perspective; and, secondly, from that of a private member. I am fascinated in debates to hear people argue that you have to close the market and make sure that those who are in the market jump on top of the massive gains they already have. Everyone will tell you, regardless of the market, that in every single market where you limit the numbers you guarantee that the price for those in it will skyrocket. One of the matters I have heard raised by thousands of people is that, if there were one single mistake made in this legislation, we have made millionaires out of one group of people in the community. If you put on a moratorium, you will triple that factor. It will go right through the roof.

The very argument that has been put in this place that there will only be a few more seems quite crazy when putting on the moratorium guarantees that the value of those in it will skyrocket. It does not make any sense at all. If it is true that the market is slowing up, and there seems to be significant evidence that that is the case, I would have thought we are already achieving the very thing that a moratorium is designed to do: to slow up the market. It is already doing that by itself.

With respect to employment, I said last night that it involved about 4 000 people. I have been advised today that it is somewhere between 6 000 and 8 000. I hear everybody in the community and the Opposition saying we have to be doing something about creating jobs. This one single decision has probably created more jobs in the community than any other single thing that this Parliament has done. I am just absolutely staggered that we have this view that a mistake we made is creating all these jobs. I also said last night that there is absolutely no doubt that there are some major issues. But let us attack the major issues, solve the problems involved and not throw the baby out with the bathwater. That is absolutely crazy.

It staggers me that we get this wealth of do-gooding that comes through the community. Let us sort out the problem this issue has created without closing up the whole industry. It is an industry that is creating jobs. We have more investment and more upgrading of hotels. We actually have an industry in a growth stage. So we want to put some clamps on it and say no more!

One of the things that fascinates me in these social issue debates is that those who do not play are those who complain and say that those who play cannot play. That is what staggers me most of all. We have people all around the community saying, 'You are not allowed to do that', because they themselves do not want to do it. There is a social decision that, because they do not want to gamble, nobody else should, and everybody else who does gamble is obviously a fool; they obviously lose all their money. That is absolute nonsense, and we all know that. We know there are thousands

of people who play the pokies and enjoy themselves who do not lost their shoes and socks day in and day out. They might lose \$20 or \$30, but they choose to lose that instead of perhaps going to the theatre.

A lot of older people in our community actually enjoy meeting other people at the hotel or the club. Are we seriously saying that those people should not enjoy themselves because a few of us in the community are concerned that there are some problems? Let us solve the problems of this issue, not turn the whole system off and go back to the 1950s. For God's sake, that is what we are really talking about doing—going back and turning off the lights. I find this sort of debate quite staggering with the sort of naivety that is demonstrated. We must recognise the problems, and I accept that. If there is not enough money in it, demand that Governments in this place put more money into it. Let us get to the crux of the problem and do something about it.

I understand that there are hotels—in particular, one at Seaford—which will be disadvantaged. But I also know that the community club at Roxby Downs has had its application in for some two years. This amendment will close all of that out. I just do not understand that. We had this argument—the self-righteousness about retrospectivity—from the Opposition the other day, and here is a perfect retrospective exercise; it is totally retrospective. I have never supported retrospectivity as an individual, and as a conscience argument I can argue the retrospectivity issue. Clearly, on a conscience basis, we can go any way we like—and members know that that is the case.

I return to this issue of those in the community who keep on saying, 'We have to look after you, because you are not capable of looking after yourself.' That is what this amendment is all about. It is about saying, 'We know better than you, because we know how to control your household, your money and your investment.' That is absolute arrant nonsense and should not even enter into the debate. I am disappointed that we have not got down to the social issues and I am disappointed that there is not an amendment from those who believe that things ought to happen to do something about channelling money into that, if that is what we want. Try to convince me that I ought to be arguing to the Government in Cabinet that insufficient money is being channelled into helping those who have difficulties. Let us do some real research and find out whether those who claim they have difficulties really have those difficulties.

As I said yesterday, I remember a candidate who blamed his demise on the pokies—and a large number of people in the community know that it was not only the pokies. That candidate received a tremendous amount of public coverage and a tremendous amount of sympathy, but it was not the real story. I believe that there are many similar examples. I encourage the Committee to recognise the issues, but do not throw the baby out with the bath water. It is absolutely stupid, in my view, to have a moratorium whereby those who have licences will become three to four times more wealthy just because there are a few issues in the social area.

Mr EVANS: I am no lawyer, as people know, but I want to explain my interpretation of this amendment. The amendment provides:

Despite any other provision of this Act, the Commissioner cannot after the commencement of this section grant an application for—(a) a gaming machine licence;

That says that we are not limiting the number of licences to the current number: we are not saying that, if there are 900 licences currently, we will restrict it to 900 licences. It says that no new applications for gaming machine licences can be

approved. And there is a difference. I note that the honourable member who moved the amendment is nodding, so I assume that he agrees with me. He acknowledges that he agrees with me.

It means that, if I own the Belair Hotel (and I wish I did) and I sell it, the new owner cannot apply for a gaming machine licence; or, if he or she does apply, the Commissioner cannot grant the application. That is what the amendment says: the granting of an application for a gaming machine licence is prevented. Therefore, the amendment prevents small business people from selling their business until the Social Development Committee delivers a report. There may be a different interpretation of that, but that is not the way I interpret it. I believe a lawyer could make a pretty good case in court that the legal interpretation of that clause is that the application cannot be granted because it is a new applicant: it is a different owner, therefore the new owner has to apply. Once the new owner applies, it becomes an application and the Commissioner has no discretion under this Bill but to refuse the application. So, my view is that the amendment locks in all the current owners and says that they cannot sell their business.

An honourable member interjecting:

The CHAIRMAN: Order!

Mr LEWIS: I do not believe that the member for Davenport would have come up with that interpretation of the amendment if he had read the amendment in the context of the Act, instead of reading it in isolation. I believe that it is desirable to have a moratorium on the issuing of further licences to unlicensed premises at present, until the Social Development Committee has been able to hear the evidence that members of the community wish to put before it. I do not share the optimism of the Deputy Premier on this matter. That is nothing personal in the least; it is simply my belief that we make laws here because we bring to this place the delegated authority of the 20 000-odd people who elect us to do that.

All laws are designed to protect the citizen from the excesses of behaviour of other persons—and 'persons', as all members know, are defined in the Acts Interpretation Act as being not only natural persons but also bodies corporate and trading entities in business. So, we make laws to protect the individual citizen from the excesses of any other entity, including people and businesses, in society. Those excesses can fall into the category of bad physical behaviour, such as assault—or homicide, at worst—and things of that nature, including bad social behaviour. Driving down King William Street at 160 km/h at 3 a.m. is simply irresponsible social behaviour that will ultimately end in someone's death, if one does it often enough. It is as mad as Russian roulette. The odds are even narrower that you will kill yourself and someone else.

There is also bad commercial behaviour. In this context, we have more than enough facilities available for this kind of gambling, this kind of commercial transaction. This is not a necessity, in my judgment, without more careful consideration being given to the social implications. To hell with the commercial implications—I am not interested in that: it is the social implications, the consequences for people's lives.

Unlike the Deputy Premier, and like the member for Mitchell, who presents us with this amendment, I care about those lives in the same way as I care about the lives that are at risk from the mad motorist who drives at 160 km/h down King William Street. I care about the lives of those people who will be affected in the same way as I care about the lives of the spouses and children of drug addicts. If we did not care

about people's lives, the innocent, who are affected by uncontrolled, anti-social behaviour, we would not make any laws. It would simply be Rafferty's rules; it would be anarchy.

Of course it is not a question of the nanny State taking over. The Deputy Premier exaggerates that line of argument for the sake of allowing things to happen that I believe he would like to see happen. Whilst he is entitled to that view, it does not make for a better society. Clearly, the people of South Australia gave us a message on polling day. The Hon. Nick Xenophon in the other place is testimony to that fact, and I think the member for Mitchell's amendment draws our attention to that fact in a way which will enable the people of South Australia—indeed, those amongst them who are expert enough—to analyse the situation and provide an expert opinion to the Social Development Committee regarding the consequences of further extending facilities for gambling. The simple message that I think we were given on 11 October regarding this matter was to step back and draw breath, and that is why I intend to support the proposition.

If the member for Mitchell discovers that his amendment does what the member for Davenport has suggested—and I do not believe that it does—I will rethink my position. However, as I have read it, not just now but some time back, in contemplation of the consequences, in context, what it means is: 'Hold on, let's examine the position, and let's decide how best to manage the convenience of those who can handle gambling as against the risks and the damage that is done to the lives of others who cannot.' I think it is important to do that.

I trust that the amendment will pass and that the Social Development Committee will examine in the process not only whether to issue more but where to issue them and whether or not to ban EFTPOS terminals. If you want to have poker machines on your licensed premises, as far as I am concerned you forego the right to give out cash via credit cards. If you want to have credit card facilities to give out cash to your patrons so that they can pay cash at the bar, you cannot have poker machines, because the temptation to those who are primed to become compulsive gamblers, addicted to gambling, is too great and too easy to strip their credit cards in the seductive atmosphere inside those facilities, which are created in that way. Soft lighting and music, colours and their movement are all put there to stimulate particular sections of the brain as against others and to make it possible for people to make these indiscreet decisions which they would not otherwise make.

I made these points during the debate years ago, and people would not listen to me. A few did, but not enough. If you are able to go outside premises into the cold light of day or the cold air of night and walk some distance to where you might get some cash, it is more likely than not (more than 50 per cent likely) that you will rethink your decision to withdraw that cash and go back and put it through the poker machines. Moreover, as an aside relevant to the point I make, which I hope that the Social Development Committee will consider if this amendment gets up, is the fact that now there is an automatic teller machine that dishes out cash in the foyer of the Casino. We were given ironclad guarantees and commitments in this place that that would never happen. Well, it has been there for some time now, and it has happened.

There is no question about the fact that this has helped the Casino to hold what it regards as its necessary market share, but that is not my problem. The Casino took on its licence

knowing that the House had decided during the course of the debate that automatic teller machines from which cash could be withdrawn were not to be put on the same premises—nowhere near them. This deal was traded off to allow this legislation which relates to poker machines to be introduced—a sop to the Casino owners and managers, and a sick one at that.

So, whilst as I said last night, some people thought with my tongue buried in one or other or both of my cheeks—that we ought to place a levy on the water or council rates and do a buy-back like we did on firearms and burn the poker machines in a public place—and I feel strongly about the consequences for the people who depend upon compulsive gamblers after they have lost everything and the problems that are then visited upon welfare agencies—I know that it is unlikely that that will happen. We chose as a society to do it in the case of firearms even though the number of people dying in consequence of being shot is fewer than the number who are dying through suicide as a result of gambling debts. A death is a death is a death. If there are three of them one way and two of them another, and death is decided as an evil, then more evil is perpetrated by the death on the side of the three or the death as a consequence of the suicide of a compulsive gambler or a member of their family. I urge members to support this amendment so that we can step back, draw breath and hear expert opinion.

Progress reported; Committee to sit again.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 9 December. Page 156.)

The DEPUTY SPEAKER: Order! I remind the House that this is the maiden speech of the member for Playford and members should respect that. The member for Playford.

Mr SNELLING (Playford): Sir, I would first congratulate you on your election as Deputy Speaker of this House. I am sure you will preside in an impartial and just manner over the deliberations of this Chamber. It is an honour to have taken the oath of allegiance in this place. The responsibility that that oath places on me was brought home by the ceremony of the opening of Parliament by His Excellency the Governor. Many deride the ceremony of that day as the trappings of a colonial past. Many say that the gowns of Parliament should be jettisoned for an austere rationalism that owes more to the cold efficiency of the vaccine clinic than to the warm atmosphere of a Parliament. Many believe that the fellowship of the members' dining room and the bar are relics unworthy of weighty deliberation of the affairs of State. But Parliament finds its heart in the dignity of its officers and its soul in the fraternity of its members. If a greater number of the citizens of South Australia saw that aspect of this place, they would feel at home.

Accustomed to seeing the mud fly across a boisterous Question Time, many people know little of the camaraderie that exists between members. What could be more familiar and loved by our constituents than the long hours spent settling the questions of the age through an amber haze and a pall of smoke? So often I have seen the member for Spence with a cigarette in one hand and a tattered form guide in the other. Always I think, 'If his constituents could see him now

they would know at last there was a politician after their own heart.'

In *The Insane Necessity* by the English writer Gilbert Keith Chesterton, the great essayist insisted that the only thing the House of Commons had going for it was that it so often resembled a good pub. Chesterton wrote:

It is gravely unfortunate that when critics do attack such cases as the Commons it is always on the points (perhaps the few points) where the Commons are right. They denounce the House as the Talking-Shop and complain that it wastes time in wordy mazes. Now this is just one respect in which the Commons are actually like the common people. If they love leisure and long debate, it is because all men love it—there they really represent England. There the Parliament does approach to the virile virtues of the pothouse.

To those who seek to apply the strictures of a steely maiden aunt armed with a ruler to this place I would offer Chesterton's point. People naturally like to indulge in long debate, untroubled by argument and filled with the certainty of blind conviction, washed down with a cleansing ale or two. If in no other way this House is representative of the people of South Australia, it is, at least in our resemblance to a decent pub on a Friday summer's night.

Despite my youth—as far as I know I am the youngest ever member of this House—the electors of Playford have placed their trust in me and the Australian Labor Party to represent their best interests. I am conscious of the dimension of that trust. I hope I am able to prove myself worthy of it in the life of this Parliament. To my constituents I offer a sincere pledge that I will work as hard as I can and do the best I can to foster and protect the things that matter to them. Should there come a time when I face a choice between doing what I believe to be right for the people of Playford and what I know to be the wish of the Party or of my own interest, I trust that with the grace of God I shall make the decision of my conscience and leave this place as a man of integrity.

I would not be here if it were not for the assistance of many people. To my dear wife Lucia, who has supported me in my decision to contest the seat of Playford for Labor, I offer a thanks that cannot be repaid. We have only started on the long road of our life together and she has pledged to walk that road with me, knowing that it may not be easy. I am also indebted to my parents, who aroused my interest in politics and the ALP from an early age. Family members, especially my father and my brother Ned, did a tremendous amount of work leading up to and during my campaign, putting up election signs and letter boxing.

I must pay tribute to Father Martin Wallace and the other Dominicans who have played such a formative role in my education and my progress to this place. I thank especially my good friends and guides, Father Ephraem Chifley and Father John Fleming. My friends in Young Labor, including the member for Peake, have always been there to vote at the right time and do much of the footslogging during my campaign. I especially thank Paul Marcucitti and Bernard Finnigan and my personal assistant, Clare McAssey, who were of such great assistance in the campaign. I must express my gratitude to Don Farrell, the member for Spence and the former member for Playford, Senator Quirke, for their support and guidance over the years. I especially pay tribute to the members of the Playford ALP sub-branch who have entrusted me to carry the ALP flag in Playford. I will not let them down.

I would like to reflect briefly on the Premiership of Sir Thomas Playford. I do so not because the electorate I have the good fortune to represent is named in his honour but because

Sir Thomas is a model to the present Government of how to manage a State. His was a successful Premiership not because it was a success for him personally or because it was a success for his Party but because it was a success for the people of South Australia. Sir Thomas ruled this State for 27 years. It was a time of unparalleled growth for our economy. Over the opposition of his more conservative colleagues in the then Liberal Country League, Sir Thomas set about intervening in the economy to attract industry to our region. South Australia's motor vehicle industry is his enduring legacy.

An important lesson from this time is Sir Thomas Playford's long struggle to place the generation and distribution of electricity in South Australia in the hands of the people. Sir Thomas realised that a small State like ours would prosper only if important public assets such as electricity and water were operated for the benefit of South Australians. For his efforts, Sir Thomas received nothing but obstruction from conservative elements in his own Party room, particularly in the Upper House. He persevered. Electricity generation and distribution was placed in the hands of the people of South Australia, and the massive industrialisation of this State resulting from that is well known.

It seems a pity then that those old conservative recalitrants who were so obstructive to the development of this State are back in control of the Liberal Party here. They have abandoned Playford's vision for South Australia and would well sell off South Australia to the highest bidder—and often not even the highest bidder. For this those on the benches opposite should feel keenly the eye of Sir Thomas as he looks down in anger on their policies from above the Government benches.

I have heard many members in this place bemoan the evils of economic rationalism, highlighting the effects of such policies on families and communities. It has become fashionable to deride economic rationalism almost as if it were an unfortunate climatic phenomenon. These arguments miss the point. The problem is not economic rationalism but capitalism. If we accept that capitalism is a moral way of organising society, we can see economic rationalism as merely the latest fad in maximising its efficiency. Rather than simply trying to see how much weight the mule can take before it is finally broken, we should be giving serious thought to the prospect of getting a new mule.

At its heart capitalism reduces humans to economic units serving capital. Such a system, be it rational or irrational, is fundamentally incompatible with the dignity of man given him by God. It is not enough for a person to work hard and receive a wage in return. It is not enough for a person to have a roof over his head and a fire in his hearth. It is not enough for the middle class of our nation to be content with their token shares of a once great public utility. A human person requires dignity. Being one of so many apples hanging on a groaning tree is no satisfaction to any man: rather, all human beings must know the inherent value of their life and the worth of their person. It is this that capitalism fails to do. This is the chief task that faces our nation.

We talk about suicide and drug addiction; we talk about gambling and crime; but, until we radically challenge the basis of our society's means of production and ethic of living, we will see no real improvement. I am reminded of the words of the English economist Walter Bagehot:

Capital must be propelled by self-interest; it cannot be enticed by benevolence.

Capitalism fails to recognise the family as the basic unit of our society, a unit whose ordinance is divine, whose dignity is without guile and whose nobility is in the heart of every human person. Capitalism sees only the productivity of a person, without taking into account the necessity of a faithful and devoted love that is the sustenance of our life and the objective of our liberty. This then is the task before this House and our society: to recognise that capitalism is a system with flaws that cannot be overcome and to place the family and its vocation at the heart of our State, our law and our daily life.

I conclude with the thought that beyond all these things I know I shall be called to account at the throne of God, so I remind myself of the words of the English teacher and writer Minnie Louise Haskins:

And I said to the man who stood at the gate of the year: 'Give me a light that I may tread safely into the unknown.' And he replied: 'Go out into the darkness and put your hand into the hand of God. That shall be to you better than light and safer than a known way.'

Mr MEIER secured the adjournment of the debate.

GAMING MACHINES (GAMING VENUES IN SHOPPING CENTRES) AMENDMENT BILL

In Committee (resumed on motion).
(Continued from page 217.)

New clause 2A.

Mr HANNA: It is important for me to make some closing remarks before the vote is taken, particularly because the member for Davenport raised an important issue—a rabbit which I can put back in its burrow. With respect to the transfer of licences, it is important to note that this amendment precludes the grant of licences and the grant of approvals for an increase in the number of machines in respect of any particular licence. I refer the member for Davenport and other members to section 28 of the Gaming Machines Act. Subsection (1) provides:

Where a hotel licence or general facility licence is transferred, any gaming machine licence held by the transferor may, with the consent of the commissioner, be transferred to the transferee of the hotel or general facility licence.

Members can see that a new licence is not required. If in the example given by the member for Davenport a certain hotel is not doing well, somebody can buy the hotel lock, stock and barrel in the usual way and at the same time the hotel and gaming licence can be transferred to the person who buys the hotel, so we will not see a row of 20 gaming machines abandoned because they cannot be transferred. That is assuming the consent of the commissioner, but not necessarily the approval of the commissioner, for a new licence.

The other issues have mostly been addressed and by now most members know which way they will vote on the amendment. In response to the Deputy Premier, it is a fantasy to suggest that people's capital investment will double in value because of this moratorium. The market place will not look very much different—and that was acknowledged by the Deputy Premier—as a result of a moratorium being imposed as we await the report of the Social Development Committee. It is an important statement that we need to make to the community—that we are doing something about this problem now and not postponing it indefinitely. To reject the new clause would be to do just that.

The Committee divided on the new clause:

AYES (12)

Atkinson, M. J.	Bedford, F. E.
Brown, D. C.	Hanna, K. (teller)
Kotz, D. C.	Koutsantonis, T.
Lewis, I. P.	Matthew, W. A.
Meier, E. J.	Olsen, J. W.
Scalzi, G.	Venning, I. H.

NOES (31)

Armitage, M. H.	Breuer, L. R.
Brindal, M. K.	Brokenshire, R. L.
Ciccarello, V.	Clarke, R. D.
Conlon, P. F.	De Laine, M. R.
Evans, I. F.	Foley, K. O.
Geraghty, R. K.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Hill, J. D.	Hurley, A. K.
Ingerson, G. A. (teller)	Kerin, R. G.
Key, S. W.	Maywald, K. A.
McEwen, R. J.	Oswald, J. K. G.
Penfold, E. M.	Rankine, J. M.
Rann, M. D.	Stevens, L.
Such, R. B.	Thompson, M. G.
White, P. L.	Williams, M. R.
Wright, M. J.	

PAIRS

Buckby, M. R.	Snelling, J. J.
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Majority of 19 for the Noes.

New clause thus negated.

Clause 3 passed.

New clause 3A.

Mr HANNA: I move:

Page 2, after clause 3—Insert new clause as follows:

Amendment of Schedule 1

3A. Schedule 1 of the principal Act is amended by inserting after paragraph (g) the following paragraphs:

- (ga) that the licensee will not cause, suffer or permit alcoholic drinks to be supplied or consumed in, or taken into, any gaming area on the licensed premises; and
- (gb) that the licensee will cause all the gaming machines on the licensed premises to be shut down for a period of five minutes in each hour that gaming operations are conducted on the licensed premises; and

I note that this is a double-barrelled amendment. I ask members to approach this amendment or this pair of reforms with an open mind. The moratorium is a completely separate question. These two reforms, in the absence of detailed research, I admit are based on common sense and intuition. When we think about problem gamblers, in particular, and when those who work in social welfare agencies have told us what some of the problems might be and what some of the factors are associated with gambling addiction and problems, we can see that in many of these cases people are left at the poker machines for hours on end ploughing in money, pausing only when they have spent the last dollar on them at that time. Even then, the access of ready cash means that they can go back for a few more hours and plough in more money. When thinking about possible reforms, it occurred to me to set perhaps a time limit. But, even if you said that people could not start at 9 o'clock, the problem people would presumably play all afternoon and the same problems would still arise.

But we could legislate two reforms to allow better judgment and occasion for reflection on the part of those who would otherwise be lulled into a reckless pursuit of the winning dollar over hours of play; the sort of people who, in fact, are out of control and on occasion admit to it, usually

when it is way too late. The first reform contained in this amendment takes the alcohol out of the gaming area. It is as simple as that. This amendment will not worry those people who go along and sensibly play the machines (if that is possible), those who meet socially for afternoon tea or to have a cheap lunch and then spend \$5 or \$10 playing the pokies. We are not impeding the civil liberties of those who genuinely go to have a good time. Most of those people, certainly during the day, drink lemon squash, coffee and tea rather than beer, wine or spirits.

But, when walking through or past poker machine gaming areas, I have seen glasses of beer at the poker machine being topped up on request. It seems to me that it is common sense that even relatively small amounts of alcohol will impair judgment. I am sure I will hear the same arguments about its coming back to the individual. People can be as stupid as they like; they can starve if they want to—and that has been the small 'l' liberal point of view for centuries.

Mr Evans interjecting:

Mr HANNA: The member for Davenport adds that it is the view of the big 'L' Liberal Party of South Australia and that is a very sorry thing indeed. If we can take alcohol out of the gaming areas we are taking one small step in helping those people who are otherwise going to develop an addiction or get out of control in some way.

