LEGISLATIVE COUNCIL

Wednesday 13 August 1986

The PRESIDENT (Hon. Anne Levy) took the Chair at 2.15 p.m.

The Clerk (Mr C.H. Mertin) read prayers.

MINISTERIAL STATEMENT: THEBARTON COUNCIL

The Hon. BARBARA WIESE (Minister of Local Government): I seek leave to make a statement on the subject of the Thebarton council.

Leave granted.

The Hon. BARBARA WIESE: The dismissal of the Chief Executive Officer by the Corporation of the Town of Thebarton and the actions that I am taking in respect of that situation must be viewed in the context—

Members interjecting:

The PRESIDENT: Order! That includes the Hon. Mr Cameron.

The Hon. R.I. Lucas: And Mr Sumner?

The PRESIDENT: I said, 'Order!'.

The Hon. BARBARA WIESE: —of the formal relationship between the State and local government (which this Government believes is desirable and proper) and the recent changes to the Local Government Act which cemented that relationship. The Government believes that local government must be responsible for the management of its own affairs and, in so doing, be primarily accountable to the local community which it serves. Intervention by other levels of government in the affairs of local government should, wherever possible, be kept to a minimum. I am sure that all members support these principles.

The 1984 review of the Local Government Act incorporated the aforementioned principles in the amendments to the electoral provisions of the Act by increasing the accountability of local government to the local community. Accordingly, the provisions relating to intervention by a Minister of Local Government were amended to reflect the increased responsibility and accountability of local government in arranging its own affairs. Section 295 of the previous Act provided that the accounts and records of a council were required to be open for inspection. Previously, section 45 *(b)* provided for the suspension of a council, and an administrator to be appointed prior to an investigation being initiated.

The present Act provides that the Minister of Local Government is empowered to cause an investigation to be made where she has reason to believe the council, that is the elected body, has failed to discharge a statutory responsibility or an irregularity has occurred in the conduct of the council's affairs. The Minister of Local Government may then appoint an investigator to report to her upon the council and the conduct of its affairs. On receipt of the report the Minister must provide a copy of it to the council and may make recommendations to the council.

Where the report shows that the council has failed to discharge a statutory responsibility, or an irregularity has occurred in the conduct of the affairs of the council, the Minister may give directions designed to prevent such a failure or irregularity occurring again. Where the Minister is satisfied that the report discloses either such serious failure on the part of the council to discharge its statutory responsibilities, or such serious irregularities in the conduct of the affairs of the council, that the council should be declared a defaulting council, the Minister may recommend such action to the Governor.

The Act was redrafted with the intention that to declare a council as a defaulting council would be a reserve power to be exercised only as a last resort. The principle which guided the drafting of the amendments to the Act, and the principle which I am following in this situation, is that wherever possible local government should deal with its own problems at the local level. Local government cannot assume responsibility for the conduct of its own affairs if, when there is any difficulty, the Minister intervenes in the affairs of councils. As I said in my statement on the matter last week, the dismissal of a Chief Executive Officer by a council is not in itself reason for the Minister to intervene. Neither is the existence of divisions among the elected members of a council itself grounds for the Minister to authorise an investigation into the affairs of the council while it is still able to function as a decision-making body.

This is not simply my view or the view of the Government. The Local Government Association has issued the following statement:

> The Local Government Association considers that the issues involving the dismissal of the former Town Clerk of Thebarton (Mr John Hanson) are industrial in character, and should best be dealt with through the appropriate industrial appeal mechanisms. The association is aware that opportunities have been extended to Mr Hanson (prior to the termination) to respond to the allegations made against him by council. The Local Government Association strongly maintains the principle that such matters should be dealt with at the local level, and that intervention by central government should be avoided at all costs.

The last council declared a defaulting council was Victor Harbor under the previous provisions of the Act when the Hon. Murray Hill was Minister of Local Government. At that time the then Minister said, in response to a question asked by the Hon. Mr Milne:

> I stress, and this point was touched on by the Hon. Mr Milne, that the affairs of the Victor Harbor council are a local government matter. The less the State interferes with local government, the better. It is really in the hands of the local community and the Victor Harbor council to sort out its local government problems.

I can only agree with these sentiments and in this situation at this stage do not believe that it would serve the best interests of local government to order an investigation.

Last week I stated that the Mayor of Thebarton had written to me asking for a list of retired Town Clerks who may be suitable persons to act in the position of Chief Executive Officer. I would like to inform the House of further developments since then. On Thursday last, a letter was sent to Mayor Lindner listing retired Chief Executive Officers who might be interested in acting in that capacity whilst Thebarton council clarified the future of that position. My understanding is that the Mayor approached Mr Merv Jenkins and, following discussions, proposed to put to the council's meeting on Tuesday 12 August—that is, last night—that Mr Jenkins be appointed Acting Town Clerk.

Meanwhile, I am advised that a question was raised prior to last night's meeting by a councillor as to whether the meeting had been properly called in that the notice of the meeting and agenda had been forwarded by the then Acting Chief Executive Officer who, by that stage, had acted in the position for more than three months. To understand the situation one needs to turn again to the provisions of the Act. Section 66 (5a) provides that a person shall not be appointed to act as Chief Executive Officer for more than three months unless the person holds a certificate of registration or the appointment has been approved by the Minister of Local Government. Neither of these criteria was met by the Acting Chief Executive Officer who gave notice of last night's meeting.

Section 53 (3) of the Local Government Act requires the Chief Executive Officer to give notice of a meeting and forward an agenda to council members. Since the status of the Chief Executive Officer was unclear, the legality of the meeting notice was questioned. As a consequence, council's consultants delivered a letter to officers of the Department of Local Government yesterday afternoon highlighting this dilemma and seeking advice. My understanding is that council's legal advisers were also contacted on this matter.

I am advised that the council's legal advisers gave the same advice as did officers of my department, that in the circumstances the legality of the meeting was questionable. However, I might add that my departmental officers made it clear that they were not able to give legal advice and that council should seek its own legal advice on this matter. I am also advised that the Mayor decided, in consequence of this advice, to cancel the meeting scheduled for Tuesday 12 August, which was last night. This left the council, however, with the post of Acting Chief Executive Officer unfilled. The Local Government Act was amended last year to clarify circumstances where the Chief Executive Officer of a council is absent. Section 66 (4) of the Act provides that:

(4) In the absence of the Chief Executive Officer, the following provisions apply:

(a) if there is a deputy to the Chief Executive Officer—he shall act in the office of the Chief Executive Officer;

(b) if there is no deputy or he is absent—a suitable person shall be appointed by the council to act in the office;

(c) if a person is not appointed under paragraph *(b)*—a suitable person shall be appointed by the Mayor or Chairman to act in the office;

(d) if a person is not appointed under paragraph *(c)*—a suitable person shall be appointed by any three or more members of the council to act in the office.

These provisions are designed to cover all contingencies, including the circumstances applying at Thebarton where the council through whatever circumstances is unable to appoint a person to act as Chief Executive Officer. Clearly, there is a question over whether the deputy could act in light of his having served more than three months as an officer, without ministerial approval to act. In order for council to make an appointment, a valid meeting of the council would need to be called—in normal circumstances by the Chief Executive Officer. Given the advice from the council's legal advisers and my officers, the next procedure provided for in the Act was considered. Therefore, the power of the Mayor under section 66 (4) *(c)* to appoint a person to act in the office has, I understand, been exercised.