We are at least taking away one thing which contributes to that impairment of judgment which, carried to its full extent, can mean the wrecking of a life and of a family. The second reform contained in this amendment is simply to have a shut-down period of five minutes for all of the gaming machines in the gaming area in each hour that the gaming area is open. The purpose of the reform is to allow a cooling off period for the people playing the machines. Again, it is directed at those people who are going to spend hours and hours sitting there putting in coin after coin or pressing button after button, as the case may be. It will not affect those who genuinely go along and want to put in \$5 or \$10 in each machine. They might be there for half an hour or an hour but, even if they want to spend a couple of hours with friends on a weekday afternoon with a cup of tea, the five-minute break will not impede anyone greatly.

I want to do something for those people for whom I care and who are being badly affected by those machines. Perhaps it is only a few per cent of the people who play the machines, but those people need this Parliament to take some sort of measures to reduce the risk that they are under. I believe a cooling off period is something relatively simple; it can be achieved. In a way it is a Stone Age solution without going into the complications of actually fiddling with the machines to make them less seductive. Other measures may come before the Parliament after the Social Development Committee has reported and I suppose they are matters that can be addressed then. These are simple measures which will do some good and not do any harm to those who genuinely go and have a good time for the sake of an afternoon's entertainment.

The CHAIRMAN: The member for Hart.

Mr FOLEY: Again, I oppose both amendments—

Mr Lewis: Is that because you are 'Hartless'?

Mr FOLEY: That interjection was incredibly amusing to someone. I oppose both amendments although I appreciate the spirit in which the member for Mitchell has introduced them. Obviously, he feels strongly about these measures, but I must say from my point of view—again, speaking as a private member—that I find them somewhat difficult to

understand as to what they are aiming at. To suggest that in a hotel they should not serve beer is a bit like a tea room not serving tea. Simply having a piece of law whereby you will not serve alcohol in a gaming room of a hotel is somewhat silly, to be honest. At the end of the day, if you were not to have alcohol served in the gaming room and the patrons wanted alcohol, they would move to the next bar, drink their alcohol and move back in and play the pokies or whatever. I am not sure what is gained by putting distance between the schooner of beer and the poker machine, given that it is within one institution.

Mr Lewis interjecting:

Mr FOLEY: No, in reply to the member for Hammond, I would not have a brothel in a cathedral. The concern is having alcohol drunk while you are participating in gambling. Why have poker machines in hotels? Why not have them anywhere, perhaps in shopping centres? As I said, I can understand where the member for Mitchell is coming from, but I do not see the significance of it. I must admit that I was tempted to move an amendment to this amendment to ban free coffee because I think that, if we are going to ban one stimulant, we should do away with the free coffee that we find in poker machine areas, because that is clearly an encouragement to use poker machines. I know what a cup of coffee does to me in my job and I can imagine what it does to someone who enjoys playing poker machines.

Members interjecting:

Mr FOLEY: I have only one cup. It is hard to get a straight face on this amendment, I must admit, having had such a serious debate on the issue of a moratorium. The amendment is fairly ill thought out. To suggest that a hotel cannot sell alcoholic drinks to its patrons is a little odd. As my colleague says, a pub without beer does not make a lot of sense. I cannot find much else to say, other than that we should all vote against this amendment.

Ms WHITE: I rise in opposition. The first part of the amendment prohibits alcohol in the gaming area, and I oppose that for reasons similar to those expressed by the previous speaker. I do not like to deprive anyone of a drink while they are having fun pulling levers or pushing buttons.

Mr Lewis: Do you have liquor in the bedroom?

Ms WHITE: In the bedroom?

The CHAIRMAN: Order!

Ms WHITE: I was much too innocent to understand that remark and I will have to ask the member for Hammond to explain it to me.

The CHAIRMAN: It would be just as well if you did not.

Ms WHITE: On second thoughts, I think you are quite right, Mr Chairman; he might just do that. As to the second part of the amendment about shutting down for five minutes, I ask the proponent exactly how it would be implemented. I was not sure if he meant the people would shut down for five minutes, stop playing, or all the gaming machines would stop for five minutes. My first thought was that we are going to have crowded toilets every five minutes in every hour or will it be five minutes after you have a certain average payout from each machine? Exactly how does the member for Mitchell see that operating?

Mr HANNA: I am sorry that the member for Hart cannot take it entirely seriously, because there is actually a serious purpose behind the amendment. As to how it would work in a practical sense, it seems that without tampering with the machines as such it would be a simple matter for the gaming staff to go around at five minutes to 11 or five minutes to 12 and say, 'We have to shut down for five minutes because of

some ratbag in Parliament who has made this restrictive law. Please go to the bar and have a drink or a tea or coffee.' I am sure that is the sort of thing that would happen. It is really a simple matter. The amendment refers to the machines being shut down and not people being shut down, although looking around this place that is also a possibility and may be a good idea in some cases. In response to the member for Taylor, it is really a simple matter and quite easily achieved by effectively closing down a gaming area for five minutes each hour. I do not think that the rush to the bar or the toilets will to cause any practical difficulties.

Mr SCALZI: I have no doubt about the good intentions of the member for Mitchell. Whilst I had pleasure in supporting the moratorium, I cannot support these two amendments. I can see that the intention is to try to break up the 2 per cent of people who might have a gambling problem, but the reality is that a hotel and other licensed premises are about serving alcohol, and we are really talking about a place where you have to be 18 years of age to be on premises. I do not think it is appropriate to place a restriction on an individual because of what might appear to be a benefit for 2 per cent of the clientele.

As to the second amendment and the five minute break, again I can understand the intentions of the member for Mitchell. Some research shows that, in reality, to stop the addiction of some individuals you should have a break. There is evidence to suggest that that is the case. In Europe, I believe that there is a restriction on gaming machines whereby they cease operating for a period to provide that breathing space. That type of thing should be looked at. I believe that the moratorium suggested in the previous amendment should be far reaching and that it should look at these other possibilities.

I cannot support these amendments because, in the first instance, if a person is 18 years of age and is on licensed premises you expect him or her to purchase alcohol. Whether they drink it at the bar or next to a gaming machine should be their choice. In relation to the other amendment with respect to restrictions, whether or not they are instilled in the machines should be considered in the future and not with this type of amendment. I have no doubt about the good intentions behind the amendments, and it is good that we are debating these sorts of issues in order to try to ascertain the best way to deal with the perceived social problems with gaming machines.

Mr CONLON: I am somewhat pleased that the member for Mitchell has taken off the gloves and decided that some of us should be put down or shut down. Therefore I believe I am not as restricted in being polite: let us face it, debating politely was never my long suit. I find this a rather peculiar bracket of suggestions, as I said in my second reading contribution. If you put poker machines in a bakery, do not be surprised if they try to sell you pies while you are playing them. If you put them in a tea shop, do not be surprised if they try to sell you cups of tea. If they are in hotels, do not be surprised if the hotels want to sell beer. That is, after all, what hotels are about. If you believe that pokies do not belong in places where you drink, maybe that is a recommendation that should come from the Social Development Committee, but I do not think running around the back door to try to knock that off is right.

I am particularly worried about the conjunction with this five minute business. It seems to me we will get the 1997 version of the 6 o'clock swill. You will bang away at the pokies for 55 minutes, be released from that and off to the bar

to suck down as much as you can for five minutes, and then you will be back banging away at the pokies. It seems to me that that will probably not alter anyone's behaviour, just the timing of it. I do not think these things are particularly well thought out.

I like to have a bet on the racehorses from time to time which I know has been referred to as the sport of kings, although I do not think I will ever make that. I will put in a plug for a hotel in the electorate of the member for Hanson. Sometimes I go down to the Mile End Hilton because it has a nice air-conditioned pokies lounge where you can have a bet on a hot day, and you can have a quiet beer. Unfortunately, it is also a gaming room, and I do not want my beer taken away because the member for Mitchell is worried about my being under the influence of alcohol and being mugged by a marauding poker machine. For those reasons, I cannot support the amendments.

Mr EVANS: I want to add to the comments by previous members. I do not think we will see the 1997 equivalent of the 6 o'clock swill for this reason: if I was a hotelier and had gaming machines, this amendment allows me to shut down gaming machines on a rolling basis. It provides that you shut down machines for only five minutes in every hour—not all at the same time. So, being a profiteer in business, I would close them down one at a time so that a person could just move along to the next seat and play the next machine and roll through. It does not say that all gaming machines must be closed down for the same five minutes. I see the amendments as quite unworkable.

Mr CLARKE: I will be brief because most members have already covered the points I intended to cover. I recognise that the member for Mitchell is quite sincere, as is the member for Hartley, in wanting to do something as they see it about a social scourge with respect to some people in our society who cannot control their gambling habits. I will not repeat what I said on that exercise with respect to the proposed moratorium. However, it does come back to this: you cannot be a little pregnant. Whilst you are putting obstacles in the way with respect to the playing of poker machines in hotels and the like, at the end of the day the question is: do you or do you not want poker machines in hotels or clubs? If not, you are better off coming out full-blooded in a private member's Bill or Government Bill and seeking to ban them outright, because that is the best way of dealing with the issue once and for all, rather than going around not in a nitpicking or derogatory sense but in a way that can only cause a lot of angst and anxiety.

I have not had anything brought to my attention in my four years as a member that suggests that persons get themselves too inebriated whilst playing poker machines. No doubt that happens somewhere in the State, as can occur in relation to the purchase of a TAB ticket or Keno ticket at the Casino. What is of greater discomfort and danger to employees in the industry and fellow patrons are the inconsiderate, pig ignorant smokers who constantly smoke in hotels and various other places. Whilst playing their machines, they light up cigarettes one after the other, choking the person next door who wants to play the machines without inhaling cigarette smoke.

With respect to shutting down the machines for five minutes, I agree with the comments of other members. I put it to the member for Mitchell that, if his constituents are anything like mine at the Blair Athol Hotel, or the Kilburn footy club when it gets its machines, if they are on a winning streak and suddenly the machines shut down for five minutes and it is known that I sponsored the Bill to stop their running

streak, I will get a bunch of fives—and probably even lose Kilburn as a result.

I understand the intent of the member for Mitchell, and it is serious. I understand what the honourable member is trying to do in throwing up some hurdles to stop those persons who are just so obsessed with playing gaming machines that perhaps a five minute lay-off might break a habit or force them to reflect on what they are doing with their pay packet but, at the end of the day, you cannot be a little pregnant. If you do not like poker machines, put up a Bill to ban them outright. Get rid of them out of the State because, if they are a social scourge, they should be gotten rid of once and for all, if that is what we really believe in.

I look forward to the day when the Premier puts forward such a proposition, because I noticed in the last vote on the moratorium he conveniently voted in support of the moratorium with respect to poker machines, knowing full well that the amendment would be lost, so he could look holier than thou. It crossed my mind, when I saw the way that he voted, that we should have all moved across with him en bloc and voted with him and then see how he would handle the situation in the real world. I was very tempted, when I saw which way he was voting, to say, 'Righto, sunshine cop this sweet and you wear the consequences.'

Mr BRINDAL: I was impressed last night with what the member for Elder said and, while I do not denigrate the member for Mitchell for making the effort, I would say that this amendment has about the same effect, according to the line of logic of the member for Elder, of installing poker machines at Stormy's.

An honourable member interjecting:

Mr BRINDAL: No, I will not, because the word is unparliamentary. I strongly support the member for Ross Smith's argument. I can see what the member for Mitchell is trying to achieve but if you want to achieve a break in the poker machine mentality, if members on either side of the House see poker machines as evil, let them get rid of them; let them not tamper around the edges. If poker machines are bad, let us have the gumption in this place to outlaw them.

Ms Stevens interjecting:

Mr BRINDAL: I know. I am merely supporting the comments that were made. I cannot understand the logic of people who come in and tamper with the edges—whether it is in relation to tobacco, this gaming machine legislation, or any other social problem. If there is a social problem, let us fix it: if there is not a social problem, let us not salve our conscience by tampering with the edges. I had the privilege, for four years, of representing most of the electorate of the member for Mitchell, and I left that electorate after four years—and I say this not with the intention of putting him down—believing that most of the people whom I represented were capable of looking after themselves and they did not need a nanny State mentality to tell them what to do because a few of them are addicted and a few of them have a problem.

The Hon. G.A. INGERSON: I have just been advised that this amendment is totally impractical because we have a monitoring system that would have to be totally rejigged and reworked. Let us get down to some practice at the end of the day. This is a wonderful, good feeling exercise but, at the end of the day, it is not practical. The cost of implementing this sort of exercise would be enormous. The complaints which we receive continually are from those who do not gamble: they want to make sure that those who do gamble are brought back under their control. I never cease to be amazed at the practice of putting forward motions or amendments that

have no possibility of being able to be practically implemented. In relation to the alcoholic drinks area, I have been into quite a few clubs and hotels over the past few weeks and I have noticed that less than 10 per cent of the gamblers drink alcohol while they are playing the machines, and the majority of them, if they are drinking, are drinking coffee—and that is provided free of charge; I suppose because the proprietors are doing so well with the machines. Instead of standing in this place and debating from the heart, sometimes members ought to go out and see what is happening in the real world and bring some practicality into amendments when they are framed. I know they engender a good feeling and that the members who draft them have good intentions, but they are impractical and they will not work.

The Hon. G.M. GUNN: I support the amendment.

Mr Clarke: Now I know I am right.

The Hon. G.M. GUNN: It would be the first time in your life that you were right in relation to anything. Let me make no apology in relation to this matter. I do not agree with the comments of the member for Ross Smith, because I believe it is wise and sensible to ensure that, if people are going to play these wretched machines, they are of sound mind and they have not been drinking to excess and just continuing to pour money into these electronic devices, which I do not believe is a very wise or necessary course of action.

In relation to the second part of the honourable member's amendment, I believe that to put a circuit-breaker into the system every now and then to allow people to take stock of themselves is very wise. I support it because I believe that these amendments are put forward with the best will in the world. There is genuine concern in a large section of the community that these devices are wreaking havoc upon the community. If one talks to small business proprietors, one finds that they are very concerned that these machines are acting like large vacuum cleaners on people's pockets. So, I believe that anything that can be done to make people stop and take stock of themselves is a good thing. I look forward to next year, when we can have a full-scale debate on these matters.

There are two simple ways to restrict their activities. The first is to tax them out of existence and put some of the ill-gotten gains back into the community. We could just keep winding up the taxes on them—that is an old trick. The second way is to legislate them out of existence. Let us have a full-blown debate next year and examine all aspects of the matter. I did not vote for the first amendment because I believe that it was a piecemeal exercise and that we should have a full-scale debate and look at all aspects—the benefits and the down side.

People might say that we have great clubs and great benefits, but I say to them: 'At what cost?'—not only the cost today, but what about the long-term cost? What effect will it have on people's family life? Will we continue to allow a few people who are running these clubs to have bigger and bigger toys to play with? What about the effects on those people who cannot afford to be involved? I believe that this Parliament has a responsibility to ensure that we allocate sufficient time next year to examine this legislation in detail.

I recognise that there are many people who have made a very substantial investment, and one has to ensure that they are given sufficient time to get a decent return on it. On the other hand, we also have to ensure that a few people are not making excessive windfall profits. I have always been a person who believes that, if people work hard and invest wisely, they are entitled to get a decent return on their

investment. But I am concerned that, when one is dealing with a very restricted market, and if one has sufficient funds to access these machines, few people are involved. In my electorate, in Port Augusta, interesting things are taking place, in that two hotels have virtually been joined together for the purpose of creating a bigger venue.

An honourable member interjecting:

The Hon. G.M. GUNN: I think you are a bit late to fix it: the horse may have got out of the yard. It appears that it is a very profitable exercise. I do not have any problem supporting the amendment, and I commend the honourable member for sticking to his principles because I believe that there are lots of down sides to gambling. It may be my Presbyterian background, and I make no apology for that—

Mr Clarke interjecting:

The Hon. G.M. GUNN: If you have ever been close to a death adder, you do not think it is very funny. When I was younger, on occasions I have nearly stepped on snakes, and it is not much fun. When you step out on the front verandah and nearly step on one, you will be quicker than Fred Astaire.

The CHAIRMAN: I ask the honourable member to return to the amendment.

The Hon. G.M. GUNN: I commend the honourable member and look forward to supporting him.

Mr CONLON: I now realise that the member for Unley was not saying that I had suggested that they put poker machines in Stormy's—that that was an extension of the argument that I made. But with the help of the member for Hanson it did make me think of the following point. Perhaps the mover of this amendment should consider an amendment that would allow poker machine licences to be granted only to hospitals, funeral parlours, dental surgeries and large public toilets so as to remove any risk of anyone enjoying playing them.

Mr MEIER: Whilst I was very supportive of the previous amendment, I do not support this amendment. If people want to go to a hotel, enjoy a drink and play the poker machines, that is their right. I go out to dinner occasionally and I may spend a dollar or two on the poker machines whilst I am there. However, I must admit that I will not waste my time if I am told that I am only allowed to eat, that if I want to play the poker machines I cannot have a drink. I think it is part and parcel of the environment. So, I have no problem with this.

Regarding the proposal to shut down poker machines for five minutes every hour, I do not have much time to go out socially and, if I do take an hour or so for that purpose and I want to spend five minutes on poker machines, I would be very annoyed if during the five minutes that I chose I am told that the poker machines are closed and that I will have to wait. I am not trying to be facetious: I am just being realistic. I recognise what the honourable member is trying to achieve. There is some merit in closing down poker machines for an hour or two at 3 a.m. or 4 a.m. to get people out of the premises—that has been considered before. Whilst I recognise what the member for Mitchell is endeavouring to do, I cannot support it.

Mr LEWIS: I have listened with interest, and I believe that some members have missed the point. I support the proposition. It would be easy to implement it by simply putting a master switch with a timer in the gambling room to switch off the electricity to the poker machines and turn up the lights. The effect of dull lights on what is happening in the brain is well documented.

Mr Foley: Left-hand side or right-hand side?

Mr LEWIS: It happens to be both, but more particularly on the right-hand side.

An honourable member interjecting:

Mr LEWIS: Well, it depends.

An honourable member interjecting:

Mr LEWIS: The lights are on, but there's nobody home.

An honourable member interjecting:

Mr LEWIS: No. You are a couple of sandwiches short of a picnic. As I suggested when this legislation was before the Chamber previously, if we must have them, the proper places to issue with a licence for poker machines are churches. They need the money. We could allow them to establish a gambling facility from which they could get the money from those non-believers who otherwise do not provide anything for the support of the folk in the community who suffer as a consequence of the unfortunate self-indulgence of those people to excess.

The argument has been advanced that pokies are in pubs and that of course you must expect that there will be people who will want to drink alcohol. That may be true, but they need not have been in hotels, and if they were to be put in hotels there is no reason why they could not be put in separate rooms. It is a separate enterprise. If it is not a separate enterprise, why not? I will tell you. Alcohol together with caffeine is a stimulant. In fact, alcohol is a depressant: it depresses the inhibitions. That is the very first thing it does. People do not get inebriated and become a compulsive gambler. Those who go past the point of having their inhibitions suppressed and start to lose their motor control and get drunk do not become compulsive. It is a physiological fact—a neurological fact if you want to be more definite about it.

For the same reason, dim lights and particular kinds of music are used in gaming rooms. It is deliberately seductive. That is why I say that, if you switch off the power to the poker machines and bring up the lights, you will break the circuit in the brains of those few people—2 per cent or so, we believe—who are prone to become compulsive gamblers. You will break the circuit, and that part of their brain that is not thinking will start to wake up. The remainder of us are not greatly inconvenienced. At work we take a break every hour if we are doing a repetitious job: it eases the boredom and it prevents RSI. RSI of the muscles is pretty much the same in physiological and psychological consequence of the RSI that occurs in a compulsive gambler's brain. They get locked in, it keeps rolling over—'Go for it, it's got to happen.' When it happens there is an adrenalin rush, and it will be even more of a hit if there is a fairly high level of caffeine or alcohol or both in the blood at that time.

What I am telling the Committee is not nonsense. It is already well established medical fact. So, the member for Hart and the Deputy Premier may very well put their arguments, but they are not supported by good science. I am quite surprised at the Deputy Premier, who is a pharmacist by training. I would have thought that he would know better. I illustrate my point by referring to a remark that has been made. I will not remind the Committee of the honourable member who made it. It was pointed out that, after the lights were raised and the poker machines were switched off for a five minute break, when the people returned, if someone took up a machine which was left by the person who had been playing it up until that time, they would get a bunch of fives. Why we accept that as legitimate behaviour is one question, and it must be asked in tandem with another question: just is it that they would feel so inclined to punch a person just

because they had gone to their machine when we know statistically, those of us who are rational, even though we are having fun playing a poker machine, that you cannot win: you must lose. Across time, you must lose, and that is a fact.

I must say as an aside that I think the Restrictive Trade Practices Act fair advertising provisions ought to have been applied to the Casino a long time ago, because it is deceitful advertising to suggest to people that they can go to the Casino and make a fortune. The Casino knows, as do the owners and operators of all gambling that is regulated by a licence, that the person playing must lose across time. The odds are documented.

An honourable member: That's why Packer owns them.

Mr LEWIS: Yes. They are money makers. If someone is willing to lay a bunch of fives on another human being who is behaving quite civilly and who comes to the machine that that person was playing, that person is clearly at grave risk of becoming a compulsive gambler if they are driven to such irrational violent behaviour. It is a fact that psychologically they are predisposed to become compulsive and that, once hooked, they will go right down.

The member for Unley said that we are all adults. Some of us are not, those who are under 18. You cannot go into a gambling room and play the poker machines if you are too young. I put to the member for Unley: why is it that we ban children from playing these machines if they are not insidious and habit forming? Why should we say that you cannot play them until you are 18? I will tell the honourable member why. It is the same reason we have limits in law on the amount of alcohol which people can consume. It is not just because they might drive, although there is a law that says that you must not have a blood alcohol level beyond .05 per cent.

There is also a law that provides that a publican or restaurateur—anybody selling alcohol from licensed premises—must not knowingly sell to an inebriate—someone who has visibly gone past the legal limit. I ask the member for Unley: is that a bad law because we protect people from their own folly, from the damage they will do to their livers as a result of taking their blood alcohol level so high and from the damage they will do to the rest of their health? It is not at all: it is very sensible.

Mr Brindal: It is; three drinks a day will destroy your liver and you will never be an inebriate.

Mr LEWIS: It is not at all: you will not destroy your liver on three drinks a day. The member for Unley knows that there are laws that regulate the level to which we can indulge ourselves in things of one kind or another. Alcohol is the easy one to refer to in this argument, simply because it is sold in the same premises as the poker machines are installed. There are limits to the consumption; there is not prohibition, so the argument that what we need is a full blooded debate on whether or not to ban pokies is not realistic. I have not said that poker machines ought not to be there at all: I have simply said there has to be a better way of allowing people access to them if they want to have fun with them, without a few suffering great detriment as a consequence. It is up to us as legislators to find that way. We accepted that responsibility when we sought the trust of the people to vote for us and put us in here with their delegated authority to do these things. That is the point I made earlier.

I refer to what the member for Stuart said. He kindly provided us with two ways of fixing the problem as he saw it, that is, tax them out or ban them. Mr Chairman, I am telling you that the strength of feeling in the community at large is growing and the numbers of people with those

feelings are growing in frustration at our indifference to what they have identified and what has been documented as a problem, and we are doing nothing about it. I am hearing that pretty soon there will be the kind of sabotage that has only just started. People will be going into poker machine facilities with tubes of superglue concealed inside their coats and they will simply squirt it into the machines. Either we provide some sensible arrangements by which the scourge does not affect those who are prone or we will find that the owners of poker machines will have a massive cost imposed on them by what I would see as vandalism, but it will nonetheless happen and it will bring division into society and higher costs of security in gambling areas.

Then there will be a call to reduce the level of taxation on the poker machine turnover, simply because of the high cost of ensuring that the poker machine is secure and safe. I can tell members that it is already starting, so do not sit back and say, 'It's okay; let her rip.' It will not be okay: there will be problems. Do not sit back and tell me that this is not more serious than the deaths and injuries that have occurred from firearms. The deaths that result from compulsive gamblers who go bankrupt are greater in number than those that result from gunshot wounds.

I commend the member for Mitchell on bringing the amendment before us and, even though it is obvious that it will not be passed, it provided an opportunity for us to examine seriously some of the issues that have been spoken about in the course of debate on this clause and begin to understand the benefits that we will get if we listen to a detailed analysis provided by the Social Development Committee on identification of the problem, teased out in each of its components, and the fashion in which we might attempt to address it. To say it does not exist is stupid, because we all know it does, and to say there is no solution to it is to abrogate that trust we were given when we accepted after seeking the delegated responsibility of becoming members of Parliament.

Mr BRINDAL: I will not detain the Committee for long. If this debate is serious—and I believe it is—and the member for Hammond is making serious points—as I believe he is—one point that he made in his contribution cannot go unchallenged. He said that the Christian churches should have them because they need money. I can assure the member for Hammond without fear of contradiction that any of the leaders of the Christian churches in this State would absolutely refuse his very kind offer—for one reason only: there is a story in the Bible. I am sure some of the members opposite are more versed in this than I but, in Holy Week when Jesus visited the temple, he took off part of his clothing and he whipped the money changers out of the temple and said, 'It is written my house shall be a house of prayer and you have made it a den of thieves.' I say to the member for Hammond that I do not think the Christian churches in South Australia want poker machines in any form. I do not think it is part of the province of religion, and that part of his debate needs to be refuted.

Mr HANNA: It is time to reply, because the way the debate is heading is very clear and there is probably no need for further contribution; most of the points have been made on either side. The sad thing about the debate is that there have been hollow suggestions that these measures that I have brought before the Chamber are merely tampering around the edges and do not address the real issue of whether or not we should have pokies. They are hollow suggestions because, given the way this debate has gone, everyone knows now if

they did not know before that pokies are here to stay. The dam broke in the middle of 1994; the river is flowing in full force, picking up casualties along the way; and this attempt to sandbag that gushing force has not done any good. Unfortunately, I believe it sends a message of despair to those agencies that deal with the casualties every day. It must leave the member of the Upper House the Hon. Nick Xenophon questioning what he can achieve when the will of this Parliament seems fairly clear in respect of leaving the poker machine industry and so on relatively unrestrained.

Should this amendment fail after the previous amendment having failed, we are left with really a pathetic publicity stunt by the Premier. I do not doubt that the Premier is aware of the social impact of the machines, but to pretend that banning poker machines in shopping centres is more than the thinnest bandaid is really a sad joke. Unfortunately, we will be left with a message that this whole topic will be a minefield for any kind of restraint, no matter what the Social Development Committee comes up with.

Ms BREUER: I oppose the new clause. I come from a very long Methodist background, which goes back generations, so for me to be standing here saying this may seem a little strange.

Mr Hill: Do you play the tambourine?

Ms BREUER: No, that is not the Methodists: that is the Salvation Army. I truly do not believe that the great majority of people go along to play the pokies and drink at the same time. I do not have a lot of experience with pokies—I have probably spent \$100 on them since they came in over the years—but I have seen people, and I really do not believe that people go along to get drunk and play the pokies. In fact, I think that pokies have filled something of a social need in our society, particularly for women, because large numbers of women go along for the social environment. They do not go along to get drunk but because it is acceptable for women to go to a hotel nowadays, meet people and play pokies with them. I do not believe that this is a particularly good thing, but, to be realistic, that is what is happening.

So, I do not think drinking is an issue with poker machines. If people are drunk when playing pokies it is usually because they have been at the pub for some hours, got drunk and decided to have a go on the pokies. By banning alcohol in the gaming area would not achieve anything in the long run. I do not believe stopping the machines for five minutes will solve the problem either. I can see major problems with that. Things like toilet rushes and rushing to buy drinks have been mentioned. From information I have seen, the logistics of setting up the machines this way would be horrendous. While, it may be a good idea to chop the cables, as suggested, I do not see that as a practicality. Perhaps we could shoot them instead.

Gambling has always been a problem in our society. If we are talking about stopping people drinking when playing pokies you should look at banning alcohol on racecourses, because there are far more problems there with alcohol than with poker machines. For many years I have seen in Whyalla people using a bingo booth in the local shopping centre. They line up on pay days and spend three quarters—or their whole pay in some instances—on bingo tickets. When the pokies came in the bingo booth in Whyalla lost about three quarters of the profit it was making, money which was going back into the community. That profit has gone because of the poker machines. The population has shifted from bingo stalls over to the hotel, where they are spending the same money. It is

not a good thing, but it is part of what is happening in our society.

I have never heard so many people say the same things in so many ways as I have heard in the past 24 hours. None of us likes pokies: most of us would like to see the pokies go. However, the testing time will be next year when the Hon. Nick Xenophon starts looking at legislation to get rid of the poker machines. I wonder how many people will have the courage to say 'No' to them at that stage. I do not think that this amendment will solve any of the problems that have been mentioned. We need to look down the track at proper counselling, money being invested in counselling, in education and solving the problems in those ways. For many years I was involved in the welfare area: I was Chair of the local counselling service for five or six years. I know the problems gambling creates. There is not enough money around to do anything about those problems. That is where the real answer lies.

New clause negatived.

Clause 4 and title passed.

The Hon. G.A. INGERSON (Deputy Premier): I move:
That this Bill be now read a third time.

Mr FOLEY (Hart): I will make a brief contribution to the third reading. The Bill has been before the House in both Chambers over the past two weeks. It was initially a piece of legislation designed to stop future developments within shopping centres for hotels. It had a retrospective element to it, as also an exemption for the CBD of Adelaide. We saw in another place that legislation amended significantly on a vote of the conscience of each member to include the CBD of Adelaide and knock out the retrospective element of the legislation.

The Bill was dealt with in this House, and amendments put forward by my colleague the member for Mitchell have generated a degree of debate. There is nothing wrong with that: it is an appropriate way to deal with such matters in a conscience issue and for members to put forward their views. What do we have from this exercise? The Premier's announcement on 17 August was a political knee-jerk reaction to what he considered to be the political pressure he was facing at the time.

Members interjecting:

Mr FOLEY: I will not go on for long. The Speaker can rule if I am out of order. Before I am called to order, if I am speaking slightly out of the norm for the third reading, I say to the hotel industry in this State that we have been put through a degree of debate—

The Hon. G.A. INGERSON: On a point of order, Sir, the principle of the third reading is to discuss how the Bill has come out of Committee and not to have a general debate. I ask you, Sir, to rule that the honourable member is out of order.

The DEPUTY SPEAKER: I uphold the point of order and request that the member for Hart restrict his comments to the Bill.

Mr FOLEY: The Bill came out of Committee to prohibit future developments inside shopping centres. That achieves some degree of what the Premier set out to do. In some part it goes further by banning it in the CBD. To all the hoteliers in this State, the Premier of this State has supported a moratorium—

The DEPUTY SPEAKER: Order!

Mr FOLEY: —and I hope that all hoteliers see that for what it is.

The DEPUTY SPEAKER: Order! The member for Hart will take his seat.

The Hon. G.A. INGERSON: On a point of order, the honourable member is deliberately flouting the rules for a third reading speech and I ask him to desist.

Members interjecting:

The DEPUTY SPEAKER: Order! I accept the point of order. I believe that the member for Hart has concluded his remarks.

Bill read a third time passed.

UNCLAIMED SUPERANNUATION BENEFITS BILL

Adjourned debate on second reading.

(Continued from 9 December. Page 141.)

Mr FOLEY (Hart): I will be sure to speak in order here. The Bill before the House as it has come from another place is simply to allow for unclaimed superannuation to be held by the State Treasury. Under law at present we would see that any unclaimed superannuation would be returned to the Commonwealth Commissioner of Taxation. This law brings us into line with other States and allows for unclaimed taxation to be returned to or maintained in South Australia under the supervision of the Treasurer. A proper register will be put in place to ensure that, for any member who makes a claim, it can be properly tracked, and there is an appropriate set of arrangements to ensure that either the people who are the direct beneficiaries or their heirs are able to access that unclaimed superannuation benefit.

The Bill has been under scrutiny with the Treasurer in another place. It is an administrative Bill and for that reason we accept it. We will briefly go into Committee I understand to allow a certain element of this Bill to be inserted. I will make my comment here instead of doing so in Committee. We are already finding, in such an early part of this new Parliament, that having a Treasurer in another place for the first time in this State's history is not without its logistical difficulties. We will be amending part of this legislation to insert a clause that was not able to be passed by the Upper House due to the fact that this is in part a money Bill and the Legislative Council could not pass such legislation.

It is a minor point, but it is important to illustrate that the Premier's requirement to have a Treasurer away from the Lower House is not without some logistical difficulty, and for the smooth running of Parliament it would always be preferable to have the Treasurer in the Lower House.

The Hon. G.A. INGERSON (Deputy Premier): I would like to take up the last statement by the member for Hart. Over time there have been quite a few Parliaments in Australia where the Treasurer has been in another place. As the honourable member would be aware, the procedure is that another place cannot pass a money Bill, but it can suggest changes. The principle of amendment is basically the same: the only difference is that the final insertion in the Bill needs to take place in this House. So, the honourable member was getting off the track a little as far as this House was concerned.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

New clause 7.

The Hon. G.A. INGERSON: I move:

Page 3, after line 5—Insert new clause as follows:

Treasurer to refund certain amounts

7. (1) If—

(a) an unclaimed superannuation benefit has been paid to the Treasurer under this Act; and

(b) the Treasurer is satisfied, on application made by a person in a form approved by the Treasurer, that, if this Act and Part 22 of the Commonwealth Act had not been enacted, that person would have been paid that unclaimed superannuation benefit by the trustee by whom it was paid to the Treasurer,

the Treasurer must pay an amount equal to the amount of that unclaimed superannuation benefit to that person.

(2) If the trustee of a fund, after paying an amount to the Treasurer under this Act, satisfies the Treasurer that the amount so paid exceeds the amount that the trustee would have paid to the person concerned, the Treasurer must refund to the trustee the amount of the excess.

(3) The Consolidated Account is appropriated to the extent necessary for the purposes of this section.

New clause inserted.

Remaining clauses (8 to 11) and title passed.

Bill read a third time and passed.

DEVELOPMENT (BUILDING RULES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 December. Page 189.)

Mr CONLON (Elder): We support the Bill. As I understand it, the purpose of the Bill is to bring the Building Code in South Australia into line with national codes adopted some years ago. They have been adopted everywhere else and we would support the Bill without the need for further discussion.

Mr BROKENSHIRE (Mawson): I am delighted to support this Bill. These codes—and the fact that we have to keep a close eye on what is happening with building quality in South Australia and, indeed, Australia—are very important. I think this measure is a step in the right direction. I flag to this Parliament that I believe the building industry must be vigilant in ensuring that standards are kept at a satisfactory level for the consumers of South Australia.

The Hon. DEAN BROWN (Minister for Human Services): I thank members for their contributions to the debate. The Bill maintains building standards within South Australia and, from what I hear when talking to people, not only the written standards but also the practical standards that we have within the industry here are, in fact, the best you will find in any State of Australia. That is indeed a compliment to our building industry. Again, I thank members for their contributions.

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

STATUTES AMENDMENT (HOLDFAST SHORES) BILL

Adjourned debate on second reading.

(Continued from 9 December. Page 188.)

Mr CONLON (Elder): This Bill has come to this place in amended form from the Government's original Bill. This matter has generated an enormous amount of heat on the

other side in the past week and not a great deal of light. The purpose of the original Government Bill was to vest certain lands situated at Holdfast Bay and under the control of the Minister for State Enterprises in order to facilitate the marina development at Glenelg. We support the provisions and, as I have said so many times in the past week, we support the development of the marina at Glenelg.

The amendments moved in another place are an attempt to deal with a late tack-on to the Holdfast Quays development, a tack-on about which we have enormous concerns in relation to two aspects: one is the expense of public money on the development, and the other is the environmental impact in relation to the huge groyne to be built at West Beach to house a boat launching facility and sailing club.

We say it was a 'tack-on' to the original project, because it is quite clear, despite lots of noise that has been made about it, that this development was never in the plan which was the subject of the original environmental impact statement. In fact, something very different and much smaller was involved in the original environmental impact statement.

We have been genuinely surprised by the Government's position on this matter. Our amendments, which have attempted deliberately to separate out the West Beach issue, are completely unacceptable to the Government, and I find that surprising. I find it hard to believe that the Government's position is that the Glenelg development cannot go ahead without it, for reasons I will address shortly.

First, let me speak about our commitment to the Glenelg project, because there has been a great deal of misinformation about that and a great deal of bagging the Opposition in terms of the state of the Patawalonga and cleaning it up. This project at the Patawalonga was first made possible by the expenditure of about \$9 million of Federal ALP Government Better Cities money on the clean-up of the Patawalonga. We supported that, and we have supported the Glenelg development to the extent that we have supported in the past and support here again today the vesting of a large amount of valuable publicly owned land ultimately to the benefit of the developers of the project.

I make that point very strongly. There has been an enormous level of public support for the developers of this project, which the ALP has supported. What we have not supported as yet is the tack on, and I would like to explore how this enormous tack-on groyne came about. It was not in the original environmental impact statement as I understand it because the Government had a different idea about how to deal with relocating small boat launchers and the Glenelg Sailing Club. Also, it had to make sure that the Patawalonga was clean for the millionaire marina into the future. The Government was going to punch a channel from the rear of the Patawalonga straight out to sea at West Beach. I understand that a small groyne was to be situated at the end of that channel to accommodate the humble facilities that exist now for small boat launching and the sailing club at Glenelg.

This project was a simply appalling idea. It never got off the ground because no-one would support it including, unless I misrepresent him, the member for Colton. The Government had all this public support for the development at Glenelg, but the Government was a bit stuck: it had not fixed up what it was going to do with the stormwater coming into the Patawalonga, and it had also not fixed up a problem which any reasonable person thought would have been a moderately difficult problem for a Government to deal with but which has now assumed enormous proportions, that is, the problem

of the existing Glenelg Sailing Club which had a lease on the development site.

The failure of the Government in its negotiations with the Glenelg Sailing Club is manifest in the arrangement it finally made, the deal that we finally saw only yesterday. This Government wants to talk about our not supporting development, but the deal it has done with the Glenelg Sailing Club involving \$11 million of public money is something it would not tell us about until yesterday. The Government wants to tip buckets on us for not supporting development, but it has not been willing to tell us what sort of slick deals it has done. Let me tell the House about the deal because it is special. Certainly, I should congratulate the Glenelg Sailing Club, which has done a remarkable job for its members.

The sailing club at Glenelg—and I do not mean to insult it—as anyone who has visited it will know, is a modest club similar to other sailing clubs one finds up and down the coast. It has a clubroom, a number of members and is principally a place where people drag their small boats across the beach at Glenelg to launch them. This is the facility on which the Government has got stuck. This is the place over which the local sailing club has completely stitched up the Government. I want to talk about the deal which this humble and modest sailing club achieved in order to hand over its Glenelg property.

As I said, we saw this agreement for the first time yesterday. I now refer to the indicative points of the relocation agreement for a club that used to drag its little boats across the beach. First, the Government will build a 250 metre long five metre high groyne out into the ocean. Members should drive down the coastline and see how many groynes there are of that size on the Adelaide coastline. It will be simply enormous, and it is to be built to house the modest small boat launching facilities that exist at the Glenelg Sailing Club, a sailing club very much like other coastal sailing clubs, so far as I can determine.

What is to be provided within the 250 metre groyne? Club members are to have priority use of a single lane of the public boat ramp; a keel boat launching facility will accommodate boats of up to two tonnes; there will be a facility suitable for two cranes, with one crane provided, and we understand that the cost of that crane is \$400 000; a facility able to accommodate a second crane; flooding pontoons to receive boats being craned into the basin; guaranteed sand management for as long as the club utilises the site; the beach in front of the clubhouse to be maintained; a basin and approach to be maintained to a depth of minus 3.19 metres AHD, which is deep enough for trailer sailers and one design keel boats; a fenced area for the storage of dinghies and catamarans; a fenced area for 30 hardstands; a grassed rigging area; a sealed car park; the developers to project manage and provide assistance with design work; \$1 million for the clubhouse and boatshed, including fit-outs; and a lease for 20 years with a right to renew for another 20 years. There are others things too, to cover compensation for disruption.

The developers are to pay out the balance of the Glenelg Sailing Club loan, which we understand is about \$50 000; the developers to pay both clubs' existing lease payments; the Glenelg Sailing Club to be paid a further \$3 000 a month from April to September 1998; and the Holdfast Sailing Club is to be paid \$750 a month; and, just in case it is a little inconvenient, it will be paid \$10 000 if the developer is slow in providing all of the facilities. This was a humble sailing club, which has stitched up this Government: it saw John Olsen coming. The club must have thought he was Father

Christmas. They must be kicking themselves down at Glenelg Sailing Club because they did not ask for a ski lift or the like as well because they probably would have got it. They got everything except a free set of steak knives. The Government's negotiating of this deal was extraordinarily bad.

What is wrong with giving the Glenelg Sailing Club facilities equal to those it has now and perhaps compensation for dislocation? For most people it would seem relatively fair minded. Instead, we have this most extraordinary piece of largesse. I recommend that the Minister for Government Enterprises should approach a couple of the negotiators from the Glenelg Sailing Club and try to get them on staff. Perhaps they could teach some of his people something about negotiation. Even better, the Premier should send them to the next Premiers' Conference—they would probably come back with Victoria! They have done very well. In speeches to the House, the Government has said that the Glenelg Sailing Club is very happy. I am not surprised: I would be pretty happy, too. It used to be the Glenelg Sailing Club and now it is the southern hemisphere version—

Mr BROKENSHERE: Mr Speaker, I rise on a point of order. I understand it is standard procedure in this House to address the Chair during debate.

The SPEAKER: I uphold the point of order. The honourable member will address his remarks through the Chair.

Mr CONLON: I say again to you, Mr Speaker, and I apologise if I was not speaking through the Chair, that they should be very happy because they used to be the Glenelg Sailing Club and now they will be the southern hemisphere version of the new Rhode Island Royal Yacht Club. They will have a fair crack at winning the America's Cup the way they are being treated.

Mr Brokenshire interjecting:

Mr CONLON: It would be good. Is the Government going to do it for the Largs Bay Sailing Club, for the Seaview Sailing Club and all the other sailing clubs down the coast? No, it is only doing it to bail out of its problems. The Government will spend \$11 million to bail it out of its inept planning of this development. I say again that we support the Glenelg development but we cannot allow such largesse with so many environmental questions still hanging over the project without raising questions and simply asking whether this is a good way to spend public money. That is the financial side of it, about which we have a few questions.

When the Government talks about our holding up development, perhaps if we had known about this pretty slick deal earlier than some time yesterday we might have been in a better position to make a judgment on it. Let me indicate what some of the other concerns are about the \$11 million groyne. It is not just our problem. The people who have raised problems in respect of the groyne have been roundly attacked, mugged and gagged. Let me say who they are. The Government spent a lot of time bagging the City of Charles Sturt and its report for not being good enough. That would be helpful to it if they were the only people who had raised a concern, but I am afraid they were only one voice in a chorus of concerns.

The Charles Sturt Council has been bagged without much chance to respond in here. We have a baker's dozen of SARDI scientists who have raised concerns about this, but they have been bagged. One of them, unfortunately, has skills as a computer expert. Therefore, according to the Government, having another skill disqualifies him from commenting on the project. We on this side of the Chamber can walk and

chew gum. We believe that people can think of two things at once. These people were bagged and then gagged. Apparently what they said was not doing any harm because it was not right, but they were not going to let them say it anyway. They were not going to let these people raise their concerns. Anyway, according to the Government, that is the collection of ratbags who have raised meaningless concerns.

Who is the next one? The Residents Association have been bagged in here—a collection of ratbags who do not know what they are talking about, according to the Government. However, according to my memory, this is the same Residents Association that appeared in a photo with the former Liberal member for Elder. He attempted to raise his profile by being associated with the Residents Association. Someone was wrong about them. The former member for Elder did not think they were ratbags. He thought they were a strong local residents' voice and wanted to be photographed with them. Apparently, since they have lost their way with Glenelg, they have turned into a bunch of ratbags.

The member for Colton, before he went belly up on this issue, had concerns. He did not like it. If I am misrepresenting him, I invite him to stand up and tell the House, but my understanding is that he has told a lot of residents that he does not think that this is a good project. Next we have the West Beach Trust, which is just up the road. It has a little concern. It has a lot of property, a nice beach, and it is a bit concerned that visitors to its caravan park in the future will be visiting West Beach cliffs instead of West Beach. Before I finish the list of these ratbags who do not know what they are talking about, I will add a couple more. Apparently Chris Gallus, the Federal member for Hindmarsh, thinks it has problems. She was down there—

Mr Brokenshire interjecting:

Mr CONLON: She can answer that. She was down there last Saturday. Members on this side were there and heard her express her concerns about this project. The former Liberal member for Glenelg, John Mathwin, expressed concerns about it. We will put him in the ratbag category. Finally, David Suzuki is known as a ratbag all around the world. He is a famous ratbag.

With that level of concern having been raised about a project that was not in the original environmental impact statement, we are entitled to ask a few questions, and that is what we have done. We have separated out this issue from the Glenelg development. We have done everything we can in that regard. We really should not raise these concerns, because the Government has a report by Riedel. That one report cancels out all the rest of this. Why is it that we, as a responsible Opposition, cannot raise these concerns? They have been raised by many people.

Members opposite should ask themselves honestly, those who have lived on the South Australian coastline for a while, about the effects of these sorts of developments. Members opposite should drive down and look at the beach north of the current breakwater at Glenelg. Those old enough will know that that beach has been disappearing year after year, with a groyne about a third the size of the one proposed. The people who live north of that groyne are quite entitled to know whether they will have a beach after the groyne is built.

The defence that has been given for it in this place is that it will require sand management, and it will always require sand management. It will require much more sand management than already is required on our troubled coast. The Government cannot bind future Governments to do that level of sand management. The Liberal Party has been quick to

change Leaders. I am not sure that John Olsen can bind the next Liberal Premier—

Mr BROKENSHIRE: I rise on a point of order, Mr Speaker. It has been pointed out time and again in the past few days that members, even new members, should address honourable members either by their ministerial title or by the electorate they represent, not by their Christian name.

The SPEAKER: The honourable member is correct. The member for Elder will address his remarks through the Chair and refer to members by their electorates.

Mr CONLON: I do apologise, Mr Speaker. The point I make is that the current Premier of this State cannot bind future Premiers. If that is possible, he should explain the mechanism during the debate. How can the Government ensure that the massive amount of sand management required will be done by future Governments?