It is important to note that the appointment of Mr Jenkins is to the position of Acting Chief Executive Officer. Moreover, it is my understanding that members of both groups within the council have confidence in Mr Jenkins and view his acting appointment as a positive and stabilising influence. My understanding is that a meeting of council will be called shortly to deal with the business which was to have been discussed last night. In the interests of all parties, especially the residents of Thebarton, it is vital that the administration of the council's affairs be given a chance to settle. The Department of Local Government will continue to monitor developments with the council.

QUESTIONS

CASINO

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation prior to asking the Attorney-General a question on the subject of the casino.

Leave granted.

The Hon. K.T. GRIFFIN: In early July 1986 media reports indicated that the Premier's Office was investigating allegations against a Mr John Allan, Executive Chief Operating Officer of Genting Australia, which is the managerial consultant for the Adelaide Casino. Those allegations related to activities which he allegedly undertook in 1981 as a senior executive of the United States company, Harrahs, one of the two companies which yesterday lost the contract to build the New South Wales casino at Darling Point. It was alleged that Mr Allan, as a senior executive of Harrahs had dealt with the Teamsters Union which has criminal connections in the United States.

The Attorney-General subsequently stated publicly that the Government would take no action with respect to the allegations against Mr Allan and his involvement with the Adelaide Casino. That was before the New South Wales Premier made his announcement yesterday that the New South Wales Government was terminating its agreement with Hookers and Harrahs to build the $610 million Darling Point Casino. The New South Wales Government is reported to have made its decision on the basis of an adverse report by the police in that State on the two companies.

This morning's *Australian* links the allegations that Mr Allan is being investigated by the FBI and US gaming authorities with the New South Wales police report and the New South Wales Government's decision on the Darling Point casino. In yesterday's *Sydney Morning Herald* extracts from the latest police report were published and are claimed to state that in the case of Harrahs the senior executive still most in question was Mr Allan; that, while Mr Allan claimed he had resigned from the company in 1984, he had been dismissed; and that he had been in negotiation with the Teamsters Union and alleged organised crime figures to buy industrial peace at an American casino that Mr Allan had managed. My questions are:

1. Will the Attorney-General urgently seek a copy of the New South Wales police report to ascertain whether or not it impinges on the involvement of Mr Allan in the Adelaide Casino?

2. Having obtained the report, will he clarify the matter publicly?

The Hon. C.J. SUMNER: This matter was raised some weeks ago and the involvement of Mr Allan in Australian casinos, including the casino in New South Wales, was raised. I understand, however, that the decision of the New South Wales Government—although I have not seen all the details of it yet—is not based exclusively on Mr Allan's involvement in the operation in Sydney but also, according to statements by the Premier (Mr Unsworth), to which I have only been privy through the media, involved some comments about the chief executive of Hookers, Mr Herscu.

It is therefore apparent that the withdrawal of the approval for the Hooker tender for the Sydney casino is not exclusively related to Mr Allan. Nevertheless, when Mr Allan's name was raised in July of this year, I asked the Liquor Licensing Commissioner, Mr Secker, to make inquiries about those allegations and, following that inquiry, came to the conclusion that no action was required at that stage in relation to allegations about Mr Allan. Mr Secker indicated to me that Mr Allan's involvement with the Adelaide Casino was of a general nature and several steps removed from its actual operations. Mr Allan was employed by the New South Wales based firm Genting Australia Pty Limited, one of three wholly owned but unrelated Australian subsidiaries of the Malaysian based company Genting Berhad.

A second subsidiary, Genting (South Australia) Pty Ltd, is an adviser to the operator of the South Australian casino, Aitco Pty Limited. Mr Allan is not employed by the South

Australian subsidiary and is not a director of any Genting company. Through his position in Genting Australia Mr Allan has had a role in developing policies and advice to be adopted by Genting (South Australia) but has had no formal or direct links with the Adelaide Casino and his presence at the casino and in day-to-day affairs has been minimal. Mr Secker's report stated that Mr Allan was not employed by any Genting company at the time South Australian authorities were investigating applicants for involvement with the Adelaide Casino in 1984 and early 1985, nor when the Casino Supervisory Authority, on 25 March 1985 approved Aitco to operate the casino with Genting (South Australia) as adviser.

So, at the time the Casino Supervisory Authority gave the necessary approvals to Aitco to operate the Adelaide Casino, Mr Allan was not involved, on the information that I have had supplied to me by the Liquor Licensing Commissioner, and was not employed by any Genting company, so his connection has come subsequent to the approvals being given by the Casino Supervisory Authority. The Liquor Licensing Commissioner has also advised me that precautionary checks carried out with the New Jersey authorities in mid-1985 at that time revealed no derogatory information about Mr Allan and at the time that Mr Secker made these inquiries this year, to his knowledge no formal charges had been laid against Mr Allan. Mr Allan is not a person required to be approved in respect of the Adelaide Casino because he is not employed by Genting (South Australia). Genting (South Australia) in any event are not the operators of the casino in South Australia—Aitco are the operators. However, Mr Allan would be required to be approved in Western Australia where I understand Genting (Western Australia) has a proprietary interest in the Burswood Island Casino.

The situation as advised to me by the Liquor Licensing Commissioner on 3 July 1986 was that Mr Allan was not a person required to be approved in respect of any role in the Adelaide Casino; that his connection with the casino in any event has not been substantial; and at the time the necessary approvals were given to Aitco to operate the casino with Genting (South Australia), Mr Allan was not employed by any Genting company. So, that is the position, Madam President, as far as I am aware at the present time. I have no information before me that would indicate that that position has changed, and that information was made public by me on 3 July 1986. I do not know of any other information that has come to hand that would cast any doubt on the inquiries carried out originally by the Liquor Licensing Commissioner. However, I will examine the press reports of the New South Wales decision and ask the Liquor Licensing Commissioner to contact the New South Wales authorities to see if there is any information additional to that which I made available to the public through the media on 3 July 1986 and which I have now reiterated in this Chamber, but I would expect that the situation would be as outlined on 3 July. At this stage, I am certainly not aware of any additional information.

THEBARTON COUNCIL

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about Thebarton council.

Leave granted.

The Hon. I. GILFILLAN: I appreciate the Minister's statement and I consider that it substantially contributes to an understanding of the Thebarton council. I ask her in her comments to observe why we have had to wait for so long for this revelation, which certainly would have been useful to the Council at an earlier stage. However, even given the explanation, there are some issues that remain unresolved. The matters relating to Thebarton council involve not only the issue of intrusion of a State Government into local government but also allaying the fears of many members in this place, the public at large and the ratepayers of Thebarton council that there is an extraordinarily unhappy and perhaps corrupt series of operations in the Thebarton council. Unless we can have clear assurances that there is to be no avoiding the exercise of poking into the corners to reveal anything that has been done contrary to the Act and to discredit local government, it is fair for the doubts and questioning to continue. This series of questions—

The Hon. M.B. CAMERON: I take a point of order, Madam President. Rulings concerning opinions being expressed have been made, and I thought that a fairly firm opinion was being expressed by the honourable member.

The Hon. C.M. Hill: He talked about corruption.

The Hon. M.B. CAMERON: Yes, regarding a local government body that has no right of reply in this place. I thought that was perhaps going a little overboard.