The Hon. M.H. Armitage interjecting:

Mr CONLON: The Minister may laugh, but people are worried about their beaches. There are people who want their beaches next year and the year after. It was very ironic to see the Premier down there seeking publicity by swimming at West Beach. I thought, 'What a great photo for those people campaigning to keep the nice beach off which the Premier is swimming', because if this groyne goes ahead it may not be there in a year.

The other specious defence given to the raft of problems raised is that there has always been sand management. There have always been hundreds of trucks. I am not an expert on Aboriginal history, but I have never heard anyone talk about the Kurna people's sand management of the coast in the past. I have not seen any rock paintings of them dragging dug-out canoes filled with sand back up the beach. The truth is that this level of sand management was not necessary until our mismanagement of the coastline and the destruction of the dunes over the past 70 years. It is an absolutely appalling argument to say that, because we have had to manage sand due to that destruction, it is quite all right to do a bit more mismanagement and destruction.

I am sorry that the member for Gordon is not here. He might be able to assist us with some information about what has happened at Port MacDonnell in respect of the breakwater that was constructed 15 years ago which apparently would do no harm. I look forward to finding out his views on that. My understanding is that it has done more than a little bit of harm down there.

I have tried to indicate why we have concerns. We have done everything we can in the past to support the Glenelg marina project, and we have done everything we can in this Bill to address legitimate concerns expressed by a vast range of people without affecting the Glenelg project. We are told we cannot do that, but we have not been given a convincing argument as to why that is not possible—we have simply been stood over and told, 'We will paint Labor as anti development if you do not go immediately belly up on this project. Never mind the concerns or the questions, we do not have to answer them. We do not even have to talk to you.' That has been the attitude.

For a Government concerned about getting this project up, it has not done much about it. The view of Government members is that they do not need to address these concerns. Our view is they do. Their view is that no-one has said, 'Look, we will let you address the concerns, but we have to let Glenelg go ahead, and this is how we can do it'. No-one has wanted to do that, and no-one from the Government has done it.

We have signalled our intention time and again to support the Glenelg project and to talk to the Government about ways in which we can address these legitimate concerns without creating any fear over the Glenelg project. It takes two to cooperate and compromise. We cannot run away from the very legitimate concerns we have raised. No doubt more will be said on this as a number of other members want to raise concerns on it. I will leave my remarks there at this stage and speak further during the Committee stage.

Mr VENNING (Schubert): I support the Bill. I did not intend to contribute but I have heard so much vitriol in relation to this issue that I thought I had to make a point. I support the Bill as it was originally introduced into the other House but I oppose the Bill that has been amended and come down from the other place.

I initially and up-front declare my interest in the matter. I own a house on Seaview Road, West Beach and I stay there when I am in Adelaide on parliamentary matters. I am there much of the time and I enjoy the location, the views and the general amenity of the area. The new boat harbor will be in full view of my lounge room window, and I have no objection to the development either at Glenelg and/or at West Beach.

Mr Clarke interjecting:

Mr VENNING: I am a member of the local progress association. I went to one meeting and have never been to one since, because it was a complete Shanghai meeting of Labor Party stalwarts. I met Bridget Bannear, the lady who chairs the meetings, and whatever the Government did in the area was bad—from Telecom poles to Patawalonga clean up. There was always a negative reaction. Bridget is a good ticket holding member of the Labor Party and she has been a candidate in local government elections. She is a political activist. I went along to the meeting with an open mind and with every good intention, as a part-time resident. I have not been since. I sent my children along, because they live there all the time. They attended one meeting and said, 'Dad, it was unbelievable. Talk about a kangaroo court!' I feel so sorry for my colleague the member for Colton for having to put up with an outfit such as that. Talk about a mickey mouse outfit with political motives. So, I was disillusioned. I am still a member and I still pay my fees—but for what, I do not know. I am one of those silent people who do not have a say because we just get deliberately overlooked.

I believe this proposal is a fantastic opportunity for South Australia, and especially for the local region, which is crying out for capital. This is a major capital expenditure not only for the State but for that region. I cannot believe the opposition to it. This area needs new facilities. If one looks at the public facilities along the coast, one sees that the whole lot is in need of a major upgrade. Money has been spent at the West Beach Surf Lifesaving Club. All we have been doing is patching up the facilities, but we need new facilities.

We also need new facilities to enable boat launching in rough weather for deep keel boats, small sailing boats and catamarans. I declare also that I own a catamaran, which I have often launched at the sea rescue area, which, if it is rough, is an extremely dangerous operation. Getting a car down onto the beach can be quite hazardous. If you have a four wheel drive you ought to use it, because it may be possible to get a boat down there but it will be impossible to get it out again: as the tide comes in, and if the yacht club does not have its tractors out, you are in deep trouble.

I have been door knocking there, and it is a great area. The member for Colton is well and truly entrenched there, I can

assure members. This issue will enhance his standing, I am sure.

I own a catamaran, but I have not sailed it for a while because my parliamentary duties do not allow it. But I am a keen sailor. I sailed sharpies off there; I owned a State champion boat. We launched them at Holdfast Bay.

An honourable member interjecting:

Mr VENNING: Off the beach. Where else can you launch them? There is not anywhere else, is there? The honourable member should try to launch a professional sharpie with thin plywood on that rocky surface. One slip and you have destroyed your hull: it happened so often. That is why we see fibreglass sharpies used now. They are not as fast or exciting but certainly safer. I declare that interest.

Where is the alternative boat ramp, if you do not want to launch a boat there, when there is rough weather and where there is a guarantee of getting a car out? There is either the north arm at Port Adelaide or Seacliff. It is a long haul.

An honourable member interjecting:

Mr VENNING: The honourable member refers to O'Sullivan Beach. If you want to go out for a casual sail, you lose interest, because you have to travel a long way to put a boat in. I used to go north to the Henley Beach Yacht Club, which is a great yacht club. I have been a member there. To launch a boat there, you have to go about 200 metres across the sand, if the ramps are out. If they are not out, it will be too late and you had better call the RAA, because you will not get out of there. Driving cars across the beach is an environmental problem. Cars are not supposed to be on the beach. You park your car there, you get your boat off the trailer, and then you have the inspector asking you to take your car off the beach when you are only half-way through rigging the trailer-sailer. So, we have had problems in that regard. We should not kid ourselves. This proposal would solve many of the problems. But the alternatives are so far away.

This area is in between the existing facilities. I want to stress that this is where I stay when I am on parliamentary duties and my children live there because one is at university in Adelaide and one now works in Adelaide. This is an ideal place to build the facility. Anyone who knows the coastline of the State and the existing facilities would know that—and you, Sir, I know are a yachty from way back. I met the Speaker in the Port Pirie harbor in his wonderful yacht. I know you, Sir, appreciate good facilities.

This area has very good road access off the main road across the hill to the beach, where the Yacht Squadron and the Sea Rescue Squadron are situated. There is plenty of open space on the land, with a sewerage farm on one side, so there is no problem in getting a space for car parking. There should be no hassles with the neighbours, because there are none. This proposal is compatible with existing use, with the sea rescue facility there, as are the local yacht and sailing clubs. It is also adjacent to the SARDI Marine Science Centre. So, this area is tailor-made for its intended use: no-one can deny that. If you were ever to put a facility anywhere along the 10 or so kilometres of beach there, this is the ideal spot.

As I go on my morning jogs along the beach, I see signs on people's front fences saying, 'No boat harbor for West Beach'. I have asked several of these people whether they really mean that and one said, 'No, I have a friend who is in the progress association and they want me to put up this sign, so I have.' It does not faze them very much, and they are all very interested to have a look at the facility. So, I am quite happy to put up a sign in my front yard saying that I support it. But I would not put it on the front of a Liberal Party sign,

as was the case with one of the signs that I saw on a poster for Ms Stephanie Key.

Ms KEY: I rise on a point of order, Mr Speaker. We have been reminded a number of times by the other side that members should use either the title of the person they are referring to or they should refer to the seat that they represent.

The SPEAKER: Order! The Chair understands the point of order. I remind the member for Schubert that I uphold that point of order. I have explained recently to the House that members will address members opposite by their electorates, not by their personal names.

Mr VENNING: I do apologise for that transgression. I admit, I could not immediately put a hand to the electorate, which is Hanson. I am sure that after a few weeks we will become more familiar with the electorates and we will use those titles. I would not normally transgress in that way and I do apologise. I have put my side. I will not be using one of the honourable member for Colton's signs as my poster: I will be getting a piece of neutral material to put it on.

Mr Clarke interjecting:

Mr VENNING: All the people who have houses on either side of our family home—and my children talk to them often—have the same opinion as I: they have no hassles and they say, 'Give it a go Ivan. I am sure that, if there is a problem with sand management, the Government will fix it.' They trust us to get it right. And a lot of people who live in this area are very influential. One Port Adelaide football player lives a couple of steps down the road: I will not mention his name, but the member for Hart would know him well. He drives around in a two door BMW. He would support me as well.

Mr Foley interjecting:

Mr VENNING: You know what I'm talking about. All these facilities that are already there can be classed only as being in an average state of repair. They are definitely not state of the art. They are all in need of an upgrade, so no-one will be upset about knocking them over and building new ones. As members know, the cliffs on the beach are currently stabilised by heavy rock on the foreshore. So, there is already heavy rock present to protect the facilities from the elements. It is in the centre of the space between Glenelg and West Beach. I pay tribute to the member for Colton, because this is a difficult issue. Of all members of this place, this member represents his constituents to the utmost. If members want proof of that, just check the election results.

Members interjecting:

Mr VENNING: You might have knocked off a few seats. The honourable member represents his electorate as diligently as anyone.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The House will come to order! The member for Peake will not interject out of his seat. In any case, interjections are out of order.

Mr VENNING: I do not wish to resort to a debate about who lives where. I do not think that is relevant. I would like to say to the local member that it does not matter where you live, it is the sort of representation that you give your constituents that must come first. That point must be considered, because it is by far the most important. It is the sort of representation that the honourable member gives his constituents that is important. No-one can dispute that the member for Colton gives his constituents wonderful representation. I am in awe. My children are a true barometer of that

representation. They are not particularly politically active—they leave that up to me—but they see the member for Colton working his patch. They are very aware of how I represent my country electorate, and they see the member for Colton, a city man, on the footpath working his electorate.

An honourable member interjecting:

Mr VENNING: He said that the people knew him anyway, but they certainly know him as representing his patch.

An honourable member interjecting:

Mr VENNING: Of course they were; that's right. I am being misled by my own side. I want to pay tribute to the honourable member because, when I first saw the original plans, I was concerned about the rock pile across the beach. Now that I have seen the new plans, I see that there will be a jetty running across the beach and out into the water for a couple of hundred metres. This pleases me greatly. I did not want to have to climb over the rocks to have access to the beach when I run because I am not as young as I used to be, and I did not want to see that vista destroyed. Not only will this give us access to the beach under the roadway but we will also see the sand management, the sand drift still being able to run along the beach—not to the full degree, but certainly to a large degree, as it ought to. So, we will have that access.

I want to speak tonight particularly about sand management. I am cross when I hear the Charles Sturt council talk about sand management. I am sick to death—

Mr Clarke interjecting:

Mr VENNING: I have carted tonnes and tonnes of sand out of our front garden, gutters, ceilings, the driveway, and off the road in front of our property. The council pays a fortune to bring in a street cleaner to sweep the road. Tonnes of sand come over the sandhills, onto the road and up the side streets. It is a joke. I have raised this matter several times with the member for Colton, and he has addressed it, but it is the local council that will not do anything. The last time I brought it up at the last council election, the councillor lost his seat. No wonder! And they have the audacity to say that they are worried about sand management.

If they did what is being done in the West Beach Caravan Park, if they fully vegetated the sandhills and watered them with reclaimed water, that would solve much of the problem. It would keep the sand not only on the hills but also on the beach in front of them. Those hills are full of deep ravines. The wind goes through those hills and picks up the sand. We know that as farmers but, if you try to tell a greenie who sits on council about that, they laugh at you. Do not tell me about sand management. It makes me cross to hear this rubbish. I have every confidence in the world that, if we do anything in this project that causes any hassles, the Government will fill the bill. It is already doing it; it is already spending thousands of dollars on sand management, and this will not be different.

I bought the house at West Beach after I became a member of Parliament for my children and me to be together when I am in Adelaide. I bought it because I appreciated the vista, the sand and the beach. Does any member think that I would vote to put that in jeopardy, to see the house of my children devalued? Not I. I am a businessman if nothing else, and I know what is going on here. I am not sure whether my house will be upgraded or downgraded in value: that does not worry or phase me. This is an exciting venture. I am prepared to give it a go. I am prepared to see \$140 million-odd spent on this project and to show other capital cities of Australia that we can do it too.

I have visited other capital cities such as Darwin and Brisbane. I have sat on the magnificent facilities that they have on their beach front and asked, 'Why haven't we got one of these in Adelaide?' We do not have one because every time we mention the word 'marina' we think of every reason why we should not build it. And guess what? We don't build it. What developer would want to risk capital in a climate such as this? We need to get a grip on ourselves and say that this is a tremendous opportunity for us. If there are any problems, I am confident that the Government will address them, because it is already addressing sand management.

The most damage to this area was done many years ago when we allowed people to build on the sandhills. It is in the member for Hart's electorate that we have houses built on the sandhills. This is where the problem arose. It is already there. Our house is not on the sandhills: it is behind them. This is where the damage has been done over the years. This project has a very small potential to cause any problem at all. I, above all others, cherish the beach. I am confident that the member for Colton will represent his electorate well and that in four years' time his constituents will herald him and this Government for giving us a magnificent facility. I support the original proposal but not the amended measure.

Debate adjourned.

SITTINGS AND BUSINESS

The Hon. G.A. INGERSON (Deputy Premier): I move:

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

Motion carried.

ROXBY DOWNS (INDENTURE RATIFICATION) (ABORIGINAL HERITAGE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): 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.

Section 9 of the Roxby Downs (Indenture Ratification) Act, 1982 essentially enacted a regime pursuant to which the Aboriginal Heritage Act, 1979, either in its form as at the date of its assent on 15 March 1979 or in its form as at some later date fixed by proclamation with the consent of the joint venturers, applied to the joint venturers' operations pursuant to the Roxby Downs Indenture.

This statutory regime was essentially to apply to land within the "Stuart Shelf Area" and the "Olympic Dam Area". These areas are defined in the Indenture. The Aboriginal Heritage Act, 1979, in its form for the purpose of the Indenture, could, however, apply to land outside these areas pursuant to subsections 9(5), 9(6) or 9(7) of the Roxby Downs (Indenture Ratification) Act, 1982.

The Aboriginal Heritage Act, 1979 was never proclaimed into operation and there exists a major doubt that section 9 has ever in fact come into operation notwithstanding that WMC, previous State Governments of both Liberal and Labor persuasions and Aboriginal interests have all previously believed the 1979 Act applied. Consequently, this state of affairs frustrates Parliament's intention in enacting section 9 in order to apply a particular law concerning Aboriginal heritage issues, the provisions of which were known with certainty at the time the Roxby Downs Indenture was executed and on the basis of which the joint venturers could, again with certainty, plan and undertake the mining project.

The Bill essentially has two purposes. First, the Bill legislates to remedy the administrative omission of failing to bring the Aboriginal Heritage Act, 1979 into operation. In doing so it gives effect to Parliament's clear intention and to the basis on which the joint

venturers originally initiated the mining project at Olympic Dam and on which they are currently engaged in a major expansion of their mining activities.

The second purpose of the Bill is to amend the original operation of section 9 of the Roxby Downs (Indenture Ratification) Act, 1982 in order to provide that the Aboriginal Heritage Act, 1979 does not apply to any land outside of the Stuart Shelf Area or the Olympic Dam Area which may be the subject of operations by the joint venturers pursuant to the Indenture. In other words, to limit the scope of the original Act and Indenture. For instance, section 9 in its original form would apply to land outside of those areas on which the joint venturers have constructed a power line, pipeline, road or other infrastructure necessary for the purpose of their mining activities.

The Bill is necessary in order both to provide to the joint venturers the requisite certainty in order to continue and complete the expansion of the Olympic Dam mine currently being undertaken in an efficient and timely manner and to concomitantly facilitate a project of major significance and benefit to this State's economy, recognising the intentions of all parties and interest groups when the Indenture was entered into.

Representatives of the various Aboriginal communities affected have been extensively consulted by the joint venturers. These representatives have indicated to the joint venturers their support to the Aboriginal heritage arrangements established by the Bill.

The joint venturers have engaged in, and currently continue to engage in, considerable consultation and discussions with representatives of the relevant Aboriginal communities and various archaeological or anthropological experts engaged by the communities or the joint venturers in relation to Aboriginal heritage issues which may arise in the course of planning and undertaking their activities. Further, the joint venturers plan and undertake these activities in a way which seeks to minimize the impact on Aboriginal sites or objects of cultural significance or importance.

The Government has also had extensive consultations with WMC and relevant Aboriginal interests with a view to concluding a satisfactory outcome. They have agreed that this Bill should be introduced today with a view to it laying on the table until next week by which time it is hoped to have a negotiated outcome concluded.

There is an urgent need to resolve this issue and all parties appreciate that.

Explanation of Clauses

Clause 1: Short title

Clause 2: Amendment of s. 9—Application of Aboriginal Heritage Act to the Stuart Shelf Area and the Olympic Dam Area

The purpose of the amendment is to ensure that the *Aboriginal Heritage Act 1979* applies to the operations of the Joint Venturers in the Stuart Shelf Area and the Olympic Dam Area and that the general law of the State relating to Aboriginal heritage applies to the operations of the Joint Venturers outside of those areas.

Section 9 applies the 1979 Act to the relevant operations and contains various modifications of the 1979 Act. It places limitations on the Minister's powers to declare protected areas under the 1979 Act and to authorise interference with, etc., Aboriginal items under that Act. In certain areas the consent of the Joint Venturers is required.

The clause makes adjustments to the 1979 Act to ensure that it does not offend against the Commonwealth *Native Title Act 1993*.

The 1979 Act provides for consultation with owners of private lands in relation to a declaration by the Minister of a protected area. The amendment extends the requirement for consultation to the holders of native title in the lands.

Under the 1979 Act it is an offence to enter or use land within a protected area contrary to the restrictions imposed by the Minister. In addition it is an offence to remove or interfere with items of the Aboriginal Heritage. Section 6 of the 1979 Act provides that the Act does not prohibit any Aboriginal ceremonial or cultural observance. The amendment extends this to the exercise of rights derived from native title.

Subsection (12) which provides that section 9 comes into operation on the date of commencement of the 1979 Act is removed. However, the 1979 Act was never brought into operation. The removal of subsection (12) will have the effect that section 9 comes into operation at the same time as this measure.

Mr CLARKE secured the adjournment of the debate.

STATUTES AMENDMENT (HOLDFAST SHORES) BILL

Adjourned debate on second reading (resumed on motion).
(Continued from page 231.)

Mr HILL (Kaurna): During his contribution, the member for Elder pointed out that the Opposition strongly supports the Glenelg development. I repeat that. It also supports the Adelaide beaches. Like the Adelaide Hills, the Adelaide beaches are an important part of our physical heritage. We should never under any circumstances without proper consideration do anything that will damage or interfere with those beaches.

Before the last election, the electors of Colton would have been forgiven for believing that the Government had no intention of doing any damage to those beaches. I refer to a pamphlet put out by the member for Colton during the election campaign. On the front of the pamphlet it states:

John Olsen's Government listened—

he has picked up one of our words there—

and supported Steve Condous and local residents.

Then, inside, with a big red 'Yes', it states:

Yes. There will be no interference with West Beach sand dunes.

Under that on a blue background—

Members interjecting:

Mr HILL: Listen; there's more:

The environment and beach panorama will be maintained.

Answer me this: how can a beach panorama be maintained with a 250 metre rocky groyne built in the middle of it? This is a 13 kilometre long beach and in the middle of it there will be a 250 metre groyne, and yet the honourable member said in his political propaganda that the environment and beach panorama will be maintained. It gets better than that. The following quote at the bottom of this pamphlet is attributed to the Premier:

The Liberal Government will not support development which compromises the environment . . .

What greater compromise to the environment could there be than a 250 metre groyne on the beach, involving a minimum of 40 000 and up to 150 000 cubic metres of sand movement each year? The pamphlet continues:

The Liberal Government will not support development which compromises the environment, in particular, the Gulf St Vincent and our beaches. Your local member Steve Condous has lobbied successfully on behalf of the local West Beach residents to bring about a positive environmental outcome.

If that is so, why did a local resident write to me? She had sent a copy to the member for Colton—

An honourable member: A member of the Labor Party.

Mr HILL: No, I have never heard of this person; she is not a member of the Labor Party. She says, in part:

And now what are we going to do! Build another rock wall into our precious ocean and put our coastal environment under more stress. We don't need a rock wall and a boat harbor at West Beach, a few kilometres north of an existing rock wall at Glenelg. The boat facilities must be incorporated in the development at Glenelg. It is ludicrous to consider this development. It flies in the face of all the expert opinions.

This is a very sensible person, who should be a member of the Labor Party but who is not. She continues:

When will their voices be heard? It will once again benefit the few, at considerable cost to our beach environment, and to the quality of life of many ordinary people—

Members interjecting:

Mr HILL: —I will get to Chris Gallus—

who use the beach and the West Beach Caravan Park.

Members should listen to this:

Sand management problems will be forever, and who can guarantee how future Governments will fund this? Do not let this go ahead, Mr Olsen. Where is your vision?—

Where, indeed!—

Listen to the experts, listen to the ordinary people. We have made enough mistakes with our environment!

Yet, this publicity pamphlet states that the member for Colton had listened to the local people. There is one local person he clearly did not listen to. The fact is that this 250 metre rocky groyne will have two effects on the environment. One effect will be on sand management on the local beaches, and we have heard a fair bit about that. Expert opinion has been going one way and the other, but one thing is certain: it will be a visible eyesore on that beach—250 metres of rock will be noticeable. It will not be something you can look at from your window, as the member for Schubert said, and say that it is pleasant to see. It will absolutely destroy the visual impact of that beach.

There being a disturbance in the Speaker's Gallery:

The SPEAKER: Order! The honourable member will resume his seat. I direct that if I hear any more interjections from the gallery the people concerned will be requested to leave the Chamber. Please be clear about that.

Mr HILL: On the issue of groynes, I refer to a recent publication, *The Management of Adelaide Metropolitan Beaches*, known as the Kinnaird report. The issue of groynes has been considered at length in that very worthy report. In respect of the suggestion that maybe a groyne should be constructed at Semaphore Park to manage sand there, on page 12 the report states:

The reference group has reservations about the impact of groynes on the beaches and adjacent coast but considers that they do deserve serious consideration as a last resort option if required in the future and that a trial should proceed.

This is one hell of a trial, when a 250 metre rocky groyne is built on our coast; this is not something that could be moveable. In the paragraph above that, the trial is suggested, as follows:

A trial groyne is recommended of an inexpensive type that can readily be removed.

If the Government believes that a \$10.4 million rocky groyne is an inexpensive trial groyne, there is something seriously wrong with the Government, but we know that already. It is not just the Opposition that is opposed to this development at West Beach but a number of people, to whom the member for Elder has already referred at length, so I will not go through that again. Needless to say, one of the locals most strenuously opposed to it is the Hon. Chris Gallus, the Federal member for Hindmarsh.

Members interjecting:

Mr HILL: Shoulder to shoulder; not a member of the Labor Party, but a great comrade. For the benefit of those opposite I will let the House know what the member for Hindmarsh believes about this.

An honourable member interjecting:

Mr HILL: Are you suggesting that she does not say what she believes? That is an interesting suggestion. In her submission to the EIS, in part, the member for Hindmarsh has this to say about the rocky groyne. These are some of her

objections; there are many of them, but I will not go through them all. She states, referring to her concerns:

Main concern is the options for diversion of stormwater to West Beach—

and that is another debate that no doubt we will have in future—

and the proposal for an artificial harbor.

The response from the EIS: 'Concern noted'. Her second concern is as follows:

Opposed to construction of artificial harbor because:

- high visual impact of two new breakwaters.

That is a very obvious and good point. The response is: 'Visual impact noted'. The third point is:

Interference from breakwaters with natural sand drift causing loss of sand. Cost of replenishment is high—

and this is from the member for Hindmarsh—

and Government is unlikely to direct funds towards this.

Members interjecting:

Mr HILL: She knows you. The fourth point is:

- Sand bar will form at the entrance to proposed harbor—similar to existing situation at Glenelg.

She also states:

- Artificial harbor will detract from natural beauty of West Beach area.

There is no doubt about that. Then she states—

Mr Brindal: What are her qualifications?

Mr HILL: She is the local member and represents the people of that area. She further states:

Tourism potential at West Beach will be reduced.

So much for tourism! It continues:

Extensive boat use will result in water pollution at West Beach.

I do not know whether the Government noticed the 6 o'clock news tonight, but there was extensive water pollution in the area this afternoon and no doubt this would make it worse. It is a good thing the Premier did not go for a swim today, because he would have been polluted. The submission continues:

Extensive boat use will result in water pollution at West Beach.

Wants major boat launching facility at Glenelg—additional car parking required can be provided north of Patawalonga on what is now the North Glenelg beach.

An honourable member interjecting:

Mr HILL: Is that right? We will see how she goes; I would be putting my money on the Labor candidate for that area. He will have a very good campaign, especially if this development goes ahead, because he will have a very good issue on which to campaign. That is what a Liberal member of Parliament says. These are not Labor ratbags out in the community, SARDI scientists who have been silenced by the Government, anonymous community groups or a local council: this is the Federal Liberal member for the area. There are alternatives to this rocky groyne. Today in Question Time the Premier revealed what I thought was a confidential conversation I had with one of the developers, so I am happy to reveal the other part of the conversation which the Premier did not reveal today. The developer had told me that the project was marginal, and I can accept that.

But he said two things: he said that when the proposal was put to them they designed it on the basis of what they were told by the Government was the practical reality of the beach—what the Government wanted, in other words. They could have designed the project in any way that the Govern-

ment said to design it, but they were told to design it in this particular way because the facts of the matter are—

The Hon. M.H. Armitage: Be careful.

Mr HILL: I have spoken to the person, too, and I have not named anybody. I have spoken to people in the development and that is all I will say.

Members interjecting:

Mr HILL: I am not being intimidated. In the conversation I had I was advised that the developers had considered what would happen if political pressure was such that the West Beach development project was not able to go ahead. They do have an alternative, which is perhaps not the ideal alternative from their viewpoint, but I know that it is an alternative that should be considered. All we are asking in the amendments to this Bill is that all alternatives be properly considered, and then come back to this House. That is all we are asking to happen. We are not trying to stop the development. We are not opposed to the development but opposed to bad decision making, bad planning and bad environmental activity on our beaches. A number of alternatives have been put forward and I encourage the House to support these amendments to allow those alternatives to be explored.

Mr BROKENSHIRE (Mawson): It has been an interesting day today.

Members interjecting:

The SPEAKER: Order! I caution the member for Ross Smith.

Mr BROKENSHIRE: It has been an interesting day—another day where, as a member of Parliament, I have learnt a lot. I will not forget what I have learnt today. What I have learnt today is not only a bit about ridding but also that some of us can go to bed at night and sleep well and others cannot. I have also learnt today that the Labor Party has learnt nothing since about 1993 or, to be truthful, since about 1987.

Here is the greatest opportunity that has been put before the South Australian community for at least a decade. We can actually go out and tell the wider community—the national and international community—that South Australia is again open for business. What do we have on the other side? We have a bunch of knockers, a bunch of wimps and a bunch of people who are not interested in the well-being of anybody other than themselves and their own fat pockets. But on this side we are interested in young people and interested in getting rid of debt—

Mr FOLEY: On a point of order, Sir, I ask the member to withdraw the implication of improper motive towards the Opposition, that we are only interested in our own pockets. That is clearly a reflection on Opposition members.

The SPEAKER: There is no point of order.

Mr BROKENSHIRE: Some people's skin is not always as thick as they might like it to be. Here we have a magnificent opportunity for the whole of South Australia. Whilst this project is not in my electorate, both directly and indirectly this project, if given bipartisan support by the major Parties in this Parliament, will be of great benefit to my community. It will be of great benefit because there will be hundreds of construction jobs allowing young people to get into the building industry over the next four or five years. It will allow many people in the electorate of Mawson who are studying hard in hospitality and tourism areas the opportunity to get real jobs, to get off the dole and to get away from the band-aid solutions that we saw the socialist Labor Party put forward as it bankrupted South Australia and Australia for more than a decade. It will give these people the sort of

opportunity that those of us who had the benefit of enjoying what Sir Thomas Playford and the Liberal Party put forward—

The Hon. G.A. INGERSON: On a point of order, Sir, I draw your attention to a sign in the gallery.

The SPEAKER: The point of order is noted. I direct my remarks to the gallery. If that sign is not removed immediately the person holding the sign will be removed. I request that the sign be removed.

Mr BROKENSHIRE: It will give those young people an opportunity to capitalise on what South Australia has to offer, just as opportunities were given to those who were born in the 1950s and 1960s, because Sir Thomas Playford had set a future for us. We are well back into giving that opportunity and future to all South Australians. All we need is a bit of commonsense—an approach that is in the interests of this Parliament and of South Australia.

I am disappointed: after the olive branch was supposedly extended to the community during the election campaign, here we have the spots again back on the leopard. I actually told my constituents that I did not believe the spots could change on the leopard, and here is the evidence. The member for Kaurua has admitted tonight that the Labor Party is opposed to this opportunity—an opportunity that is in the State and national interest.

I will get in and fight for what I am here for, namely, to create opportunities for South Australia. I am not worried about whether I have to stay in this House for 15 or 20 years, because I have another job when I get out of this Parliament. However, I am concerned about my children and my constituents' children. It is time the community demanded that all members of this Parliament toe the line and support what is best for the people of this State.

I will talk a little about the project. If any members have the opportunity to go to Darling Harbor and The Rocks area in Sydney they will see an exciting, vibrant opportunity for that State. This is the greatest chance we have had to provide in South Australia the sort of opportunities provided by Darling Harbor and The Rocks. If members have the opportunity to go to Pearl Harbor they will see what has been done there sensibly with sand replenishment and well constructed groynes similar to what we are proposing.

Mr Koutsantonis interjecting:

Mr BROKENSHIRE: The member for taxis can well speak. I look forward to the member for taxis travelling overseas and I will letter-box his electorate about the fact that he is a hypocrite.

Mr CLARKE: On a point of order, Sir, I refer to the use of the word 'hypocrite' by the member for Mawson. It is an unparliamentary term, and has been so down through the ages. I ask him to withdraw the word.

The SPEAKER: If the honourable member was directing the word 'hypocrite' towards an individual member opposite, he should withdraw it. If he was using it in the broad sense and referring to members as being hypocritical, it is not out of order.

Mr BROKENSHIRE: I have become used to hypocrites during proceedings today.

Ms KEY: On a point of order, Sir, the member for Mawson was calling one of the members on this side the 'member for taxis'. He is in fact the member for Peake and I ask him to address that member in the proper fashion.

The SPEAKER: Whilst it is not specifically an infringement of Standing Orders, it is not the most appropriate way

to address a member opposite and I ask members to refer to all members by their districts.

Mr BROKENSHIRE: I take your point and wisdom, Sir. I will talk for a moment about sand replenishment, because it is interesting to hear members opposite suddenly say how concerned they are about our beaches. Interestingly, my family has lived along some of those beaches for generations. I suggest that the worst state those beaches have been in over the past 50 years occurred between 1984 and 1993. When there was an opportunity for sand replenishment programs to be put in place, what happened? Members opposite squandered those opportunities and the Minister of the day put zilch into sand replenishment programs.

In 1993 when we came to office one of the first responsible things we did, despite the fact that we had no money to do anything with, was get into sand replenishment programs. The beaches along the coast are better today than they have been for five or six years. The experts say that and I defy anybody to prove me wrong.

This is about a situation where, by virtue of money that will be generated, jobs that will be generated and economic wealth that will be generated, there will be money generated—real dollars; not money borrowed offshore—that will pay for the sand replenishment program. Members opposite are supposed to represent so-called blue-collar workers. I suggest that out of the 45 000 so-called boaties in this State half of them are definitely blue-collar workers who appreciate the opportunity to get out in their boats whenever they can to do some fishing with their children and their families as a form of recreation. They have been prepared to pay levies so that boat ramps can be improved, and those people deserve a fair go at an all weather boat launching facility in the middle of the metropolitan area. This is a great opportunity for them.

When I was a child, I used to love to get out on the groyne at Glenelg to fish and muck around with my mates. Young children will be able to enjoy that groyne. They will be able to go out along the groyne for a couple of hundred metres and explore part of the sea life and the gulf area. The beach will not be cut, thanks to the member for Colton who has done a fantastic job in lobbying the cause for his community. This is a fair and reasonable compromise.

Despite what the member for Elder and other members opposite said, the fact is that developers are scared to come into this State because year in and year out they have seen the anti-development in this State. Here is a developer prepared to put up the money, even though they have indicated that the profitability is marginal. They have also indicated that both projects go hand-in-hand and without one we cannot have the other. So, it is a simple choice.

The people in that area have been given a chance to ensure that sand replenishment programs, through initiatives the member for Colton is about to propose, will result in a better beach on which to walk their dogs and enjoy their recreation. So, it is win, win, win. Let us stop the politics for once to allow an \$85 million project to get going, allow Glenelg the opportunity to capitalise on tourism, and give the children in my electorate (who are studying hard and who believe in this State) an opportunity.

Finally, I want to say that there has been 2½ years of consultation, environmental impact statements and genuine evidence put forward to all members of Parliament that this is a sound opportunity for South Australia. I challenge each and every member opposite to come into my electorate; I am happy to take them street by street to knock on the doors of

my constituents who are working for \$25 000 year at Mitsubishi to pay off their houses, buy cars and put their children through school and who are battling. Members opposite should come and knock on the doors in my electorate with me and tell the community why the Labor Party of South Australia is again doing nothing for them other than driving them further into the ground. That is the challenge. If they will not take that challenge on board, they should have the guts to support a decent opportunity for South Australia.

Mr CLARKE (Ross Smith): I will be supporting the amendment that will be moved by the member for Elder with respect to this matter. It is an interesting situation. I have had some involvement with this whole project, stemming back nearly three years. I recall going to the very first public meetings at the Henley and Grange Town Hall on Sunday mornings with you, Sir, when you were the then Minister for Housing and Urban Development, the member for Colton, the member for Hindmarsh, a number of other people and some 700 residents—and more on occasions.

Let us go back to a fundamental point that was very clear from day one. Sir, when you were the Minister for Urban Development, you made it clear from day one that the Glenelg development would proceed come hell or high water, and if that meant knocking open West Beach with an open channel and diverting the Sturt Creek stormwater straight out into the gulf, so be it. To your credit, Sir, you held to that view firmly; you never deviated from it at all and that was it.

Let us go back and have a look at this project. The Glenelg developers, so we were told by the Government, would go ahead only if the Patawalonga was pristine clean and available for primary contact virtually 365 days of the year. We had a number of debates, and even the member for Colton joined with me at a number of those public meetings in opposing that stormwater diversion out into the gulf because we did not believe that the Patawalonga had to be pristine clean 365 days of the year.

I well remember a public meeting at the Henley and Grange Sailing Club on one cold Sunday June morning, when only the iceman or an idiot would swim in the Patawalonga on that day. It must have been almost below zero; it was freezing. I did not believe, nor did the majority of residents of West Beach believe, that the Patawalonga needed to be swimmable during the winter months. I agree with the work that has been done upstream in terms of creating wetlands and the like, trash racks and so forth, and that that would gradually improve the Patawalonga. However, you cannot make it pristine clean 365 days of the year because the whole of the stormwater drainage for the Glenelg area runs into the Patawalonga in any event. It will not go into Sturt Creek and out through the proposed pipe into the gulf. It will go into the Patawalonga in any event, and on certain days, even under the Government's proposal, I doubt whether it could be subject to primary contact because of the discharge of stormwater from the Glenelg area, and because dogs being walked by residents will regrettably leave deposits behind which will be washed into the basin.

There were proposals put forward by the then Henley and Grange council, alternatives which would have allowed the Patawalonga basin to be used for primary contact most times of the year, in particular during the summer season, except during periods of heavy summer rain which we get from time to time. Also, it would be available virtually year round for secondary contact, for events such as boat races and the like.

All that the Government has done with respect to the stormwater channel is not cut the beach open through the sand dunes. That was objectionable, yes, but my biggest objection to the diversion of stormwater was that it will foul up the seagrasses off our beaches. Already something like two-thirds of the seagrasses off our Adelaide metropolitan beaches have been killed or have died over the past 20 years as a result of not only stormwater discharges but also discharges from sewerage outlets and the like, and the heavy nutrients have killed off much of the seagrasses off our coast.

All the Government's proposal does here under this redevelopment is put the stormwater in a shandy-like mixture with the treated water from the Glenelg Sewerage Treatment Works and pump it straight out into the gulf to the detriment of the SARDI Aquatic Research Centre which cost the State \$16 million to set up. Stormwater diversion is bitterly opposed by SARDI itself and by its—

The Hon. R.G. Kerin: No, it's not.

Mr CLARKE: That stormwater diversion was opposed and is still opposed by SARDI scientists, despite the fact that the Minister and his officers have gagged them. I have met with those SARDI scientists. That is an absolute fact.

The Hon. M.H. ARMITAGE: I rise on a point of order, Sir. The member for Ross Smith knows full well that he is stating an untruth and I ask him to withdraw it.

The SPEAKER: There is no point of order.

Mr CLARKE: I am stating the truth. I know who the residents believe with respect to that issue

The Hon. R.G. KERIN: I rise on a point of order, Sir. The member for Ross Smith said that I had gagged those scientists. I ask him to withdraw that comment because it is not correct.

The SPEAKER: The Minister will have the opportunity to contribute to the debate and perhaps put that point of view during his contribution.

Mr CLARKE: It will be interesting to find out, if the Minister has not gagged them, who did.

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

Mr CLARKE: As to the boat harbor itself—

The Hon. M.H. Armitage interjecting:

Mr CLARKE: I have a little more history to go through before I get to that. We also know that the Patawalonga was substantially cleaned up with moneys from the then Federal Labor Government's Better Cities Program, with millions of dollars spent on cleaning up the Patawalonga. Let us not just talk about private development and all the hundreds of millions of dollars of investment that is going into this project. Quite a bit of Government money has been wrapped up in the development, such as the clean-up of the Patawalonga, the building of the groyne and the giving over, through the Bill, of access to various Crown lands for the development to take place. So, it is not just buckshee, so far as the taxpayers of South Australia are concerned.

What also concerns me is the complete and absolute absence of a Minister for the Environment who is prepared to stand up for the environment in this area. From the time that you were Minister for Urban Development, Sir, you were tsar, so far as the environment was concerned, of all things west of Tapley's Hill Road.

The SPEAKER: Order! I ask the honourable member to be cautious with his remarks in the debate in that they relate to the position of Speaker, who is not in a position to come onto the floor of the Chamber and engage in a controversial

debate but rather has to sit here and adjudicate on points of order.

Mr CLARKE: Thank you, Sir. I simply recall the questions I put to you, as the then Minister, during Estimates Committees and the then Minister for the Environment, the member for Heysen. Whenever I put questions to him concerning the West Beach proposal or the Patawalonga clean-up, he would always say it was in the hands of the Minister responsible for urban development. The Minister for the Environment said nothing, despite the fact that, on a number of occasions, he was invited by the Henley and Grange council to attend meetings which you did, Sir, in your capacity as the then Minister and as did the former Minister for Urban Development. However, the then Minister for the Environment refused and never attended one of those public meetings to put the perspective of his Department for the Environment.

As to the boat harbor, as the member for Elder has rightly pointed out, I would love to have the Minister for Government Enterprises as my bank manager and for me to be able to negotiate with him. For a small sailing club to end up with these sorts of beneficial conditions at taxpayers' expense is astounding, and no wonder the sailing club is so happy. How easily the Government caved in to its demands. What is absolutely apparent to anyone with any thought whatsoever about this subject is that, if the Government installs a 250 metre groyne, five metres high, it will obviously catch much of the sand that naturally drifts northwards along our metropolitan coastline. That will effectively denude the beaches further north of the groyne of sand unless there is a sand replenishment program. The Minister says that a replenishment program will go ahead, yet in the same breath the member for Mawson, whom I gather knows very little, has asserted that between 1984 and 1993 the former Labor Government conducted no sand replenishment of any description along the seafront.

Some Ministers have said that between 1989 and 1993 sand replenishment did not take place. That is the very point that the residents of Henley and Grange are making. How can they trust any Government of the day that may be distracted by other financial considerations to maintain a sand replenishment program year in and year out? All the time we have one of our most beautiful coastlines, 13 kilometres of uninterrupted beach, possibly being destroyed. We have one of the major tourist attractions in the State at an accommodation level attracting about 100 000 visitors a year to the West Beach Trust land, including budget accommodation for families from interstate as well as intrastate. They come to West Beach not to moon over a boat harbor: they already come here with their families to enjoy a 13 kilometre uninterrupted stretch of beautiful white sandy beach and to go fishing off the beach, to go paddling and swimming and just enjoy and recreate in that type of environment. These tourists are already coming here, so we do not have to imitate Nice, Monaco or any other place. We have our own environment in South Australia and it should remain as it is.

I do not buy the argument that the boat owners will pay for the cost of the groyne or the sand replenishment program over the years. The minimum cost is about \$250 000, and the upper cost is about \$800 000 a year. I understand the launching fee is about \$8 a boat versus \$6 at North Haven. For many of the boaties from central metropolitan Adelaide, the extra travelling time to go between West Beach and North Haven would be no more than 15 or 20 minutes. If the boat owners have to pay for the sand replenishment program, they

will be paying much more than \$8 per launch. If they were charged more than \$8 per launch, it would be a very lonely boat launching facility because people would take the trouble to travel the extra 15 to 20 minutes to North Haven to launch their boat for \$6.

If we are going to have a development at Glenelg, and we are prepared to support the development at Glenelg, then because there has already been environmental degradation in that area over the years, it is far better to have the environmental degradation all in one area rather than spreading it down the coast. This Government has a fixation—and the Premier in particular has a fixation—with cranes on the skyline, believing that it shows masculinity and a healthy economy, but it depends on the types of projects we are trying to build. I remember the Premier's saying the same thing with the Capital City development. He said, 'Knockers in the State stand aside. This project will go ahead.' It fell on its face because there was no money behind it.

All I am saying is that this Premier, as was his predecessor, is absolutely besotted with trying to have some project put on the ground to try to pretend that they are actually doing something for South Australia. If they get away with this development of the boat harbor at West Beach, just for a development at Glenelg, it will destroy the beaches along the coast at West Beach. It will destroy our seagrasses because of the piped stormwater diversion straight out into the gulf, which will kill off our seagrasses. Recreational boat fishermen also like to fish in the gulf. They do not like to fish in a barren desert and they like to find the odd whiting, garfish and the like without having to move out of the gulf and go somewhere else to find fish.

I appeal to the Government to take notice of what the residents in the area are saying—but not just the residents because it is a general community issue as well. People believe that one of Adelaide's greatest attributes in terms of lifestyle is our beaches, the relative closeness of beaches to the majority of the population in the metropolitan area, and because they already attract tens of thousands of holiday makers to Adelaide because of what they have to offer.

Development can take place in Glenelg without this boat harbor being built. Whilst it may not suit the developers at this juncture, any developer would like the easiest and the less costly method as far as they are concerned but, if they are confronted with, 'You cannot build it there, but if you want to do something around the Glenelg area and then you can go ahead with it and there will be no opposition to it', the thinking caps go on and people start to work on acceptable compromises. Whilst the developers know that this Government is desperate to try to get development off the ground to prove how macho it is, of course they know they can squeeze their tail and do it very well.

I just say to all those who criticise those in the community who oppose these boat launching facilities as so called ratbags that I am happy to include myself amongst their number. Those who have opposed the West Beach harbor project and the stormwater diversion have done this State an immeasurable service by alerting the citizens of this State to the massive environmental destruction that would occur off our coastline but for their activity. I would also refer to the Federal member for Hindmarsh, Chris Gallus, who is prepared to stand up to her State Liberal colleagues and say it is not good enough and to demand a better environmental alternative.

I used to be able to say that about the member for Colton when he and I were going to go, as one, to jump in front of

a bulldozer if they tried to push through that stormwater channel. I think that there is not a bulldozer big enough in the State to move the member for Colton and me if we stand shoulder to shoulder on that issue. On this issue of the boat harbor, he has been got at by the Premier. I can understand the enormous pressures the member for Colton would feel from his Premier and various other Ministers, who have been beating their hairy chests and saying, 'We have to get something going so that we look busy, even if it means the destruction of the beach. You are a good Party man; do not stand in our way. Put your hand up at the right time. Please do it. We will look after you even if there are electoral consequences for you down the track.' Well, it is not good enough.

When I was down at West Beach at dusk last Sunday, looking across that beautiful panoramic view along the coastline, uninterrupted by this hideous groyne which would trap sand and which would denude the beaches further north of that groyne, I said to myself then, as I have said to myself on a number of occasions when I have been down at that beach, 'I will never, ever give in with my opposition to the destruction of our beaches in metropolitan Adelaide. I will not ever surrender on that point, because they are to be cherished, nurtured and allowed to be enjoyed by our children's children down through the ages.' I for one intend to see that that happens.

The Hon. R.G. KERIN (Minister for Primary Industries, Natural Resources and Regional Development): I will be brief, unlike certain other members. I want to make a couple of comments about some of the statements that have been made not only tonight but in the lead-up to this debate. As the Minister responsible for SARDI, I think the SARDI position has been misrepresented quite often during this whole debate. SARDI is not opposed to this development. That statement has been made several times. In the initial stages of the development, SARDI raised some concerns and those concerns were addressed.

An accusation that I have gagged scientists has been made on a couple of occasions over the last couple of months and during the election campaign. The first I heard about it was when I was driving around my electorate, like a good country member, and heard on the ABC in mid-afternoon that I had gagged scientists at SARDI. That was totally incorrect. I knew nothing whatsoever about the issue. I have never discussed the gagging of scientists with management, either. But this time I read it in the *Advertiser*. Whoever is behind that ought to get their facts absolutely correct.

While I am not particularly aware of the specifics, as I am not into gagging scientists or other public servants, I certainly suspect from what I saw on television a while ago that the major person referred to is one of the SARDI scientists who is an excellent biologist, an award-winning biologist, who specialises in abalone. He has been held up in the media, I dare say without his own concurrence, as some sort of expert on sand management, as some sort of engineer. I would say that a marine biologist has probably no more claim to engineering and sand management than a plumber from SA Water or a bus driver from TransAdelaide—or the member for Ross Smith as an economist.