The PRESIDENT: The honourable member, of course, is covered by privilege in the Chamber.

The Hon. M.B. Cameron: I understand that, but Standing Orders—

The PRESIDENT: Standing Orders provide that no opinion shall be expressed as part of a question. I was listening very intently to the honourable member's question. I felt that he was bordering on the edge of the Standing Orders but, if I recall correctly, he did not state that that was his opinion. I did not feel fully justified in pulling him up under that Standing Order.

The Hon. I. GILFILLAN: Thank you, Madam President. I am glad that you listened more closely to my wording than did the Leader of the Opposition. In her statement last week, the Minister said that the dismissal of a chief executive officer by a council is not in itself reason for the Minister to intervene. It was not so much the dismissal that was the basis of questioning: it was the method. There have been serious misgivings as to whether council formally and properly dismissed the previous clerk. I ask the Minister to comment on whether she believes that to be the case.

I point out that I was informed today that the previous clerk (if he is the previous clerk) still has full and unhindered use of a council car. It is rather extraordinary that such a facility should be made available to someone who has, allegedly, officially been dismissed. Further in her report the Minister said that the association is aware that opportunities had been extended to Mr Hanson prior to the termination to respond to the allegations made against him by council. Mr Hanson has advised me that he was not given that opportunity, and I ask the Minister whether she is satisfied that in fact Mr Hanson had adequate and fair opportunity to respond to the allegations and, if so, when. At the same time I ask the Minister why she has not seen fit to accede to Mr Hanson's requests to meet her personally. It would seem to me to be very appropriate that she would grant that request.

The PRESIDENT: I think that that is an opinion.

The Hon. I. GILFILLAN: I withdraw that. Was there any discussion between Mayor Lindner and the Minister in relation to matters pertaining to the Thebarton council? If so, what advice did she give him? Was he authorised to indicate that in the appointment of the Town Clerk he was acting with her specific advice? As to the appropriateness of an investigation by the fraud squad into financial matters

of the Thebarton Council, is the Minister satisfied that the necessary actions are being taken to remove any doubt about this matter?

The Hon. BARBARA WIESE: The honourable member made a gratuitous remark about my revelations here today. I point out that what I said is based, first, on a reading of certain sections of the Local Government Act. I would have thought that, rather than being revelations, that is information that is freely available to all members of Parliament. It would actually help if members read the Act, especially in relation to this matter concerning the Thebarton council, because its powers are stated quite clearly there. In reaching a solution to the problem that currently exists at Thebarton council, it would assist if people remained calm; read the Act; and informed themselves about the respective rights of individuals who are involved in this matter. In relation to comments that I made regarding events of the past 24 hours, it would have been rather difficult for me to give information about those events prior to today.

The honourable member spoke about an unhappy situation at Thebarton council and he mentioned corruption. I have no evidence before me to suggest corruption within the Thebarton council. I consider those allegations to be strong and serious indeed and, if the honourable member has information that would be of assistance to me in that regard—

The Hon. C.J. Sumner: Then he should substantiate it.

The Hon. BARBARA WIESE: —then I would very much like to have access to it. When he makes such serious claims, he should substantiate them. With regard to an unhappy situation at the Thebarton council, I agree that there is a problem there, that it is a serious issue and that, as far as possible, it should be solved by people at the local level. As I have indicated previously, at this stage I do not consider that there are sufficient grounds for me to intervene. The fact that there is an unhappy situation is not sufficient reason for me to intervene.

With respect to allegations of fraud, as I indicated in the Council last week, I have written to the Mayor of the Thebarton council asking him to seek a legal opinion about allegations of fraud that were contained in the consultant's report. I have asked the council to act on the advice that it receives. I sent that letter to him late last week and, at this stage, I am not aware whether or not legal advice has been sought or acted upon, but I have also asked that I be notified when such legal opinion is received, and I imagine that that will occur. In relation to the dismissal of the former Chief Executive Officer, if he believes that he has been unfairly dismissed, I have stated already in this place that that is an industrial issue which can—and should be—taken up with the Industrial Commission. I cannot comment on the matter of the use of a council car, but I think that that, too, is a matter for the council. It is responsible for its own administration and that matter should be taken up at the local level.

I understand that, in relation to Mr Hanson's position, the question was asked whether he was given adequate opportunity to comment on or defend himself against allegations that were made prior to his dismissal and whether or not the decision to dismiss him was proper. From the information I have received, I have ascertained that a resolution was carried by the Thebarton council indicating that, unless a satisfactory resolution to the matter could be found in the meantime, Mr Hanson would be dismissed on 5 August. A conference was called in the meantime to allow the council and Mr Hanson to discuss the matter. I am informed that Mr Hanson did not attend the meeting, and therefore there was no opportunity to discuss the issues at hand and the dismissal took effect on 5 August in accordance with the resolution. I have not met with Mr Hanson. I was informed yesterday that he rang my office seeking a meeting with me, but I do not consider it appropriate for me to meet with Mr Hanson about this issue. It is an industrial matter and, in relation to his employment with the Thebarton council, Mr Hanson has access to the Industrial Commission as well as legal advice.

As to whether or not I have spoken with Mayor Lindner, the answer to that question is, that I have not had a discussion with him about this matter. I presume that that question was asked because the honourable member believes that Mayor Lindner said at the council meeting last night that specific advice was given by me to him about the course of action that he should follow at last night's meeting. I want to make clear that I have not spoken with Mayor Lindner and that he has not received advice from me about what action he should take. I have a copy of the statement which Mayor Lindner read to the council last night. As I understand it, he was not suggesting that he had received legal advice from me about the way he should proceed, although perhaps that would be inferred.

I believe that that covers the points that have been raised by the honourable member and I hope that that assists him in making his assessment.

VICTORIA PARK RACECOURSE

The Hon. CAROLYN PICKLES: I seek leave to make a short explanation before asking the Minister of Tourism a question about access to the Victoria Park Racecourse during the Adelaide Grand Prix.

Leave granted.

The Hon. CAROLYN PICKLES: A number of my constituents who live near Victoria Park Racecourse have contacted me regarding reports in the Adelaide *Advertiser* about limited access by the public to the racecourse during the Grand Prix and other public events. I am an avid fan of the Grand Prix and of any type of motor racing, and I am also a great user of the racecourse, particularly for jogging. The Victoria Park Racecourse is used regularly by joggers, schoolchildren, dog walkers, bicyclists, and sports people. Concern has been expressed about access being limited in the lead up to and after the Adelaide Grand Prix, and the fact that it may be more limited than last year. My questions to the Minister are as follows:

1. Is the Minister aware that there have been letters to the press regarding supposed proposals to erect extensive fencing around the Victoria Park Racecourse at the time of the Adelaide Grand Prix?

2. Can the Minister advise whether there will be public access for pedestrians and bicyclists to the Victoria Park Racecourse other than on the four race days?

3. Can the Minister advise whether the bike track will be closed during the Grand Prix and, if so, for how long?

4. Is the Minister aware of any other public event during 1986-87 that would limit access to the Victoria Park Racecourse? If so, what are they and what are the arrangements?

The Hon. BARBARA WIESE: Following the letters that I saw in the newspaper some time last month, I have had discussion about this matter with representatives of the Grand Prix office. I am aware of the letters that appeared in the paper and also of the reply given at the time by the Executive Director to set the record straight.

I understand that there will be some 650 metres more fencing erected for this year's Grand Prix than was erected last year. I believe that one of the reasons for that is that

the organisers of the Grand Prix are attempting to provide more public access and more space for the viewers of the race than was available last year because of the increasing interest in the Grand Prix in its second year. Erection of the fencing began last week. My understanding in relation to public access is that, during the period leading up to the Grand Prix, all existing access points for cyclists and walkways will be preserved so that people will still be able to use the racecourse area. It is only during the period of the Grand Prix itself that those access points will be closed, for obvious reasons.

In respect of other events that might take place, an obvious event following the Grand Prix is the Papal visit. A Mass will be conducted at the Victoria Park Racecourse during that visit. I understand that the organisers of that event have asked that the fencing used for the Grand Prix be retained inside the perimeter of Victoria Park Racecourse to facilitate crowd control and for other reasons. In addition, the South Australian Jockey Club has asked that following the Pope's visit the area of fencing inside the perimeter of the racecourse remain to enable them to undertake a reseeding program on the racetrack. I am informed that there should not be any significant interference with pedestrian access to the racecourse area during the reseeding program. Obviously, the area being reseeded will not be available for people to walk on while the grass is growing.

During the past couple of days there have been complaints from residents of East Terrace about the construction of fencing in that vicinity. I have made inquiries about that matter and understand that discussions are taking place between members of the Grand Prix office and local residents. The situation there is that the fence is located this time partly to provide an extra area for viewers of the race, as I indicated earlier, and partly to provide protection for local residents so that viewers in the vicinity on race days will not have access to residents' gardens to trample plants, and to do other damage like that. It was decided to do this as a form of protection for local residents and at no stage will there be restricted access for the people living there. However, discussions are continuing between local residents and representatives of the Grand Prix office. I hope a solution will soon be found to this problem. In conclusion, the record of the people involved with the organisation of the Grand Prix in terms of communication with local residents, both within the city of Adelaide and the suburbs on the other side of the parklands, has been excellent and in almost all cases a satisfactory resolution to problems has been reached.

EQUAL OPPORTUNITY ACT

The PRESIDENT: The Hon. Miss Laidlaw.

The Hon. DIANA LAIDLAW: About time!

The PRESIDENT: Order! Is the Hon. Miss Laidlaw reflecting on the Chair?

The Hon. R.I. Lucas: The remark is linked to the length of the last reply.

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: I seek leave to make a very short explanation before asking the Attorney-General a question about the Equal Opportunity Act.

Leave granted.

The Hon. DIANA LAIDLAW: The Attorney-General would be aware that organisations representing the interests of the aged have from time to time sought the inclusion of the ageing within the ambit of the Equal Opportunity Act. I am advised that they are seeking that inclusion once again following the Attorney's statement some weeks ago that he would be introducing a Bill during the current session of Parliament to incorporate the intellectually disabled within the provisions of the Act.

I have therefore been asked by an organisation to inquire whether or not the Attorney-General has considered the merits of incorporating the ageing within the Act and, also, whether or not he is prepared, when he introduces the Bill, to incorporate the intellectually disabled.

The Hon. C.J. SUMNER: The question of legislation dealing with discrimination on the grounds of age is obviously something that requires a considerable amount of further consideration. Its ramifications need to be examined before any action can be taken. There are obviously a whole lot of implications such as the one the Hon. Mr Griffin points out, that of mandatory retiring ages. I take it that the honourable member is not suggesting that the retiring age for public servants should be removed so that they may be able to continue until they die or until they are 90. I think that that one example indicates the sorts of ramifications of the proposition put by the honourable member to the Council.

An honourable member interjecting:

The Hon. C.J. SUMNER: True, the Labor Party preselection rules would be changed; the restriction on judges, who have to retire at the age of 70, would be removed; the retiring age for public servants would be removed; and I suppose, if the honourable member took the matter the other way, one could also assume that children would be permitted to drive a car at the age of three and vote at the age of two, so one really questions what is the proposition that the honourable member is putting. Is she putting—

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! The honourable member has asked her question.

The Hon. C.J. SUMNER: —that all discrimination on the grounds of age should be removed? I think that one only needs—

The Hon. Diana Laidlaw: I was asking what you are going to do.

The Hon. C.J. SUMNER: The honourable member is now trying to get out from under, having got up in the public arena and made her point about whether or not the Government intends to introduce this legislation. The honourable member asked me whether I would be introducing legislation relating to discrimination on the basis of age in conjunction with introducing the legislation dealing with intellectual disability. Now the honourable member suggests that she is not advocating anything because obviously my answer has upset her case somewhat.

I am prepared to concede that there are some difficulties in the area of discrimination against people because of their age, but it is certainly not a question that can be resolved very easily. There are incredible ramifications to it, in the pension system, in retirement ages, and before any such legislation could be contemplated it would need to be examined in much more detail than what has happened to the present time. The other fact that needs to be taken into account is that if legislation of this kind were to be introduced, assuming one could get a satisfactory solution, I imagine that the additional resources that would then be required in order to administer the legislation would be very substantial so, therefore, there would be a budgetary implication to any additional responsibilities of the Commissioner for Equal Opportunity.

Finally, I should say that the Government during the last Parliament promoted legislation to establish a Commissioner for the Ageing, so there is a person in the bureaucracy

who has the responsibility of advising on problems with respect to aged people in our community, and that person also acts as an advocate on behalf of aged people in the community. Therefore, it is not as though the aged are completely without a point of contact in the bureaucracy through which their problems can be aired. At this stage I certainly cannot say that legislation on this topic will be introduced with legislation dealing with intellectual disability. I think the question would require much more examination and thought before getting to the point of introducing a Bill. I concede, however, that some issues may need addressing over time, but certainly at this stage I am not prepared to indicate that it is appropriate to introduce legislation with the Bill that has been foreshadowed in the Governor's speech.

SPANISH AND PORTUGUESE

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation prior to directing a question to the Minister of Tourism, representing the Minister of Employment and Further Education in the other place, on the matter of further education.

Leave granted.

The Hon. M.S. FELEPPA: Concern has been expressed to me about the fact that the chair of Spanish and Portuguese, which has been established for many years, might be discontinued. My questions are as follows:

1. Can the Minister advise whether or not Flinders University is proposing to discontinue the chair of Spanish Portuguese?

2. Has any advice been received by the Government on this matter from the university?

3. What is the Government's attitude to such a reduction in the languages offering?

The Hon. BARBARA WIESE: I will refer those questions to my colleague in the other place and bring back a reply.

YOUTH MUSIC FESTIVAL

The Hon. C.M. HILL: I address my question to the Minister Assisting the Minister for the Arts. As there has been considerable speculation in the media about a significant deficit being incurred by the Youth Music Festival, and as the Minister sits on the Jubilee 150 Board as the Government's representative, does the Minister believe that the board should carry all or any of the deficit, especially in view of the fact that the festival was the Department of Education's principal Jubilee 150 event?