The other issue was raised by the member for Elder, that is, the Glenelg Sailing Club. If the Glenelg Sailing Club had not been properly compensated for the situation it faced, certain members opposite would be the first ones jumping up and down. As soon as we do look after people in the way we

should, all of a sudden members opposite complain. I do not want to know what they have against the Glenelg Sailing Club, but they have had nothing but proper treatment. I just want to set the record straight on the SARDI issue and to say to the Opposition, 'Get out of the way and let us get on with some development. You offered during the campaign to work with us in respect of jobs. Let us get on with it. Get out of the way and let us do it.'

The Hon. M.D. RANN (Leader of the Opposition): I want to make a brief contribution to this debate. You can see where the Premier has his problems. A couple of weeks ago there was a big luncheon at the Chamber of Commerce, with various Liberal supporters present, and he gave this big Jeff Kennett type speech. His problem was that he no longer has a Jeff Kennett type majority. It was a speech he should perhaps have given a year or two before. But because he was under threat in his own Party room, he decided to give this great big glandular speech about his strength of leadership.

Mr BROKENSHIRE: On a point of order, Mr Speaker, I draw your attention to the relevance to the debate of the comments of the Leader of the Opposition, the Tony Blair look alike. I do not think they are relevant.

The SPEAKER: Order! There is no point of order. The honourable Leader of the Opposition.

The Hon. M.D. RANN: I was asked by the Whip to keep it short. I now have 20 minutes. If you want to play games, that is okay. He gave a big speech about development and said that the Labor Party in this State was opposed to development, and so were the Democrats. Then he had a press conference during which he was asked which developments in the past four years the Labor Party had knocked back in this State, and he could not think of one. When he went back to his functions and his hapless staff were rung up by journalists and asked, 'Have you worked out what developments the Labor Party, which supported the Development Act and Local Government Act changes, had actually knocked back?', his staff could not find one. This is basically about politics. It is about John Olsen's politics, the Premier's politics, designing to look good rather than achieving something. That is why he is not in the Chamber tonight.

But what happened? After this glandular attack against the developers, he decided to try to paint us into a corner. He wanted us to oppose developments because somehow that would be an excuse for his own lack of resolve in achieving anything in this State, let alone driving jobs. Of course, we saw it a year before, almost to the day, when his predecessor as Premier, the Minister for Human Services, Dean Brown, went down in the polls and was in trouble politically with his own troops. What did he try to do? He decided that the biggest problem facing the State, the biggest impediment to development, was the Adelaide City Council, and he said that the Adelaide City Council was knocking back development application after development application. And what happened? Because it was always someone else's fault, always the politics of blame, alibi and excuses, he was asked to name which developments the Adelaide City Council had knocked back, and apparently it was a fence around a deli. That is all they could find. I guess what I—

Mr Condous interjecting:

The Hon. M.D. RANN: The member for Colton was the Lord Mayor who could not get his act together, and now he does not have the guts to honour his commitment to his own people. Chris Gallus has more guts than the member for Colton—and that is saying something.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I support the Glenelg development, but there are genuine concerns from genuine constituents of the member for Colton: people have real concerns about the West Beach development, the 800 foot groyne, and so on. It would be 5 metres high and 250 metres long, and that would dwarf Magic Mountain and be a major intrusion into the gulf.

A week ago we were offered a briefing. I went to a briefing with Bob Boorman and other people, and I appreciated that briefing. We asked questions and we told Bob Boorman (and I will talk about him in a minute, as to whether or not he is genuine) that we support the Glenelg development but that, as before, we have problems with the West Beach part of it. We do not want to completely stuff up a damn decent beach that has been enjoyed by generations of South Australians and South Australian children. So, I gave a warning in that meeting that, if this was a trumped up anti-development case, if this was the way it was to be fought—through the newspapers, and what-have-you—they would see the resolve of a Labor Party with different numbers in the Parliament that is determined to see developments proceed but also to protect the people it is elected to protect.

The next day, there was another inflation of the glands and the Premier trotted into Parliament, deciding to attack the Labor Party. Okay, that is fair enough: they can do what they like. We will do the right thing and support the Glenelg development, and we are prepared to talk and reach a compromise. The difference is that, during the election campaign, I promised bipartisanship on jobs. I wrote to the Premier after the election repeating that pledge to meet and have discussions with him. I received no reply. He did not even have the guts to reply personally.

A week later, I again wrote to the Premier—who had his glands inflamed and who had made a big deal in the meeting with the business community—and said, 'Let us meet about jobs.' His response was that, if we are genuinely bipartisan, we should agree with what he says. That is not bipartisanship. Bipartisanship is about leadership, about sitting down and talking, making a commitment and signing off on it—which the member for Colton does not understand, because he tells every single groups that meets with him that he agrees with them. He has been caught out today, as the member for Kaurua pointed out. What a disgrace! I remember his firm commitment that he would cross the floor on shopping hours, and then we saw what he put out during the election campaign on West Beach. How can he look at himself in the mirror when he meets his constituents given how he can change from day to day? At least Chris Gallus has the guts to stick to her principles.

Now, let us talk about Mr Boorman. I am prepared to meet with him. I met with Mr Jan Wilson of Baulderstone last night and I spoke to the property council this morning. I have asked each of them to arrange a meeting between the Premier and me to discuss the Glenelg development so that we can get it going. But they cannot do it because he will not meet, as he is frightened that this will somehow weaken his position. But what he does not realise is that, by not meeting, his position is in nowhere land. This reminds me very much of the Adelaide City Council, but there is one difference. Dean Brown had the guts and courtesy to meet, talk and negotiate, and he obtained an agreement out of me to appoint commissioners for the City of Adelaide—because he was prepared to talk, and so was the then Minister for Tourism.

I was told, at a business meeting the other day, that the biggest impediment to bipartisanship in South Australia was that I had publicly called for bipartisanship and that the Premier could not possibly respond. What sort of leader is that? No wonder he lost half his seats. No wonder he has to appoint Government members into bodgie positions and junior Ministers in order to cantilever some support beyond Anzac Day.

I have heard that this afternoon Baulderstone showed a journalist a four page advertisement which included the words, 'Shame, Rann, Shame'. That does not concern me at all. I had millions of dollars worth of advertisements aimed at me during the recent election campaign in the most personalised way on television—it was there for my children and everyone to see—and all that did was to reinforce our vote, our support and our resolve. The fact is that we now have 49 per cent of the two-Party preferred vote, and the Liberal Party lost 13 members. So if Baulderstone wants to ruin its relationship with the Labor Party in South Australia, Western Australia, Queensland, New South Wales and federally, then go ahead and make your day. If that is the way you want to conduct it, if this is about a political Party thing—

The Hon. G.A. Ingerson interjecting:

The Hon. M.D. RANN: No invitation. Go ahead with the advertisement that Bob Boorman showed the journalist. Have the guts to do it. I want to see a Glenelg development, not play politics, as Mr Boorman and the Premier want to do.

Mr HAMILTON-SMITH (Waite): I congratulate the Leader of the Opposition for his wonderful show, which bore no relevance to the debate, which hardly touched on the West Beach development but which informed us brilliantly on a range of other issues.

I represent an electorate that includes part of the Mitcham foothills. We do not have the feeling that we own the Mitcham foothills. In fact, we treasure the Mitcham foothills but we understand that we hold the area in trust for the whole of South Australia. Some of the residents of West Beach have genuine concerns about this development, and they should be congratulated for representing those views so earnestly. However, they do not own West Beach: all of South Australia owns West Beach, which is a wonderful asset for all South Australians now and in the future.

We all know that South Australia must go forward. Even the Opposition must know that. We all know that tourism is crucially important to the future of South Australia, as are jobs. I congratulate the member for Ross Smith for bringing this matter to the attention of the House earlier tonight. It is good to see that he grasped the point. Our quality of life was also mentioned by the member for Ross Smith—another important point. Quality of life includes the development of the natural assets that make Adelaide such a special place. Perhaps members of the Opposition have not travelled very widely, although I understand from newspaper reports that they are very accomplished travellers. If they did travel, they would probably see wonderful developments of beaches, marinas, boat ramps and so on, in places such as Queensland. They would also see such developments in the USA and Europe. In fact, they would see that most developed countries that are sensible about developing a quality of life for their population go about developing their natural assets so they can be utilised by all the people of that State or city. This is the point that a lot of the members of the Opposition do not seem to grasp.

I do not know whether any members opposite have been to Israel. As a colonel in the army, I commanded our peace-keeping force on the border between Israel and Egypt. I know Tel-Aviv quite well.

Mr Clarke interjecting:

Mr HAMILTON-SMITH: I will talk about that point tomorrow. The beaches of Tel-Aviv are similar to those of Adelaide, the geography being similar. Those beaches are managed beautifully. There is a lot of sand management. Access has been provided for yachts and small boats, and they have done it very well. I suggest that some members do a bit of research before being so vocal in opposing this Bill.

Instead of emotion, let us have some reasoned arguments about why the development should not go ahead. I have not heard very many during this debate. This proposal will send South Australia forward, but what does Labor do? We see photographs in the newspaper of little children holding placards in the sand similar to those that we have seen regarding school closures. The Labor Party will not hesitate to cajole five, six or seven-year-old children into adopting political positions and holding placards, being led down who knows what paths to serve the purposes of the Labor Party.

We all know how it works. They set up front organisations, the friends of this and the friends of that. A vast number of the people involved are genuine and a number of them have been put there or encouraged by the Labor Party. It is easy to whip up negativity and opposition. That is exactly what the Opposition is doing. I congratulate the member for Colton on his impassioned support of his electorate which within the Party room and at all times has been most earnest. I have yet to see another member so earnestly argue the views of his local people. However, this issue affects the whole of South Australia, not just the residents of West Beach.

South Australia needs to go forward. This boat ramp development has been put forward. The whole of the Holdfast Bay development is crucial to putting South Australia first. The reality is that the Opposition is trying to snooker and stall the proposal. It is not acting on behalf of the whole of South Australia. I support the proposal, and I wish the Opposition would consider it more favourably and simply get on with it.

Mr FOLEY (Hart): I would like to make a small contribution on this legislation tonight. I would like to do so in a constructive manner. A number of members have not been in this place for long. Neither have I, but I have been around this place in another capacity, and I recall debates, statements and incidents concerning major developments. It is not uncommon for there to be conflict between the two Parties on any development. It is not uncommon for the Opposition and the Government of the day to have varying positions. I recall the then member for Coles saying when a development was proposed at Wilpena that she would lie in front of the bulldozers before—

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: I ask the Deputy Premier to hear me out. When the then member for Coles said she would lie in front of the bulldozer, that was at the time of the first announcement of that development, well before the development reached the point where it did not proceed. It was an instant signal from the Opposition of the day that it opposed the first tentative plans of the Government to have a major development at Wilpena. I raise that matter simply as an illustration of what has happened before in this place.

I recall other such incidents. I recall the Opposition of the day opposing marina developments, in particular, a marina at Marino Rocks, although I cannot recall how similar it was to this one. I remember sitting in the gallery and hearing the then Leader of the Opposition referring to the developer as a murderer. It was a great incident at the time. I think the Deputy Premier would recall that incident. It created an ugly scene in this Parliament. I had no brief for that development, I did not even know the person involved. It was an extraordinary, emotional, irresponsible and quite disgraceful Opposition attack on a proposed development. But it happened, and it was the Liberal Leader of the day who accused the developer of the Marino Rocks project of being a murderer. It was not particularly nice, but it happened. From that day forward, that development had little or no chance of success.

There were other times when controversy raged around the old Marineland project. Other members of the Labor Party and I copped much flak in this place over Marineland, and there was much reason for the Labor Party of the day to cop that flak. I recall the debate on that \$35 million to \$40 million development at West Beach. Regardless of whether it was good, bad or indifferent, the development was proposed by the Government of the day. Who opposed that development and who did all it could to undermine that development during that period? It was the then Liberal Opposition.

I have now named four developments, two of which were coastal developments. I cannot recall the exact detail, but I remember the Jubilee Point proposal. What I can recall, as I think you, Mr Speaker, would recall—correct me if I am wrong—

The SPEAKER: The Chair cannot correct anyone from this position.

Mr FOLEY: Perhaps you could do so by way of a personal explanation at another time.

The SPEAKER: The Speaker cannot enter into controversial debate from the Chair.

Mr FOLEY: The Jubilee Point development was one of great controversy in this State. I was only alluding to your involvement, Mr Speaker, in case I got it wrong. I recall the then member for that electorate, which was you, Sir, having concerns about that project if not opposition towards it. Many members of the Liberal Party at that time had concerns about that project.

I have illustrated five major development projects that I recall from working within the corridors of this Parliament over the past decade concerning which there was great controversy and opposition, with emotive and at times irrational debate. This is the hothouse of Government, of decision making in this State. This is the forum in which such debate can occur. It is neither wrong nor inconsistent nor without precedent for an Opposition to have concerns about a development. It is not inconsistent or wrong for an Opposition to say, 'We support this development, but we don't like a particular element of it.' For that to be escalated into a showdown, to be put into a highly charged public environment, does no-one any good at all.

I stand with the Opposition and defend its right to express concern, because members opposite had no difficulty in doing that when they were on this side of the Chamber. I saw it time and again, whether it was a political tactic or something of substance. Members opposite had every right to do that because they comprised the Opposition of the day.

The Hon. G.A. Ingerson: We were right, too.

Mr FOLEY: The Deputy Premier says that they were right, too. Well, perhaps this Opposition is right.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: Well, that is a very subjective issue. At the time of the Jubilee Point and Marino Rocks proposals, the Ophix development at Wilpena and the Zhen Yun development, the then Government thought it was right. Perhaps it was wrong.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: The Deputy Premier is incapable of grasping the moment in the context of my contribution to lead us towards some degree of resolution. The Opposition supports a development at Glenelg. We want to see investment in that area; we want to see something happen to the Patawalonga—that is long overdue. What I am saying is that it is the Opposition's opinion, to which it is entitled, that it does not believe that what is proposed at West Beach is appropriate. We have a couple of choices. We can stare each other down, we can draw our pistols and have a conflict, we can raise the matter further and see what happens, investors can follow through with threats to pull out, a whole series of scenarios can occur, or we can actually sit down and negotiate an outcome.

I do not think that should be too difficult. At the end of the day, we are talking about the Glenelg Sailing Club. I am a bit of an expert on sailing clubs—there are half a dozen in my electorate. I do not think that the relocation of the Glenelg Sailing Club should be impossible to achieve. I do not think that catering for a boat ramp of some sort should be impossible to achieve.

You do not get cooperation and bipartisanship by saying, 'We're right; we won't move or make any adjustment to our thinking', and put all the demands on the Opposition. Unlike the past four years, where the Government enjoyed a nearly four to one majority, this is a minority Government. You actually have to work with the Opposition. You simply cannot—

The Hon. G.A. Ingerson: No, we don't.

Mr FOLEY: The Deputy Premier says you do not have to work with the Opposition. Well, maybe not.

The Hon. G.A. Ingerson: You're irrelevant.

Mr FOLEY: The Deputy Premier says we are irrelevant; he simply cannot help himself. We are heading towards a deadlock conference. I am suggesting that there may be a way through this. You must face up to reality, not just on this issue but on a whole range of issues: this is a different Parliament. I do not think we are far from a resolution of this issue, despite the rhetoric of the Government.

The Hon. M.H. Armitage: What a joke! You've rejected everything that's been put up.

Mr FOLEY: Okay, let's have a blue about it. I can blue as well as the next bloke, if you want that. The member for Colton opposed some of your solutions for West Beach; on Sunday the Federal member for Hindmarsh opposed your proposals for West Beach. It is not as if there were no other critics of your proposal. You have to understand that you do not command this Parliament with a four to one majority as you did six months ago. You have an Opposition of 21 members to your 23, and you have two Independents and a National Party member upon whom you rely to get your legislation through this House. Nine times out of 10 they will support you—perhaps 10 times out of 10—but you can no longer get away with the arrogance that you have displayed in this place time and again. Bipartisanship is not about our agreeing to everything you say.

The Hon. G.A. Ingerson: As long as we agree with everything you say.

Mr FOLEY: No, not at all. I would argue in Caucus that if you are prepared to compromise we should be prepared to compromise. The Opposition and the Liberal Party should both be prepared to show a degree of compromise, sit down together in a deadlock conference and work out a solution. At the end of the day we are talking about a sailing club and a few boats on a trailer. This is not, as our colleague the member for Waite had to deal with, Yasser Arafat versus Netanyahu in Israel; this should not be an impossible issue to resolve. Perhaps we should employ the skills of the member for Waite to stand guard as we try to reach a resolution. But understand this very important point: you will not get your way by arrogant, demanding, belligerent behaviour. You will get your way; you will get your development; we will get our development at Patawalonga; and we might even get a boat ramp.

Let us sit down behind closed doors in a deadlock conference and show a degree of flexibility that you have not been prepared to show today. Have your bravado and make your public statements, but be prepared to enter into cooperation, because for the next four years I certainly will not stand in this Opposition and tolerate the way in which this Labor Opposition has been treated over the past four years. You have an opportunity—

The Hon. M.H. Armitage interjecting:

Mr FOLEY: We all have an opportunity here to work through a solution for what should not be an intractable problem. We are not talking about issues of great moment. We have a view about—

The Hon. M.H. Armitage: You're talking about an \$80 million development.

Mr FOLEY: You are taking what I am saying out of context.

The Hon. M.H. Armitage interjecting:

Mr FOLEY: Sure. That revolves around the relocation of a sailing club and the adequate provision of boating facilities if they can be accommodated. Surely this is not something that should require the Government, the developer and the Opposition to go to the brink. I urge Executive Government, with input from the developer, to sit down with the Opposition, chart a way through and find a solution. I am sure the Labor Party and the shadow Minister responsible (the member for Elder) would be quite prepared to offer flexibility, provided the Government is prepared to offer flexibility. Let us not grandstand any longer. The Premier must agree that compromise—a negotiated outcome—is much better than trying to push through a project that in its present form clearly has considerable opposition. That considerable opposition certainly includes the local member (the member for Colton), the Federal Liberal member and the shadow Minister in the Labor Opposition, as the Leader has outlined. Let us work through a solution. If you want a fight, we are ready: if you want a solution, we are ready. The choice is the Government's.

Ms WHITE (Taylor): I support the Bill as it arrived in this place from another place. I support the Glenelg development and I also support marina developments. I think it would be kind of nice to have access to or live near a marina development. I am a little disappointed that there is not a marina development closer to my own electorate and my home. I note that earlier the member for Kaurna mentioned alternative plans for the West Beach marina development; I wonder whether any alternatives a little further north had been considered. If not, I would certainly be interested in

putting forward some proposals for something closer to St Kilda, Bolivar or that region.

I support the Bill as it has arrived in this place, although I flag to the Government that I have some questions about the clauses relating to the West Beach marina proposal, principally regarding the extent of taxpayer exposure in relation to that development. A sizeable amount of public funds is being expended in Glenelg and West Beach: \$7 million for the Glenelg safe harbor; in excess of \$11 million for the West Beach marina; and significant Federal funds through the Better Cities project have been expended. It would be nice if some of the development in this State occurred without the extent of taxpayer funding. I hope for the day when that can occur in this State. Obviously, at this time under the current regime that is not the case.

I support the Bill as it stands and look forward to the Government's responses to the issues that I have flagged, principally taxpayer exposure for the West Beach marina part of this project and the sand management of the marina project.

Ms KEY (Hanson): I support this Bill. I believe that it tries to come up with an olive branch for the deadlock situation in which we seem to find ourselves. I have taken great exception to some of the comments made by some members on the other side with regard to local members, people who work in the area and people who live in the area of Hanson and Colton. I believe these people to be absolutely genuine in their concern, and on hearing some of the comments tonight they would be quite concerned to think that they had been treated in such a manner. Many of the people who have gone along to the meetings at the West Beach Sailing Club or on the beach have genuinely gone along because they want to find out what will happen to their beach, what will happen to their community and what sort of input or alternatives will be available for them.

The opposition that has been shown to people who are merely asking questions and saying that they do not like the proposal for a 250 metre by five metre groyne is quite unreasonable. I also think that the name calling that has gone on, such as: 'These people are just environmentalists', 'These people are just greenies', or 'These people are just members of the ALP' is quite unnecessary. We are trying to come up with some alternatives, to find out whether there are other proposals that can be put forward. I do not believe that anyone on this side has been arguing against development. What we are saying is that we can understand the Glenelg proposal: we do not understand and do not support the West Beach proposal.

A number of people have asked these questions. Despite the way in which they have been treated, I think it is quite reasonable for the Charles Sturt Council to go ahead and have further research done. The West Beach Trust has asked questions; local residents have asked questions; and we have heard a number of times that the SARDI scientists—in their own right, not as public servants—have raised questions about the development at West Beach. As I said before, I have been to a number of the local meetings, especially in recent times, and it is true that the member for Hindmarsh, Chris Gallus, has been at those meetings as have a number of other people who are in this Chamber today. Senator Bob Brown has attended at least two meetings that I have been at, supporting the belief that local residents should continue to ask questions and ask what sort of alternatives can be raised.

Like the member for Schubert, I actually use West Beach. I often walk and swim down there, and I think the honourable member will agree—despite the fact that I do not have the advantage of living right on the beach as he does—that it is a beautiful beach and should be looked after as much as possible. Before we actually wreck that beach—which is what all the evidence points to at the moment—we should look at the alternatives, sit down together and try to come up with a solution that people in the area can feel they can support, so that they believe we have actually tried to come up with a solution that they will look at positively.

In summary, most of the comments have been made by my colleagues before me, so I will not go over them again. We should take seriously the opposition that has been raised by quite a few hundred people who live in the electorates of Hanson and Colton, and we should look at the other eminent people who have questioned the appropriateness of the development proposal for West Beach and take some stock of those comments to see if we can come up with a compromise where we sit down, as has been suggested by the member for Hart, and try to come up with a solution. Otherwise people will continue to demonstrate and, instead of joking about being shoulder to shoulder in front of different civil construction vehicles, it will actually happen. I am convinced that the people down there who have been demonstrating in a peaceful way will in fact stand shoulder to shoulder and lie under tractors etc. We should try to avoid that and show leadership and direction as far as trying to come up with alternatives that can be looked at properly.

The Hon. G.A. INGERSON (Deputy Premier): Having been in this place for a reasonable period, I am often amused at the statements currently coming from members opposite. Between 1989 and 1993, when the numbers were 24-23, every day we were reminded by the then Government that 24 beats 23 and were told, 'You over there behave yourselves because we are going to run the State.' Things have not changed much, but members opposite tend to forget that.

Not one solution has been put forward by the Opposition. Members opposite keep saying that they want to compromise, but how about putting out some solutions? There are no solutions from members opposite. We had the grandstanding by the Leader. This project is only about 2 500 jobs. We had the Leader saying earlier that all he wants to do is make sure that he can sit down with the Premier and talk about jobs. There are 2 500 jobs in this in the construction stage, without considering the ongoing jobs that will be available in the retail and tourism area. There are 2 500 jobs—500 construction jobs a year. The Leader of the Opposition stands up in this House and says, 'I am about jobs.' Here is the best single opportunity that he has to do something about jobs.