The Hon. BARBARA WIESE: I understand that the Premier has already indicated that the deficit—whatever it might be—must be met by the people or the organisations that sponsored the Youth Music Festival and that no additional allocation will be made to meet any deficit that is incurred as a result of the festival. At this stage it is not known what that amount of money might be. Financial reports have been called for but they have not yet been received. However, as I understand it, the sponsors for this event are jointly Coca-Cola Bottlers, the Jubilee 150 Board and the Education Department. So, one would assume from the statement that has already been made by the Premier and Treasurer that the deficit should be funded by those sponsoring organisations, and that will mean that the Jubilee 150 Board will have to bear some cost in that. I do not know what the arrangements will be because, as I said, we have not—

The Hon. R.I. Lucas: Are you going to send a bill to Coca-Cola Bottlers?

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —yet received any final financial statement for the festival.

The Hon. R.I. Lucas: Are you going to send a bill for one-third of the cost to Coca-Cola?

The PRESIDENT: Order!

The Hon. R.I. Lucas: That is outrageous.

The PRESIDENT: Order! If the honourable member does not cease interjecting when I call him to order, I will name him.

The Hon. BARBARA WIESE: I have not given any indication of what funds will be met by which organisations. What I am indicating is that the Premier has stated quite clearly that no new funding will be made available through the Treasury and therefore we will have to wait until next week to find out who is paying what.

WORLD EXPOS

The Hon. J.C. BURDETT: I seek leave to make a brief explanation prior to asking the Minister of Tourism a question on world expos.

Leave granted.

The Hon. J.C. BURDETT: On Tuesday 5 August my colleague the Hon. Mr Davis asked the Minister a question about South Australian content in the Vancouver World Expo where the South Australian content was almost nonexistent, and this followed a question he asked in 1984 about the lack of South Australian content at the New Orleans World Trade Fair. My question is closer to home and relates to the Brisbane World Expo from April to October 1988. It will be the only world expo in the southern hemisphere this century. It is expected that there will be 750 000 overseas visitors visiting the expo.

This information comes from the June 1986 progress report on the expo. At a conference in June, I asked the General Manager of the expo, Mr Bob Minnikin, what steps were being taken to enable the other States to tap into this big influx of overseas visitors. Mr Minnikin said that it was acknowledged that most international visitors to the expo would go on somewhere else in Australia and that every cooperation would be extended through the Australian Tourist Commission to enable the States to tap into the tourist potential. The position in regard to Government pavilions is that Queensland has booked a pavilion; the Commonwealth has booked an extensive pavilion; Northern Territory has registered an intention, as has Tasmania, subject to financial considerations; and Victoria and N.S.W. have indicated strong interests. There have been discussions with Western Australia. South Australia initially indicated that it was not interested because of the political considerations as the expo was in Queensland.

Since then an officer of the Department of Tourism in South Australia has been showing an interest and the Premier has said he will reconsider the position, and that was the situation as of yesterday. My questions are:

1. Does South Australia intend to book a pavilion?

2. What steps are being taken for South Australia to tap into the tourist potential which the expo will create?

The Hon. L.H. Davis: Further, does she know that there is one on?

The Hon. BARBARA WIESE: As far as the expo in Brisbane is concerned and whether or not South Australia will be participating, a decision will be taken by the Government and not by the Minister of Tourism. I would

certainly hope that South Australia will have a presence at the expo. As far as realising the tourism potential is concerned with respect to the expo in Brisbane, I point out that, with all visitors who come to Australia, the idea that we can suddenly change their travel plans once they have reached the country is really not the way to go. If what the honourable member is suggesting is that we must have a high profile at the Brisbane expo in order to bring visitors to South Australia, then it is an inappropriate way to attract tourists to this State.

We may very well be able to pick up some visitors to this State if they see something that interests them once they reach Brisbane but the approach we adopt generally with our marketing overseas is to try to reach people before they come to Australia and to make them aware of the attractions and things of interest that might exist within the country and within particular States that they would want to see and would build into a holiday package that they might be purchasing at their point of origin. That is the way we have approached marketing in other parts of the world, quite successfully.

With respect to the North American and Japanese markets, for example, officers of the department and the people we have employed have worked very diligently to ensure that we reach the wholesalers, that is, the people who are putting package tours together so that we can make sure that an Adelaide or South Australian component is built into any package tour to Australia and that is the sort of thing that we have been very successful in achieving. For example, with Japan in the past two years we have managed to have a South Australian component built into 12 package tours from that country. Two years ago there was no South Australian component in any of those package tours. Unless we have backed achievement and easy access for overseas visitors, particularly by way of direct flights from other parts of the world, it is difficult to increase or significantly boost the number of people who travel to this State. So, in short, we are doing our best to ensure that people in other parts of the world are aware of the things there are to see here in South Australia and we hope that we will be able to encourage those people who might be coming to Australia for the Brisbane expo to include a South Australian component in any holidays that they are planning.

REGISTRATION OF PLANTINGS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Agriculture, a question about the registration of horticultural crop plantings.

Leave granted.

The Hon. M.J. ELLIOTT: Only a few years ago, there was a major canning fruit tree pull in the Riverland, the consequence of which is that not enough canning fruit trees are growing in the Riverland any more, and such fruit is being imported from Victoria at a great cost to the cannery. We are now in the throes of a vine pull and I would confidently predict that we will end up pulling out too many of the wrong types of vines, and what will be planted in their stead in some cases will be wrong. For instance, with the sorts of decisions being made at the moment, a grower does not have much to rely upon other than his gut feeling. Apricots are giving an excellent return at present, and many apricot trees are being planted in the Riverland. I guarantee that within three or four years we will have an incredible surplus of apricots, among other crops.

The decisions being made are not being made on very sensible bases. The major problem is a lack of statistics. I have raised that matter once with the Minister of Agriculture in South Australia and have not received a reply. Since then, I have written to the Federal Minister of Agriculture (Mr John Kerin) calling for a national registration of horticultural plantings, particularly of tree and vine crops, on the basis of variety of crops, species and age of crop. All of those data are necessary if really sensible decisions on plantings are to be made. His reply to me states:

> A national registration scheme for horticultural plantings would require the full support and cooperation of the State Governments. If the States were able to reach agreement on the introduction of a scheme the Commonwealth Government, through the Australian Agricultural Council, could then examine what coordination role it may need to play in order to achieve an effective national arrangement.

In other words, it is back to the State Governments, which is probably where it should be. To illustrate further just how inaccurate the data are that the growers are relying on, I have only just received the ABS statistics for 1984-85. It is potentially possible that the plantings of some crops could have doubled in those 12 months, but any grower who is now planting will be relying on old data. I have owned a fruit property myself for 2½ years, and have not been contacted once to find out what I have put the bulldozer through or what I have planted. There has been a considerable change in what is in the ground. So there is no reliable data.

The Hon. G.L. Bruce interjecting:

The Hon. M.J. ELLIOTT: Is the honourable member suggesting that the State Government is willing to continually fund the pulling out of various types of tree crops? That is ludicrous.

The Hon. G.L. Bruce: No. I'm saying that the industry—

The Hon. M.J. ELLIOTT: I am saying that each grower has his right to decide what to plant, but I think it is the obligation of this Government to provide reliable information on which they can make sensible decisions.

The Hon. G.L. Bruce interjecting:

The Hon. M.J. ELLIOTT: I did not refer to licensing. Registration is completely different, and relates simply to a tabulation of what is there. Will the Minister refer the question of the registration of horticultural plantings to the Minister of Agriculture and return with an answer as to the Government's position?

The Hon. BARBARA WIESE: I shall be delighted to do that.

WASTE MANAGEMENT

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about waste management.

Leave granted.

The Hon. J.C. IRWIN: The question of all councils paying fees to the Waste Management Commission could be said to be a hot potato in rural South Australia. On 7 July 1986, the Director of the South Australian Waste Management Commission wrote a letter to a council, as follows:

> Whether the payment of the fees can be justified or not, I remind you of the Commission Chairman's remarks at the meeting regarding the statutory nature of the fees and the possible personal liability of the clerk and/or council members if payment is withheld.

My questions are as follows:

1. How does the Minister view these standover tactics?

2. Do the clerks and council members have a personal liability if payment is withheld?

3. Does the incorporation of local government give any protection to senior staff and elected members from personal liability?

4. If the Minister is in conflict with the Commission Chairman on the matter I raise, will she severely reprimand the Chairman of the Waste Management Commission?

The Hon. BARBARA WIESE: The first point I want to make is that I cannot and will not give legal advice on matters that have been raised. That is something about which a lawyer will have to give advice. It is my understanding that there is an obligation to pay the fees, but I suggest that any council concerned about this matter should seek legal advice.

QUESTIONS ON NOTICE

COURT WAITING TIMES

The Hon. K.T. GRIFFIN (on notice) asked the Attorney-General:

1. What are the current waiting times for civil cases between setting down for trial and hearing in the Supreme Court, District Court and Local Courts?

2. What are the current waiting times for criminal matters, both guilty pleas and not guilty pleas for committal to trial in the Supreme Court and the District Court?

3. What are the current waiting times for committal proceedings in the Magistrates Courts from charging to final hearing?

4. What are the current waiting times for summary matters from charging to final hearing in the Magistrates Courts?

The Hon. C.J. SUMNER: Because this information is largely statistical, I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

1.	Supreme Court	9 months
	District Court	14 months
	Adelaide Local Court Limited Jurisdiction	4 months
	Adelaide Local Court Small Claims	2 months
2.	Supreme Court—	
	Guilty pleas	1 to 2 months
	Not Guilty pleas	3 months
	District Court—	
	Guilty pleas	7 weeks
	Not Guilty pleas	6 months
3. and 4.	Adelaide Magistrates Court—	
	1 day hearings	14 weeks
	2 or more days hearings	25 weeks

	Civil (weeks)	Summary (weeks)
Berri	9	13
Ceduna	8	8
Christies Beach	15	15
Glenelg	—	8
Holden Hill	—	13
Kadina	24	24
Millicent	12	12
Mount Barker	15	13
Mount Gambier	18	18
Murray Bridge	15	15
Naracoorte	18	18
Para Districts	17	17
Port Adelaide	9	9
Port Augusta	13	13
Port Lincoln	19	19
Port Pirie	12	12
Tanunda	13	13
Whyalla	9	9

A recent amendment to the Rules of Court provides that civil actions in the District Court now enter the trial list as soon as pleadings are completed. The above periods are therefore not comparable with information previously given.

LICENSING COURT CASES

The Hon. K.T. GRIFFIN (on notice) asked the Attorney-General:

1. What is the current waiting time for cases to be heard in the Licensing Court?

2. After the hearing of a case has been concluded, and where decisions are not handed down within a week:

(a) what is the average waiting time for decisions?

(b) how many of such decisions are presently outstanding?

(c) of the cases referred to in *(b)*, what is the date of the conclusion of the hearing of the longest outstanding decision?

The Hon. C.J. SUMNER: The answers are as follows:

1. If an application is uncontested, 2-3 weeks.

Contested applications are set down for hearing at a time to suit the court and all parties. The average waiting time has been four to five months.

However, since June all contested applications have been adjourned to a trial list and hearing dates have not yet been fixed. There are nine such applications.

2. *(a)* Three months.

(b) 16.

(c) 19 December 1985.

LANDS TITLES REGISTRATION OFFICE

The Hon. K.T. GRIFFIN (on notice) asked the Attorney-General: What are the current delays from lodgment to registration or deposit of transfers, mortgages, leases, plans of subdivision and other documents in the Lands Titles Registration Office?

The Hon. C.J. SUMNER: Because this information is largely statistical, I seek leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

Currently, the delays which apply in the Lands Titles Registration Office in the registration of documents and the deposit of plans of division are:

1. Documents (transfers, mortgages, leases, etc.)
   From lodgment to deposit ..... 7 working days
2. Plans of Division
   2.1 *Strata Plans*
   From lodgment to deposit ..... 6 working days
   2.2 *Subdivisions*
   From lodgment to deposit ..... 19 working days
   2.3 *Deposited Plans involving survey*
   From lodgment to deposit ..... 21 working days
   2.4 *Deposited Plans not involving survey*
   From lodgment to deposit ..... 11 working days

It should be understood that the times quoted are applicable if the document or plan presented for registration or deposit is error-free and does not need further attention by the lodging party to put it in a condition to allow its registration or deposit.

ROXBY DOWNS (INDENTURE RATIFICATION) ACT AMENDMENT BILL

The Hon. I. GILFILLAN obtained leave and introduced a Bill for an Act to amend the Roxby Downs (Indenture Ratification) Act 1982. Read a first time.

The Hon. I. GILFILLAN: I move:

That this Bill be now read a second time.

I begin by quoting remarks of the current Leader of the Government in this place (Hon. C.J. Sumner) from *Hansard* of 16 June 1982, as follows:

I have always been concerned about the use of nuclear power and, in particular the use of nuclear technology in the production of nuclear weapons. It was this issue and also the question of the safe disposal of high level wastes which provided the major bases for my objections . . .

He also said:

I must confess to feelings of considerable disquiet, indeed depression in dealing with this Bill . . . Because of the capacity for destruction which the world has produced through its nuclear weapons, whether to mine uranium in South Australia is essentially a moral question.

It has been a great relief to me, on reading *Hansard*, to find the eloquent arguments in support of the major intention of my Bill. The Hon. Chris Sumner further said:

On this issue I cannot accept that all the problems of the disposal of waste have been resolved, but am prepared to accept that they may be at some time in the future. However, this uncertainty still reinforces my view that we should, at this point in time, continue to play it safe. There seem to me to be strong arguments for not rushing into uranium mining but to try to ensure that more research and work on waste disposal is carried out in potential customers' countries.

It is obvious that there has been no development in the storage of waste, and the concerns expressed by the Hon. Mr Sumner are just as valid today as they were then. He further stated:

My main concern with uranium mining has always been and still is the threat of nuclear war.

He further said:

I do not accept that the threat of nuclear war has nothing to do with Roxby Downs.

That is one of the most moving pieces of oratory I have read in *Hansard* for many a day. He also said:

However, the blithe dismissal of the connection between uranium mining and nuclear war does not stand up to independent analysis.

He also said:

If uranium mining at Roxby Downs does not involve the spread of nuclear power, then I do not know why we are mining it. Clearly, it is part of the nuclear fuel cycle and part of an expansion if we sell uranium to nuclear powers.

I am very happy to note the arguments that the Hon. Mr Sumner put forward at that time are essentially and very movingly supportive of the Bill. He is not the only one. The Hon. Barbara Wiese on the same day and in debating the same Bill said:

Governments with little integrity, which are desperate for economic wealth at any cost and which want to cling to political power at any cost, will bend rules and take risks if they think it serves their interests.