We had some comments about the sailing club. In a briefing last week, which members opposite had the opportunity to attend, it was explained that in a five-year period the money paid for the shifting of the sailing club and building of that marina would repay itself. They were briefed on that, they went there and have notes—all they have to do is read them. It is quite staggering that we have an Opposition being briefed, being given the notes and it still cannot read them. They still stand up in this place and say, 'None of this information is available; where is the money coming from?' I am fascinated with this sudden change of mind that a Government is not allowed to invest in any projects if it happens to be a Labor Government. I well remember Ophix—the member for Hart brought it up.

Mr Foley interjecting:

The Hon. G.A. INGERSON: I just happened to be the Minister who had to fix the mess, the Minister who went through all the legal issues to sort it out.

Mr Foley interjecting:

The Hon. G.A. INGERSON: I know how much it cost the taxpayers of South Australia, but who created the mess? What about the \$10 million fiasco at Marineland? Who created that mess at taxpayers' expense? They are Labor disasters. Let us talk about all these brilliant investments by Labor. I did not want to bring up the State Bank again because I thought it was time we forgot about it, but why we are in the mess today? We are in a mess today because of the disaster of your management. It was not the fault of anyone else in this State.

Mr Foley interjecting:

The Hon. G.A. INGERSON: But why?

Mr Foley: You made a public statement.

The SPEAKER: Order! The member for Hart has made his contribution.

The Hon. G.A. INGERSON: It was because of the contract entered into by Labor, which locked all future Governments into a 50-year contract that was impossible to get out of, even if they did not develop anything.

Mr Foley interjecting:

The Hon. G.A. INGERSON: That was absolutely irrelevant.

The SPEAKER: Order! The member for Hart will come to order.

The Hon. G.A. INGERSON: I also bring up a point that is very important in this debate. It is important to recognise that the Speaker (the member for Morphett), who is unable to contribute to this debate, is very supportive of this project, as are the Holdfast Bay council, the West Torrens council and the West Beach Trust. A very important point that needs to be made is that the project has the support of the local councils directly involved in it. There has been great play tonight about the member for Hindmarsh and her position in this. What about the local member in State Parliament (the member for Morphett) who is directly involved in it and who is very supportive of it? That is a very important issue that needs to be put on the record.

As I have said, the building costs associated with shifting the sailing club from Glenelg to the new site is cash neutral over a five-year period. As I said earlier, the notes in relation to that were given to members of the Opposition and yet they still stand up in this House and grandstand about that exercise. It is important to note that a major engineering and environmental exercise has been undertaken with respect to the groyne. There has been an EIS, and members have been briefed on that. There are plenty of people who say that the existing model will work and that it is about sand management. Everyone accepts that it is about sand management. It is not the case that only one person was involved: it involved a very well-respected institute of engineers who were independent of any of the other engineers and who are today saying that it is time to get on with the proposed harbor development at West Beach.

The development at West Beach has been extensively examined by a wide range of engineering experts who all support it. The Institute of Engineers, a very well-respected and independent society of engineers, was prepared to come out and say publicly that we ought to get on with the job. It is not involved in politics: it is an independent group which was prepared to give us advice. I note that there are no

engineers opposite—only lawyers, failed IR people, misfits and even some people who think they are economists but who never quite attained the qualifications.

I refer to the issue of the beach itself. The most failed Minister for the Environment, Minister Mayes, left the whole beach—from the top end down to Port Adelaide—in a terrible state. In one year he did not even bother to implement a sand replenishment program. Liberal Ministers for the Environment have been criticised, but I point out that Minister Mayes was the biggest single environmental disaster in this State. He was a Labor Minister who did not care about the management of our beaches.

There have been EIS processes, and we have been through management processes since 1995. All of the processes have been completed. If anything, one would have to argue that this whole process has been over-managed. There have been more EISs and more testing and engineering in this development than any other project of a similar size. It is time that we got on with this project.

In relation to our beaches and the environmental clean-up of our sewerage system, this Government is spending in excess of \$200 million on the biggest single environmental improvement program ever seen in this State. It will have a significant effect on our whole foreshore. It is an absolute joke to say that this whole program has not been geared around environmental issues.

There are a lot of other issues to which I would like to refer, but I will conclude by setting out the key objectives of this project: to improve the water quality at the Patawalonga; to improve the amenity of the Patawalonga, including addressing problems of bank erosion, silting and aesthetics; to make a significant contribution to the management and maintenance of the Patawalonga catchment; to improve recreational boating facilities, including the provision of all-weather, all-tied boat launching and sea access; to make a significant contribution to tourism infrastructure; and to enhance opportunities for community recreation. Most importantly, we need to ensure that all development is environmentally sustainable and does not contribute to beach erosion or pollution. They are the objectives of the project and they are the objectives of this Government. This is an excellent project and we ought to get on with the job.

Bill read a second time.

In Committee.

Clause 1.

The Hon. G.A. INGERSON: I move:

Leave out this clause and insert new clause as follows:

Short title

1. (1) This Act may be cited as the Local Government (Holdfast Shores) Amendment Act 1997.

(2) The Local Government Act 1934 is referred to in this Act as 'the principal Act'.

The Hon. M.D. RANN: At this crucial stage in deliberations, before there is a deadlock conference, I ask the Deputy Premier whether he is prepared to meet with the Opposition and with the developers in order to reach agreement so that the Glenelg project can proceed.

The Hon. G.A. INGERSON: The Government would like to see the Bill pass through the House. The Leader of the Opposition knows full well the system in terms of the process. If the Opposition wishes to agree with the quick passage of this Bill through the House, I would have thought that was the best piece of goodwill the Opposition could show.

The Hon. M.D. RANN: Essentially, is the Deputy Premier telling us, despite the huff and puff today, which has zero impact on the Opposition, that he is not prepared to have a meeting with the developers, the Premier, the shadow Minister and me in order to resolve this, so that the project can proceed?

The Hon. G.A. INGERSON: We have a formal process in this place which ensures that Parliament puts together a legal structure. We rely on that process, which is the normal process—it is a process that I remember the Leader of the Opposition went through every single time between 1989 and 1993—and it includes the conference mechanism, as the Leader of the Opposition knows full well. Let us process the Bill. The Government will not grandstand but will go through the normal process. I think that is the way this Parliament ought to be run.

The Hon. M.D. RANN: Perhaps the Deputy Premier has misled the House because, between December 1989 and December 1993, all my Bills, including land rights legislation (with which the Deputy Premier was involved) and changes to universities in this State, were negotiated not in deadlock conferences but face to face because we both had the guts to negotiate. Why is that not the case these days? Do you want the project, or do you want a fight?

The Hon. G.A. INGERSON: I have been threatened by experts in my life. Here is another one. I find it quite fascinating that the Leader of the Opposition should make a presumption in this House as to what is likely to happen in another place without the passing of this Bill.

Amendment carried; new clause inserted.

New clause 1A.

The Hon. G.A. INGERSON: I move:

After clause 1—Insert new clause as follows:

Commencement

1A. This Act will come into operation on a day to be fixed by proclamation.

New clause inserted.

Clause 2 passed.

Clause 3.

Mr CONDOUS: I move:

Clause 3—Leave out this clause and insert new clause as follows:

Insertion of section 886bb

3. The following section is inserted after section 886ba of the principal Act:

Coast protection at West Beach

886bb. (1) In this section—

'boating facility' means a harbor, marina, boat mooring or boat launching facility';

'coast' has the same meaning as in the Coast Protection Act 1972;

'the Minister' means the Minister to whom the administration of the Coast Protection Act 1972 is committed;

'West Beach area' means an area 500 metres wide running along the coast of metropolitan Adelaide in Gulf St Vincent between the northern side of the entrance of the Patawalonga boat haven to the sea and the point where a westerly projection of West Beach Road meets the sea, and bounded on the east by the high water mark.

(2) The Minister must take reasonable steps to ensure the effective management of sand in association with the construction of any boating facility within, or adjacent to, the West Beach area—

(a) in order to maintain the navigability of any entrance or access channel associated with any such boating facility; and

(b) in order to protect or, if necessary, restore the coast on account of the obstruction of coastal processes due to the construction of any such boating facility.

(3) The Crown is liable for costs associated with any works or operations undertaken for the purposes of any sand management required under subsection (2).

In Question Time the member for Elder asked the question: 'Will the member for Colton keep his promise to West Beach residents and cross the floor to vote against the 250 metre groyne at West Beach?' It would have been quite easy for me to cross the floor but all that would mean is that the margin would have been one vote fewer than I believe it will be tonight. However, I would have been dead in the water, because my negotiation and compromise powers, which would have been of benefit to the people of West Beach, would have sunk immediately.

The member for Kaurna read the pamphlet I circulated—and it was not during the election campaign but immediately after the Premier made an announcement on the Holdfast Shores development at the Grand Hotel at Glenelg. At that stage the member for Ross Smith was correct. We had had early public meetings in which the people who were given the specific duty of drawing up a plan for the clean up of the Patawalonga suggested that the best way of doing it was to divert the Sturt Creek/Patawalonga catchment through an open drain into West Beach and create a deep sea harbor which would run from the sandhills onto the beach itself and into the water.

The anger in the community was immense. I was prepared to fight tooth and nail to make sure that it did not happen, because it would have meant we would destroy the sandhills and that continuous walk from Glenelg through to Semaphore and the ongoing areas. Through continual lobbying in the Party room, by talking to every Minister and by convincing the Premier of the day that it was totally unacceptable to the constituents of the electorate of Colton, a compromise was made—that we would divert the water not into West Beach but through the Glenelg sewage treatment works. We would also build a jetty. These compromises I am talking about amounted to an additional \$5 million, which was a pretty generous grant to the people in the electorate of Colton to try to preserve the environment.

That jetty was designed to go over the sandhills from the car park, over the beach and on to the boat launch. Therefore, it would preserve the uninterrupted walk, not destroy the sandhills and at the same time allow the boat launch to go ahead. As to the people I was talking to all the time who thought I was a great bloke—and members opposite can talk about the Henley and Grange Residents' Association—I believe I am a fair person and I took that group to four Ministers and Premier Brown and Premier Olsen over the past four years. If the shoe was on the other foot, would a group of strong Liberals, under a Labor Government, have been afforded the courtesy by a Labor politician and be taken on six occasions before Government Ministers and Premiers? I wonder about that.

Members interjecting:

Mr CONDOUS: Let me get on with it. I will talk about the member for Peake tomorrow and his continual attack on me and where I live, but I will leave that for another day. Even before I was elected as the member for Colton, I visited my brother living at 40 Seaview Road, West Beach.

Members interjecting:

Mr CONDOUS: Just a few doors down from you. During the heavy rains we used to stand at the Torrens outlet and watch a barrage of 44 gallon drums, broken branches and dead dogs pass. At that time I was Lord Mayor and when the rains were really heavy we would open up the weir gates

because Kangaroo Creek was flooding and there was a necessity for the weir gates to be opened to allow that excess water to go out. The European carp would come down in abundance. At the foreshore there were the sharks in a feeding frenzy. The filth which was going through and which is still going through today, because nothing has been done, is absolutely abysmal and shameful, a disgrace that South Australia has tolerated for a long time.

As to the Better Cities money involved in the project, at least this Government had the guts to set up two catchment boards and put a levy on all those in the catchment area. True, I did not agree with that because I believe every South Australian in the metropolitan area should contribute to the levy so that instead of it taking 10 years to set up the wetlands and get the project completed and out of the road, we could do it in two years and get the project over and done with. In that way both our waterways would be responsibly dealt with because this problem should be approached in a bipartisan manner without the playing of politics. Certainly, that would be in the interests of all the children of South Australia.

As to the bargaining situation, forget about the Henley and Grange Residents' Association because it goes into technicalities and, no matter what I did, even if I was the good Lord himself, I could never satisfy their passion. The only way I could do that would be to start from the time of Colonel Light and not allow any building and locate the city in another area. The average person who comes to my office says, 'Mr Condous, I am worried because I am being told by the Residents' Association that if this development goes through we are going to be walking on stony beaches.' Not having lived there, I did not know what the history was.

However, a strong Labor supporter gave me advice, which I passed to the Premier, that during the time when Kym Mayes was the Minister for the Environment the sand replenishment program was put off for four years and in large stretches of the beach at both Henley and West Beach there were exposed areas of rock. Realistically, if the Government were to do nothing, and Governments come and go, and no sand replenishment took place for 10 years, that is exactly what we would have. Our beaches would be the same as European beaches, which are covered with rocks. Boardwalks have been built so that people do not burn their feet on those rocks.

My compromise was to tell the Premier that I had to alleviate the fear of the people I represent. Through responsible Parliament, we can alleviate their fear by ensuring that an ongoing sand replenishment program is locked into an Act of Parliament, giving people the assurance that whoever is in Government sand replenishment will continue. Indeed, clause 3(2) provides that the Minister must take reasonable steps to ensure the effective management of sand in association with the construction of any boating facility within or adjacent to the West Beach area.

If I had my wish, my ideal situation would be for the Holdfast Bay development to go ahead without the boat launch. That would be my desire. However, I have to realise that the sailing club, which has legal rights under a lease, has to be looked after. A responsible Government must acknowledge that the 45 000 boaties in this State love their recreation and sport and also have rights. Last Sunday, the member for Ross Smith attended the rally at West Beach, so let me tell the honourable member that, on Sunday 28 December, the boaties have decided, rather than sit at home doing nothing, they will go down to West Beach with their boats, because they want to demand their rights as well.

The biggest recreational sport in this State and country is fishing and 500 000 South Australians own a fishing rod. They do not always want to fish on the Glenelg jetty, the Brighton jetty or the Henley jetty, but they would not mind fishing from the rocks. Some of them cannot afford a boat or a dinghy, so they would not mind throwing their line into the sea from the rocks, because there will be an abundance of fish around the groyne.

I do not know how much compassion members opposite have, but let me paint a picture of what we might be doing on Christmas Day. Members of Parliament enjoy a salary that exceeds that of the average person who walks past Parliament House. Do members opposite want to deprive up to 1 000 South Australian construction workers, workers behind the steering wheel of cement trucks, manufacturers of tiles, piping and electrical fittings and all the other ancillary workers who are required to get a project like this up and running?

Already approximately 80 per cent of stage 1 has been completely sold and the developers are ready to launch stage 2, but they have not done so because of the uncertainty in this House, and that is the only reason. Are members opposite going to sit down on Christmas Day and say, 'Had we gone ahead with that development, we would have created a tavern, a hotel and a retail facility, and the project could have employed 500 or 600 young South Australians between the ages of 18 and 28 years'?

If we lose this project tonight, it will be a clear message nationally that we are incapable of getting any tourism development off the ground. This is the fourth attempt to do something at Glenelg. Before I was Lord Mayor, a little mate of mine called Lawrence Lee from Zhen Yun would visit me at the Town Hall, telling me that he wanted to do a bit of development in the town. He said, 'Steve, there is a certain honour in the Asian community so that, when a man tells you that a deal has been done, the contract can be signed and you can get on with the project, you take that word as being honourable.' He said, 'I did that deal with John Bannon, and he told me, "We will get the contracts drawn up".' Do you know what the end result was? There were a few people who were worried about the dolphins at West Beach. Do you know where those dolphins are today? They are in Sea World and they have become third generation dolphins, all performing, but the tragedy was that your Government paid approximately \$13 million because your word was not kept.

I will tell you something else. I will support this only because I have had an assurance that, whether the Liberal Party, the Labor Party or the Democrats are in government—

An honourable member interjecting:

Mr CONDOUS: I am sorry; you say it does not but it does—it locks us into responsible parliamentary behaviour in ensuring that sand replenishment will go on forever and a day. Whenever I make a decision to leave this Parliament, at least I will know I did the right thing by the people of South Australia in ensuring that there will always be sand on the beaches of that coast. I will be criticised and abused, but I am a big boy, and I will sit down with anybody who wants to talk with me and explain what I did tonight and why I did it. I do not have a worry with my conscience, because I know that I have locked in something responsible. It has locked in not only my Government but every Government in the future.

I do not see how members can argue about this development, which has the potential to send the most positive signal that South Australia is open for business—and remember that

the benefits will be not just for today but for many years to come. That may be the very catalyst that gets jobs going.

I have listened to the Leader of the Opposition say, 'I am waiting for the Premier to get on the phone and work in a bipartisan way.' What I want to know is, in tomorrow's parliamentary meeting, whether the Leader of the Opposition will list for my information how many times, when he was adviser to Premier Bannon and deputy to Premier Arnold, he suggested to them that they should pick up the telephone and negotiate with the Opposition on jobs? I would like to know that, because this is nothing. All he is doing is playing the game of saying, 'Here I am; I want to play and negotiate with you.' The only reason I can think of for his wanting to do that is that he knows the economy is about to move quickly, and he wants to be part of that economic movement. He can see that the signs are there—all the economic indicators on the car industry, the wine industry, the export industry and the information technology industry.

The manager of the Hyatt told me that it has been running at 94 per cent occupancy for the last five months. The new hotel across the road is taking bookings already. The economic indicators are that South Australia is about to really get going, and that is why he wants to be part of it. If it was not going in that direction, he would not want to be part of it. All I ask tonight is, if you have any compassion and if you worry about the working class people of South Australia who will be working at Holdfast Bay, that you support the development.

The Hon. G.A. INGERSON (Deputy Premier): I move:

That the time for moving the adjournment of the House be extended beyond 12 midnight.

Motion carried.

Mr CONLON: The amendment moved by the member for Colton indicates that, in the past few days, his conscience has done 10 rounds with his political expediency, and his conscience was well out of its weight division—it has got a hiding. The member for Colton's conscience is telling him that this is a bad project. It is not a good project, and his residents and conscience is telling him that. The member for Colton knows that this project will wreck the beaches; otherwise, he would not be moving this amendment. His political expediency is telling him, 'You had better not do anything to upset the Premier,' so he is not doing so. He is not doing anything here to upset the Premier, is he?

I will address some of the points raised by the member for Colton about how this project absolutely protects the beaches into the future. Some members tonight have spoken about the marine biologists who know nothing about sand and who, therefore, they allege, should not talk about the coast. I found that a bit confusing. These members say that if you are not an expert you are not qualified to speak. I do know a bit about law, and I tell the member for Colton that the project will not work, and I will explain why. I thought the honourable member was one of the people who claimed that one needed to be an expert before one could speak on something.

The conscience of the member for Colton has taken a hiding. The honourable member would have us believe that the only problem of all those which have been raised in this place and by the residents and the experts that needs to be addressed is that of shifting some sand. That is a pretty skinny look at the debate, with great respect. It has not

addressed those questions raised by the member for Kaurna with regard to the unsightly—

The Hon. M.H. Armitage interjecting:

Mr CONLON: I thank the Minister for that. I will take note of that. It does not address the problems raised by the member for Kaurna and the unsightly imposition of a 250 metre groyne. I say it again: there is nothing of this size anywhere else. It is startling. It is ‘user pays’ on the Government side of the Chamber. If it were any longer you would put a toll booth on it; that is how big it is.

The member for Colton has not even bothered to wonder whether this project is a very bad deal for the State or about the expenditure of its money and whether the project is badly financed. He has not wrestled too hard with his conscience about whether or not the pipeline full of stormwater will wreck the seagrasses. All the honourable member has said is, ‘Okay, the little bit I will give my conscience in this fight is looking after the sand. I will support this resolution, which will protect the sand for ever more.’ However, it does not do so. What does it do? This Parliament cannot bind a future Parliament. Unless it is part of the Constitution and unless we have some manner and form protections, we cannot bind a future Parliament. We just cannot do it.

Parliament could change the law next week. Who is to say that the Government will not do it? It has back-flipped on lots of other things. This Parliament can change any law that it makes—a first year law student knows that. So, when members opposite pat themselves on the back about looking after future generations, let me say that they have not done so. Parliament could change the law next week. This amendment provides:

The Minister must take reasonable steps to ensure the effective management of sand—

and subclause (2)(b) provides:

in order to protect or, if necessary, restore the coast on account of obstruction of coastal processes—

we do not have a definition of ‘coastal processes’—
due to the construction of any such boating facility.

Assuming that that sort of gibberish does mean that we have to protect the beaches, who will sue the Minister when he or she does not take reasonable steps? Who has the standing to say that the Minister has not taken the reasonable steps that were promised? If anyone believes that this protects the beaches, they are probably as gullible as the bloke who went down and handed over about \$11 million to the Glenelg Sailing Club because it had a small problem.

Members interjecting:

Mr CONLON: The people who do not know anything about the law and protecting beaches are now going to lecture me on the law of defamation. I thank them very much. I will take their comments on board. I hope they will forgive me if I do not pay them for their legal advice.

Let us return to the matter before us. The amendment of the member for Colton may operate in his self-absolving, self-deluding way to salve his conscience a little, but it does nothing to address the fact that all those concerns and all those problems still exist. The member for Colton knows they exist and that it is a bad development. He has at least been honest enough to say that, if he really had his way, it would not happen. But all that we have is this small salve for his conscience. The only way for the member for Colton to protect that which he says he wants to protect is for him to support our original Bill.

The Hon. W.A. MATTHEW: I support the amendment moved by the member for Colton and, in so doing, congratulate the honourable member on the way in which he has conducted himself through this entire process that has spanned over more than two years. The member for Colton has championed the cause on behalf of his electorate to ensure that this project became a viable one which would take into account the concerns of his constituents. I have had the pleasure and privilege of seeing the member champion the cause not only in this Parliament but also in the Party rooms outside and in the offices of other members of Parliament to ensure that he got his point across and gained those things that he believed and proved were quite right to have been achieved for his electorate.

I understand the concerns faced by the member for Colton for, like him, I have a coastal electorate. Like him, my electorate is totally bounded on one side by the coast. However, the member for Colton does have one up on me, in that at least the marina proposal with which he was faced, the boat ramp proposal, was a viable one. That was not the case with the one which I faced and which the member for Hart mentioned tonight, namely, the Marino Rocks marina proposal. I am on record in this Parliament time and again opposing that proposal, for very good reason. Unlike this proposal, that proposal could never get off the ground. Unlike that proposal, we are talking about an area that is at least accessible. The Marino Rocks marina proposal, for any of you who have not been there—and the member for Hart has not been there—was to be in an area that is presently a cliff, and the developer was going to enable the public to access the marina by blowing up the cliff. That is the plan that the Labor Government tried to force onto the people of South Australia through this Parliament.

The Labor Party’s great plan was to support blowing up the cliff, stepping it down to the beach. However, that was not going to leave enough room for its marina development, so for good measure—and I am sure the member for Kaurna would be interested because this certainly would have affected his constituents—the Noarlunga rail line was to be detoured around a hill so that it would have a little more land accessible to the sea. That was Labor’s great marina proposal. When we checked out the developers, of course their *bona fides* did not stack up. There is no way that the funding was ever going to be available for that project. There was no way it would ever be sustainable.

In the case of this project, particularly at the insistence of the member for Colton, a two-year period of environmental impact assessment has been undertaken. At every step of the way information has been publicly available. At every step of the way the public and the Opposition have had access to the material that was put together so that, with knowledge, they could constructively comment on this proposal. For two years that process continued. Throughout those two years the member for Colton insisted on a number of measures being put in place, and he succeeded in his endeavours.

I find it particularly interesting that after that process and after the opportunity for that input (quite unlike other proposals that the previous Labor Government tried to impose on South Australians) they then had a last desperate clutch at straws and through their Labor mates in the Charles Sturt council and at the council’s expense—and I feel sorry for those ratepayers—had a study undertaken in just 12 days. As the House has already been told, after 12 days an eight-page letter rather than a report then came into being. Of course, that document was full of qualifications, indeed some 41

qualifications and, at the end of the day, offered no resistance to the proposal: no resistance to the proposal at Glenelg and no resistance to the boat ramp at West Beach.