She further stated:

We cannot afford to say that mining uranium is okay and what happens further down the track is not any of our business because it will happen somewhere else. That seems to be the Government's position and it is grossly irresponsible.

The Hon. Dr Cornwall, who made a very intelligent and critical speech on the indenture, on 9 June 1982 said:

The pro-uranium lobby consistently tries to make a very clear distinction between the civilian nuclear industry (that is, the use of uranium as a fuel to produce electricity in nuclear reactors) and the military uses for the production of nuclear weapons.

He further said:

In the present world scene some of this must inevitably find its way into nuclear weapons because existing international safeguards arrangements are ineffective and unenforceable.

He also stated:

The fact remains and it is uncontested that not one millogram of high level waste has been disposed of permanently anywhere in the world.

That is still the position today. He also said:

Our political opponents in the Liberal Party, on the other hand, have adopted the morality of the poppy grower who supplies opium to the heroin trade. Their position is, 'If we don't sell it, someone else will.' . . . In the meantime we are in a unique position to give a lead to the world at a price which in personal terms for all South Australians means little or no personal sacrifice.

The Hon. Gordon Bruce contributed to the debate on 15 June and said:

There has not been enough evidence produced to convince people that the nuclear fuel is safe. It is what happens to uranium when it comes out of the ground that everyone is concerned about.

He further said:

I would not be completely opposed to the uranium nuclear fuel cycle if somebody could prove that it was safe and that the waste could be disposed of in a proper manner.

He also said:

Thus mining at Roxby Downs will not solve all our problems. We should leave Roxby Downs alone until such time as the people of South Australia believe that it should be mined, and the moral obligation of supplying the world accepted.

I will cite comments by another authoritative spokesman on this subject. Mr Bannon, speaking in another place on 31 March 1982, said:

Let me also make clear that, in its present form, the indenture ties the South Australian Government, and the South Australian community, to an industry whose safety is unproven and whose future is uncertain.

Mr Bannon made some very significant analyses of royalties, and that will be more appropriate in Committee. He also said:

We also believe that it is incumbent on any State or nation with responsibility which seeks to mine and sell uranium to be absolutely certain that it is safe to provide uranium to customer countries. This policy is not based on any doctrinaire attitude, nor is it the result of emotion. It is the result of a realistic and hard-headed analysis of the present uncertain and very often dangerous state of the world nuclear industry. That is something the present Government chooses to ignore. It is also firmly based on the realisation that there is an undeniable link between the nuclear fuel industry and the production of fuel for nuclear weapons and nuclear warfare.

He further said:

Then there are questions of the permanent disposal of high level waste. Whatever the Minister of Mines and Energy attempts to say or demonstrate, the fact is that those problems have not been resolved. It may be possible in the long term, in the future, to solve them, but at the moment they have not been solved. That is beyond question.

And it remains beyond question. No issue could be so well justified in demanding a conscience vote of all members of Parliament as whether or not South Australia should be involved in the sale of uranium. I appeal to and plead with the Leaders and members of other Parties in this place to formally recognise that this is a conscience issue and to give each member the freedom to vote as he or she sees fit.

I know that many of my colleagues in this place share my profound objection to South Australia's becoming involved with the uranium cycle, and I believe it is indisputably an infringement of their civil rights to oblige them by Party discipline to tow a Party, conglomerate line, rather than expressing individual moral opinions. The issue is highlighted by the tragic consequences of the Chernobyl disaster, which were so lucidly described recently by the Hon. Brian Chatterton. If that was not a clear indication of the horror of the further proliferation of uranium and nuclear energy, I feel that nothing else will convince those who are determined to keep their heads buried in yellowcake.

Lately the hint, actually the firm suggestion, that the Federal Government is considering the sale of uranium to France (one of the rogue countries in the world as regards irresponsible use of nuclear material and testing of nuclear weapons) makes the timing of this Bill appropriate and crucial. I congratulate the Premier that he said categorically that France is not a suitable buyer of our uranium. An *Advertiser* article spelt out that response. It is interesting to consider that, if the Premier considers France, a so-called friendly nation to Australia, categorically to be an unsuitable buyer of our uranium, how fine a line there is between France and other countries that may eventually buy South Australian uranium. We are treading a slender line, far too slender for us ever to choose, even if we had the potential criteria on which to make a judgment, which country could use uranium. The editorial in the *Advertiser* of 6 August referred to France as a possible buyer and made critical remarks in this regard. The editorial concluded:

> Whether France would still want our uranium is not the point. Nor are relatively minor budget and export boosts. It is a matter of principles, which the Government should uphold. The nation becomes ultimately impoverished when seduced into thinking that money can measure morality.

That is exactly what the present Government is doing, and I hope that it is embarrassed and squirms when I remind it of the tenable and high moral ground it took when a similar debate took place in 1982. I feel that many thousands of South Australians are now more strongly opposed to the sale of uranium from South Australia, and politically I consider that this is a propitious time for this Parliament to reverse the decision in relation to the earlier indenture Act.

The economics of Roxby Downs is a perplexing problem. Two clauses in my Bill specifically deal with the royalties and the infrastructure of the township, seeking as they do to improve the position of the South Australian Government and the taxpayers in the financing of the mine. In fact, it is our belief that, unless such changes are made, the return to the State would be negative, because the subsidy by way of infrastructure to the town, built and maintained by the State, would be more expensive than the royalties that the State is likely to receive.

In earlier stages we calculated significant losses as far as this balance was concerned and that calculation was disputed by the joint venturers (Western Mining), the Department of Mines and Energy, and the Government, but all have been remarkably coy in making available any calculations to back their position. I call on the Minister of Mines and Energy, or some representative of the Government, to provide to the Council detailed projections of royalties that would accrue on the projected production of the mine. I feel that, if the Government is to have any credibility in its statement that there is this so-called promised pot of gold for South Australia at the end of the Roxby Indenture Act and the so-called ongoing substantial revenues for the State, it is morally essential that the Government does this. Equally as important, the Government's promises in this indenture have committed State funds to build the township at Roxby, for which nearly $14 million has been allocated already (by our estimates, that will probably be $65 million) with the ongoing maintenance and replacement expenses adding on to that indefinitely at approximately $10 million per year. If those statements are to be refuted, I ask that there be some definite and firm projected calculations presented so that the people of South Australia can see it.

I refer now to what I thought was a very perceptive remark made by Dr Peter Ellyard, who is the Director of Technology in South Australia, in an article in the *Advertiser* of 12 August this year titled 'Preparing for the Technological Future'. He has seen—as the Democrats for some time have seen—that there is a resource based intoxication that from time to time sweeps over States and countries that believe all their problems will be solved if they can rip enough wealth out of the ground, but in fact economically—and in many cases socially—the disruptive effect is worse than what may be seen as the economic benefits. The article states:

> For Dr Ellyard, the crucial time for SA was the debate over the development of the Roxby Downs mineral deposits, with the overriding assertion that the mine was essential for SA's future prosperity.
>
> 'The Roxby debate showed how closely we had become allied to the idea of a resources-based economy. Now, with commodity prices low, and our present balance-of-payments crisis, we are paying the price of that thinking.'

He and I are optimistic that South Australia has enough initiative and drive to pull itself out of that and move into the new developing technological future.