It is interesting to look at the things that have gone on prior to the amendments that are before us tonight. We have seen the opponents of this whole project, including the Opposition, claim that the Coast Protection Board and the Coastal Management Branch oppose the project. This was completely untrue and they knew it. We have seen them claim that expert reports and Government experts had warned against the project. Again, this was completely untrue and again they knew it. They claimed that sand management would cost \$800 000 a year. Again, this was completely untrue and they knew it. On several occasions it has been conclusively shown that, on average, sand management will cost about \$250 000. They claimed that the boating facility would put safety at risk by mixing swimmers with boats. This is a fabrication and they know it.

They claimed the community did not want or need a boating facility. Again, this is untrue. This is a fabrication and they know it. Supporters of the boating facility include the Sea Rescue Squadron, the Recreation Boating Council, the Boating Industry Association, the Glenelg Sailing Club, the Holdfast Bay Yacht Club, the West Beach Trust, the City of Holdfast Bay—the city that covers part of my electorate—and the City of West Torrens in which this boating facility is to be built. These organisations collectively represent hundreds of thousands of South Australians. The opponents also claim that 12 eminent marine scientists had warned against the project on the basis of sand and beach erosion. The fact was that none of these people was a coastal engineer and none had the authority or qualifications of the Coastal Management Branch. Marine science, as we have stated many times, is no qualification to comment on coastal protection processes. Finally, one of the signatories was not a marine scientist but an information scientist.

I believe that the amendment put forward by the member for Colton quite rightly, quite justifiably and quite sensibly protects the interests of his constituents. I support the amendment and am happy to support it in also supporting the Bill in its passage through this House.

Ms WHITE: The member for Colton's amendment deals with sand management of the West Beach part of the project. The third paragraph of his amendment commits the Crown to liability for the cost associated with any works undertaken for the purposes of any sand management that is required. It was mentioned earlier that the average annual sand management cost of the project is \$250 000. Members would understand that an average is a simple calculation involving a minimum and a maximum value. The exposure of taxpayers to this commitment which the member for Colton asks that we make under his proposed amendment is determined by the maximum figure, that is, not the average yearly cost of sand management but the maximum yearly cost. What is that maximum yearly sand management cost?

The Hon. G.A. INGERSON: The average cost that has been provided to the Government is \$250 000. The Government has said on many occasions in this House and publicly that that cost may be higher if we have severe winter conditions, but under this clause the Government is committed to pick up that cost. In all estimates there is always a high and a low figure to obtain an average. I would have thought that was pretty standard.

The member for Elder suggests that no-one can sue under this clause. The advice I have been given is that many

decisions have been made recently in the courts where conservation and similar organisations have sued the Minister under this sort of provision and won. That is the advice that I have just been given by Parliamentary Counsel. I thought it important that the Committee be made aware of that.

Ms WHITE: The Minister has avoided answering my question. We know what is the average annual sand management cost. That figure came from somewhere. An average can be arrived at only by having a minimum and a maximum cost. What is the maximum cost? The Minister must answer this question. He has an obligation to answer this question because it indicates the liability to which taxpayers will be exposed in respect of the West Beach portion of this project. The exposure is not \$250 000; it is the maximum figure. What is the maximum figure? I will give the Minister a hint: it is between zero and \$500 000.

The Hon. G.A. INGERSON: In arriving at the \$250 000 average, the advice that I have been given is that it could vary between \$100 000 and \$500 000. Those figures are supported by the Coast Protection Board in its recommendation to the planners when the potential sand management costs involved in this exercise were examined.

Mr McEWEN: At the end of the day, politics is the art of the possible—on balance, what can be achieved. I understand that the difficulties tonight are the sting in the tail. We have heard everybody here tonight saying that the \$180 million project at Glenelg is supported. The complexity is when we try to resolve some issues in the margin to do with relocations and facilities further up the coast. The briefings I have received on this matter today I have not always found totally convincing. I guess that one thing about briefings is that you are given information selectively, and I must admit that I have not had the time or the resources to research the issue fully.

Notwithstanding that, I have to tell the Committee that the briefings today have been other than fully convincing and that I have been given contradictory advice. I am told that the environmental impact statement for the West Beach development mentions about 300 boaties. When I tackle the developers I am told that the usage will be between 1 500 and 2 500 boaties, with an average use of about 10 times to a maximum of 20 times a year. I am also told that there are 60 000 boaties in South Australia—a totally irrelevant statistic, but nevertheless one that is used in relation to the debate.

Earlier tonight I brought to this House the sad saga of sand at Port MacDonnell and tonight on balance I need to be reassured that that will not be repeated. That is why in discussions today I asked for some guarantee that the sand issue is managed in perpetuity. I am not saying that the sand issue is the only issue in my mind, but it is a significant issue. The northern littoral drifts will continue and, if anything is put in their way, the sand will accumulate and then must be moved on. I know that governments of both persuasions have abandoned my community when exactly this problem has occurred. We must not allow a community to be abandoned: we need a guarantee in perpetuity. The best advice I can get is that the amendment satisfies that. However, I hear again that there is some doubt on the matter. I look for a guarantee that the sand will be managed in perpetuity, and I do not appreciate an all or nothing negotiating stance. An all or nothing negotiating stance in terms of the West Beach solution to the boaties does not allow us to explore on balance the art of the possible—the best possible solution to satisfy all ends.

I am not totally convinced that that structure as it is presented is the only structure that will service those needs, but this is no excuse to hold up the development. I do not believe for one second that this should be used to hold up the significant development at Glenelg. I believe that, with reasonable goodwill on both sides, we can continue to negotiate and explore solutions within the precinct (not to go back to the Patawalonga or somewhere else) which do not interrupt movements up and down the beach but which do not necessarily provide the structure of the size of the one being proposed, because \$10.7 million of taxpayers' money up front that may or may not be repaid in a number of ways is a significant cost to bear.

At the end of the day I will support anything that delivers prosperity, growth and jobs, because I will not redress the imbalance or the sufferings that my community has endured under the last Government and the one before that without some prosperity and growth. It is only in that environment that we will deliver the goods. I appeal to members to support the project and the amendment, to show some goodwill and not take an all or nothing negotiating stance. There is a solution. It is close; let us find it, and let us find it soon.

The Hon. G.A. INGERSON: The Government would reassure the honourable member on a number of points. The Government is committed to ensuring that sand management is fully funded. That is a commitment of the Government. It is important that that answer to the honourable member's comments be placed on the public record. That is our position, and we intend to uphold that.

We have gone further in this instance by putting it this way in this Bill. The advice that we have been given is that it enables groups in the community to make sure that the Minister of the day does in fact carry out the directions of these clauses and is capable of being sued if he or she does not carry them out. That is the legal advice we have been given, and it is advice that the committee needs to be aware of.

Mr CONLON: The Minister has answered that point, which was the secondary point. What does the Minister say about my contention that the legislature can change this law any time it chooses? How does the Minister guarantee that this law will be there next year?

The Hon. G.A. INGERSON: That is the position with all Acts. One of the things that is important on this issue is that it has to come back to the Parliament to be changed. That is the fundamental reason for putting it in. As with other Bills we have been discussing today, there is a requirement to come back to this place to have the debate and have the argument if the Government of the day chooses to go in a different direction. If there is one single thing that I know, having been in this place for some time and also having now been a Minister for some time, it is that if you make a promise in this place by taking a stance and putting it into legislation and then attempt to change it without very good reason, the political backlash in this place and in the community is enormous.

I want to reiterate: it is the Government's commitment to manage the sand process up and down the coast with the development that is being proposed. There is a commitment to do that and we are prepared to put it in, and this is the advice that we have been given that enables us to give not only this House but the community of South Australia an assurance about the payment of the costs.

Mr CONLON: I want to be clear. The Minister cannot give the guarantee in perpetuity that has been asked for.

Members interjecting:

Mr CONLON: That is what was asked for.

The Hon. G.A. INGERSON: All I can do is take the advice of counsel, and we have done that. I have reported that to the Committee. As the member opposite knows full well, anyone can bring in an amendment to this place. As I have just said, if you are a Minister and you make a commitment to this House and to the community of South Australia, the only way you will get it changed in this House is if the House supports it. That in itself is a very strong commitment to the community of South Australia. Any lawyer or anyone in this place knows that you can win that only with the support of both sides of the House. So, it is a very strong legal commitment to the community.

Ms WHITE: What is the total capital cost to taxpayers of the West Beach boat launching facility and is that total capital cost capped?

The Hon. G.A. INGERSON: I am advised that, first, it is a Government sponsored project. Secondly, the advice that I have been given is that the Government will be contributing an initial amount of \$10.9 million for the Barker Road development, of which \$1.6 million will be recovered from boat ramp operations, hand standing etc. The consortium will fund all project overheads, Glenelg civil works and all development packages. The development margin will be generated from each of the packages and will be returned to the consortium and the Government in accordance with the following: accrued project overheads; Glenelg civil works; the next \$10 million to be split 75/25; and the next 30/70. So, in essence it is a funded project that will gradually recoup its funding over time. The advice I was given earlier is that that is approximately a five year period.

Ms WHITE: That answers the first part of my question, but it is important to establish this, as it involves the exposure of taxpayers. Is that cost of \$10.9 million, and the break-downs outlined, definitely, unequivocally capped?

The Hon. G.A. INGERSON: I am advised that that is the quantity surveyed price we have been given currently as an estimation of the development. The final price cannot be established until the project has been completed. That is the expert advice we have been given by the quantity surveyors.

Mr FOLEY: Let us see whether we cannot work this through further.

The Hon. J.W. Olsen interjecting:

Mr FOLEY: Does the Premier want to work this through or does he want to keep throwing insults? We are trying to work it through. What is it with you, Premier? You really do not want a resolution to this.

The CHAIRMAN: Order! The member for Hart will address the Chair.

Members interjecting:

Mr FOLEY: I ask the member for Bright to retract what he just said. He knows what he just said—he called me a 'sanctimonious wanker'.

The Hon. W.A. MATTHEW: I did not call the member for Hart that but, if the cap fits, so be it.

Mr FOLEY: Mr Chairman, I ask the member for Bright to withdraw that remark.

The CHAIRMAN: If the member for Bright did say it, it is important that he withdraw it.

The Hon. W.A. MATTHEW: I did not say that, as my colleagues around me can attest.

Mr FOLEY: It seems that the issue of the Patawalonga is a question of having access to the land occupied by the

Glenelg Sailing Club. There is a sense of urgency and a need to provide a home for the Glenelg Sailing Club.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: If possible, and a boat ramp. In the Minister's original proposal to cut a channel, was a boat launching facility of this type envisaged?

The Hon. G.A. INGERSON: I have been advised that the only change between this project and the original project is that the boat ramp has been moved off the beach, using the jetty to achieve that change.

Mr FOLEY: I can talk as an authority because I live next to a significant boat ramp—the North Haven boat ramp and marina, which is an expensive launching facility largely funded by the taxpayer.

Mr Atkinson: I thought you were talking about your home.

The CHAIRMAN: Order!

Mr FOLEY: That is a significant facility. The boating community in this State is not without some good quality boat launching facilities. Driving time from West Beach to North haven with a boat behind you would be at best a 20 to 25 minute drive, and you have an excellent facility—more than large enough to cater for heavy volume. Given that at Glenelg we have a small boat ramp that handles low volume, whilst in an ideal world it might be lovely to have another North Haven style boat launching facility at the mid-point of the coast, it is not of great moment in the overall scheme of things.

The important issue is that we must get access to the full Patawalonga basin area for the Baulderstone development. I can understand that the Government might have a political/policy desire to deliver something to the boating community, but I would argue that we are not already without reasonably significant taxpayer-funded facilities in this State at the moment. At this stage, why can we not look simply at the relocation of the Glenelg Sailing Club? It may want to hold us to ransom here, but I suspect that it has two problems. First, its lease runs out in the next six or seven years, so it is not in that strong a bargaining position. Secondly, we do have other powers—as draconian as they may be—if push come to shove. But surely we could relocate the club and give it a good facility from which to launch off the beach.

I understand that it would like to have a protected launching facility, but bad luck. My sailing club at Largs Bay does not have protection. The shadow Minister for the Environment, the member for Kaurna, says that there may be fairly sheltered opportunities there as well. Why do we not look simply at a much more modest boat launching facility to replicate what is there at present and relocate the sailing club? In today's paper, despite the somewhat provocative headlines on the front page, there is some mention about proposals by the Charles Sturt council. Why not replicate a small boat launching facility together with decent club rooms for the Glenelg Sailing Club and get on with the development? It cannot be too hard.

The Hon. G.A. INGERSON: I would suggest that the honourable member take that up with the boat owners by saying, 'We do not believe you need anything more than what you have at Glenelg'. I would have thought that that is the cleverest thing to do in terms of finding out whether you are right or wrong. I challenge the honourable member to do that, because I know what the answer will be. Let us put it into perspective. We are talking about trying to find answers.

A pretty basic, simple, fundamental reason why Glenelg's existing ramp is not used is that it is pretty difficult to drive

a tinnie back over a sand bar. It happens on a very regular basis. The purpose of this new design is to enable easy access to the sea. It fixes the one single reason why in the centre of our city people do not use the Glenelg boat ramp at the moment—because the risks associated with getting back in or even getting out are horrendous. The fundamental reason for shifting it is to fix that up.

We have a legal contract with the sailing club to shift it. The approximate cost of the building and shifting in the contract is about \$1 million. That is what we have under contract law. We have an agreement which has been signed by the consortium and by the Government as well. So, we are locked into that. We cannot retrospectively say, 'Well, this is no good any more; we have been fighting over it for two years,' and then shift it. I understand what the member for Hart is saying. One of the things that we in this place are not qualified to do is design a change here this evening; that is impossible. My advice from the experts is that numerous models have been suggested and put before all of the engineering experts and that this is the best option they can come up with.

Mr Hill interjecting:

The Hon. G.A. INGERSON: I said that it is the best option: the member for Kaurna says it is not. I do not disagree with that. But in this State, do we want the best or the second best? I know that Labor does not understand what 'best' means. All I am saying is that we ought to be attempting to achieve the best outcome in terms of boaties, sand management and the environment. We can only take advice. One of the things that neither you nor I knows anything about is the design of boat harbors. What happens to legislation when we try to do it in this sort of environment here tonight? It becomes a hotchpotch exercise. Those who are experts on the other side—not the environmentalists but those engineers who know what they are talking about—ought to come up with alternatives if they believe there are great alternatives instead of saying, 'We do not know the answer, but neither do you.' We have at least gone to the effort of getting a range of options properly and professionally looked at.

Mr FOLEY: I accept that. I will keep trying to talk in a constructive manner to try to get a constructive outcome. Perhaps the fact that the Premier has left the Chamber might aid that.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: He has been there sniping away every time we have tried to offer a constructive solution.

The Hon. G.A. Ingerson interjecting:

Mr Clarke: You are starting to make Stephen Baker look good.

The Hon. G.A. Ingerson interjecting:

The CHAIRMAN: Order.

Mr FOLEY: Thank you, Sir. The developer wants access to the site. Let us give them access to the site. Let us remove the Glenelg Sailing Club with an excellent proposal at West Beach. He is not even listening: I will try that again.

The Hon. G.A. Ingerson: I am listening: I am just asking for advice.

Mr FOLEY: The overriding issue is getting access to the site. Why can we not shift the Glenelg Sailing Club, offer it a rolled gold facility at West Beach. Let us accept that if we offer it something too good to refuse in terms of a facility, then hopefully it will be kind enough to give us its access. Let us put the boat launching facility issue to one side.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: Surely, the urgent issue at question is giving the developer, Baulderstones and whomever, access to the site. Let us give them the access and let us work through the issue of boat launching facilities post that. Let us keep talking about West Beach and alternatives. If the boaties are a little miffed by that, well, tough, but they have a good facility at North Haven. If they are not using Glenelg at the moment, that means there will not be great disruption to their current boating problems. Why not give Baulderstones immediate access, shift the Glenelg Sailing Club, and let us work through the issue of further boat launching facilities along our coastline as a separate issue.

The Hon. G.A. INGERSON: The advice I have been given is that the two stand hand-in-hand as far as the contract is concerned. The commitment to the sailing club is that we will build a new facility for it and we will build it in a protected position. The minute you build a protected position, you then have the groyne issue. If you are going to spend that sort of money in protection you might as well build it so that it is a safe boating harbor as well. That is the logic behind it, and that is the position that been put to me clearly on advice.

The CHAIRMAN: The member for Hart has spoken three times on this clause. The member for Kaurna.

Mr HILL: The Deputy Premier, in answer to a previous question, said the plan proposed was the best alternative. He said that there were other alternatives considered. So that we can all make a decision on that, can you table the other proposals?

The Hon. G.A. INGERSON: My understanding is that the advisers of the Opposition have been briefed on all the alternatives.

Mr HILL: I asked the Deputy Premier to table the alternatives, as I am not aware of them.

The Hon. G.A. INGERSON: My understanding is that the advisers stayed for an hour afterwards and viewed the alternatives. All I am suggesting is that advice has been given and, if that was actually checked with the advisers, you would know the alternatives. As I said earlier, the alternative we have put up is the best opportunity from an engineering perspective.

Mr HILL: I certainly will check that. In answer to another question, the Deputy Premier said that the cost of the West Beach development would be \$10.9 million, and the member for Taylor asked questions about whether that cost would be capped. If for some reason the West Beach harbor is built and there is some problem with it—for example, the launching facilities, the crane or something does not work—will taxpayers be exposed to greater expenditure to fix up any problems?

The Hon. G.A. INGERSON: The normal procedure is to get quantity surveyors to do the estimates, go to tender and to use professional people, as you do in any construction site. There are always pluses or minuses in those costings. As anyone who is involved in the construction industry would know, there is no guarantee that any design that is set up in any area of construction will give you the perfect world you have just asked for. If something does not work in the short, medium or long-term it is clearly the Government's responsibility—having made the commitment to put it there—to sort that out. That is no different from any other construction program or commitment a Government makes today, tomorrow or in the future.

Mr CLARKE: As I understand it, there is an undertaking in the agreement that the West Beach boat harbor be a certain minimum depth—and I am not quite certain what it is; it is

nearly four metres or thereabouts. Will that require a fair bit of dredging on an ongoing basis? What would be the annual and ongoing cost of ensuring that the depth of the boat harbor is at the level stipulated in the contract?

The Hon. G.A. INGERSON: Under the contract, there is an expectation for it to be of a fixed depth, and it would be the responsibility of the Government to maintain that. Those costs have been included in the sand management cost of the project.

Mr CLARKE: What component of the ballpark figure, which ranges from zero to \$500 000 and beyond, is for sand replenishment? In relation to the existing facilities at Glenelg, I understand that there are problems with the Kangaroo Island *Superflyte*—or whatever they now call themselves—in that sand bar problems have re-emerged and requires further dredging work. That is an ongoing problem, and it would seem to be the same as that at West Beach.

In terms of the cost of sand replenishment and maintaining the harbor at the stipulated depth, are boat users to pay on a user pay principle in the sense that they will reimburse to the State taxpayers the full cost of sand replenishment and dredging, or will that be another cost for the taxpayers of the State?

The member for Hart referred to the extraordinary position whereby we are to give the sailing club a huge, protected boat harbor in support of their interests. I could understand the Government's saying, 'We want to make West Beach the Monaco of Australia and have all sorts of international tourists stop here with their boats instead of Sydney Harbour.' If that is the case, I find it far fetched. What are the ongoing costs of dredging? If it is included in the cost of sand replenishment, what is the breakdown as against the cost of sand replenishment? I refer to the trucking and the dredging. What is the state of dredging at the Glenelg works now? How regularly does that area have to be dredged and at what cost? Is it at a cost purely to taxpayers or do developers pick up any of the costs? Are boaties expected to meet the operating costs of the boat harbor, including the dredging and the sand replenishment?

The Hon. G.A. INGERSON: The estimated cost of all sand management, including the harbor dredging, is \$250 000. As I said earlier, those costs have been estimated to vary from \$100 000 in a low year to \$500 000 in a storm problem or high usage year. We are talking about spending \$10 million so that we can get a \$180 million project.

Mr Clarke: Plus ongoing costs.

The Hon. G.A. INGERSON: As I said, the ongoing costs are \$250 000 on average a year and revenue from taxes and so forth more than compensate for that annually. We have already put that on the table. The actual sailing club cost is \$1 million. The rest of the project is a safe harbor for boaties and the sailing club. It seems to be forgotten that the sailing club currently has a safe harbor. We are to replace that safe harbor with another safe harbor. The sailing club is not getting anything that it has not already got. It already has a safe harbor. The cost from the Government's perspective is \$1 million. The rest of the harbor is for everyone to use—not only the sailing club but any boatie in South Australia who wants to access the harbor.

The Hon. M.H. Armitage interjecting:

The Hon. G.A. INGERSON: It is also for the Sea Rescue Squadron. Anyone who wants to access it can do so and the cost is about \$9 million for everyone. It is not a \$10 million cost regarding the sailing club. It is a safe harbor for all

boaties who want to launch from that part of the beach into the sea.

Ms HURLEY: If further work needs to be done in West Beach for any reason, for example an extension of the groyne, would that work be at the expense of the Government or the developer?

The Hon. G.A. INGERSON: It is a Government-owned facility so, if there was any change, the cost would be borne by the Government.

The Committee divided on the amendment:

AYES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Clarke, R. D.
Conlon, P. F. (teller)	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Hurley, A. K.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	Wright, M. J.

NOES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Condous, S. G.	Evans, I. F.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L.	Ingerson, G. A. (teller)
Kerin, R. G.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Oswald, J. K. G.	Penfold, E. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.

PAIRS

Ciccarello, V.	Buckby, M. R.
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Majority of 4 for the Noes.

Amendment thus negated.

Mr CONDOUS: I move:

Leave out this clause and insert new clause as follows:
Insertion of s. 886bb

3. The following section is inserted after section 886ba of the principal Act:

Coast protection at West Beach

886bb.(1) In this section—

‘boating facility’ means a harbor, marina, boat mooring or boat launching facility;

‘coast’ has the same meaning as in the Coast Protection Act 1972;

‘the Minister’ means the Minister to whom the administration of the Coast Protection Act 1972 is committed; ‘West Beach area’ means an area 500 metres wide running along the coast of Metropolitan Adelaide in Gulf St. Vincent between the northern side of the entrance of the Patawalonga Boat Haven to the sea and the point where a westerly projection of West Beach Road meets the sea, and bounded on the east by the high water mark.

(2) The Minister must take reasonable steps to ensure the effective management of sand in association with the construction of any boating facility within, or adjacent to, the West Beach area—

(a) in order to maintain the navigability of any entrance or access channel associated with any such boating facility; and

(b) in order to protect or, if necessary, restore the coast on account of the obstruction of coastal processes due to the construction of any such boating facility.

(3) The Crown is liable for costs associated with any works or operations undertaken for the purposes of any sand management required under subsection (2).

Amendment carried; new clause inserted.

Title.

The Hon. G.A. INGERSON: I move:

Page 1, line 6—strike out, ‘and the Development Act 1993.’

Amendment carried; title as amended passed.

Bill read a third time and passed.

**GAS PIPELINES ACCESS (SOUTH AUSTRALIA)
BILL**

Returned from the Legislative Council without amendment.

GAS (MISCELLANEOUS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

**ELECTRICITY (MISCELLANEOUS)
AMENDMENT BILL**

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 12.57 a.m. the House adjourned until Thursday 11 December at 10.30 a.m.