In conclusion, I urge members to again view, with the utmost sincerity, the moral obligations of this State in providing uranium to a world that has shown that, beyond dispute, it is not capable of handling it. I remind all members of a motion that was passed unanimously in the House of Assembly in 1977:

> That this House believes that it has not yet been demonstrated to its satisfaction that it is safe to provide uranium to a customer country. Unless and until it is so demonstrated, no mining or treatment of uranium should occur in South Australia.

The Democrats so firmly believe in that philosophy that this Bill is currently before the Council and I urge honourable members to support it.

The Hon. G.L. BRUCE secured the adjournment of the debate.

DENTISTS ACT 1984: GENERAL REGULATIONS

Order of the Day, Private Business, No. 1: Hon. G.L. Bruce to move:

That the general regulations under the Dentists Act 1984, made on 5 December 1985, and laid on the table of this Council on 11 February 1986, be disallowed.

The Hon. G.L. BRUCE: I move:

That this Order of the Day be discharged.

Order of the Day discharged.

AGENT-GENERAL ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

The Agent-General Act provides for a fixed term of appointment for Agents-General for South Australia in the United Kingdom. Section 6 of the Act provides that "every person appointed as Agent-General shall cease to hold office at the end of five years after the date on which his appointment takes effect". Under the Act the Governor may suspend or remove the Agent-General from office but use of such a power would normally be restricted to removal in the case of misdemeanour or substantial deficiency in performance.

The nature of the representation which the State requires in the United Kingdom has changed significantly over the years. In contemporary terms there is much less requirement for a long-term diplomatic and formal representative role than has traditionally been associated with the office. It is increasingly necessary for South Australia's representation to reflect current requirements in such areas as finance,

trade, investment and tourism promotion as well as on general governmental matters. Appointments for five year terms restrict the flexibility of the Government of the day in adapting the representation to meet current requirements. In addition, a number of persons who may be ideal for the post may be reluctant to commit themselves for such an extended period.

While it has been possible on some occasions for the Government and the Agent-General to agree to resignations on mutually agreeable conditions (which have sometimes involved appointment to other posts), there would be practical benefit in amending the Act to permit appointment for terms of up to five years. This will permit younger persons and others very actively involved in business, professional or other careers to be considered for appointment. As emphases in the requirements for representation change, for example, from immigration and trade matters to investment or tourism promotion, greater scope will be provided in securing the right skills and experience in the person appointed to be Agent-General. The amendment proposes that there should be terms up to a maximum of five years, the specific term to be negotiated in each case. Extensions of term are not to be precluded. I seek leave to have the detailed explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal

Clause 2 amends section 6 of the principal Act. The effect of the amendment is to enable a person to be appointed as Agent-General for a term, not exceeding five years, specified in the instrument of appointment.

The Hon K.T. GRIFFIN secured the adjournment of the debate.

STATUTES AMENDMENT (RURAL AND OTHER FINANCE) BILL

Received from the House of Assembly and read a first time.

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Advances to Settlers Act 1930, the Loans for Fencing and Water Piping Act 1983 and the Student Hostels (Advances) Act 1961 were enacted to provide loans for special purposes to particular categories of borrowers. The State Bank administers the Acts as agent for the Government. Prior to the merger of the State Bank with the Savings Bank, the Chairmen of the banks advised the Government that very little use had been made of the Acts in recent times. The pre-merger boards of the two banks recommended that the Government agree to a discontinuation of new lending under the Acts so that the new State Bank could avoid the necessity to establish special administrative systems to deal with those special loans.

The State Bank is represented by a wide network of branches throughout the State, and administers a lending policy aimed at encouraging development of the State's rural and other resources. The bank will be able to provide adequate support from its own resources in the area covered by these Acts. Therefore, it would be more appropriate to consider applications which might come within the ambit of the Acts as general banking propositions.

Similar conclusions were reached in relation to the rural financing Acts by a committee which looked into rural finance legislation in 1981. The committee comprised representatives of the Department of Agriculture, Treasury, the State Bank and the United Farmers and Stockowners Association. The General Secretary of the Association has confirmed his support for the action now proposed providing adequate support for the action now proposed in the area covered by the Acts is available from the State Bank or elsewhere. As mentioned earlier, assurances have been received from the State Bank in that regard. The proposed amendments will prevent new lending under the Acts as from 30 June 1986. The bank will continue as the Government's agent in the administration of the existing loans.

Clause 1 is formal. Clauses 2, 3 and 4 amend the Advances to Settlers Act 1930, the Loans for Fencing and Water Piping Act 1938 and the Student Hostels (Advances) Act 1961 respectively. The amendments do two things. First, any money held in a fund under the Acts at the moment and all repayments and recoveries of loans or advances in the future are to be credited to the Consolidated Account. Secondly, no further advances or loans are to be made under the Acts after 30 June 1986. The Acts will remain in operation for the purpose of administering existing advances and loans.

The Hon. J.C. IRWIN secured the adjournment of the debate.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Legal Practitioners Act 1981. Read a first time.

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

That this Bill be now read a second time.

This Bill effects three amendments to the Legal Practitioners Act. The first amendment repeals section 26 of the Legal Practitioners Act. The Law Society has requested this repeal because the section limits the ability of a firm to expand and, with the recent increase in the number of firms becoming incorporated, the section now has the potential to work against the interests of young practitioners seeking employment. The repeal is included in this Bill so that the employment prospects of those seeking employment in the next few months will not be affected by the existence of the provision.

The second amendment is an alteration to provisions concerning the Combined Trust Account. At present the Act provides that legal practitioners must pay an amount equal to two-thirds of the lowest aggregate held in their trust bank account into the Combined Trust Account. This amount is calculated on 31 December and 30 June each year. A practitioner can draw money from the Combined Trust Account when the money is required to meet an existing claim or the money is required to establish a balance in the trust account sufficient to meet claims occurring in the normal course of practice. These provisions result in some practitioners having to deposit money in the Combined Trust Account and having then to immediately withdraw it.

This situation is overcome by this amendment which has the effect of incorporating the rationale for withdrawing funds from the Combined Trust Account into the requirement for paying money into the Combined Trust Account. That is to say, a practitioner will not be required to deposit an additional amount with the Combined Trust Account where the money is required to meet an existing claim on the trust account or the money is required to meet claims occurring in the ordinary course of legal practice.

The amendment ensures the auditor of the trust account will be required to include in his report the fact that the full amount was not maintained in the Combined Trust Account and the reason for this, and that the Law Society will be informed if a practitioner is not to place money in the Combined Trust Account in reliance on the provisions.

The third amendment extends the limitation period within which complaints under the Legal Practioners Act must be laid. The Act presently provides no special limitation period and accordingly the six month limitation period provided for by the Justices Act applies. This six month limitation for the laying of complaints presents particular difficulty in the way of complaints being laid in respect of the maintenance of trust accounts by solicitors. Rarely will an account have been reported on by auditors and any necessary resultant investigations completed within six months of the end of any financial year. The amendment to the Act provides that proceedings for an offence against the Act may be commenced at any time within two years of the date of the alleged offence. These latter amendments have both been settled and discussed in consultation with the Law Society. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 repeals section 26 of the principal Act. Clause 4 amends section 53 of the principal Act to insert new subsections (4) and (13). New subsection (4) provides that a legal practitioner is not obliged to deposit an additional amount with the society for the Combined Trust Account where the money is required for the purpose of meeting an existing claim upon his or her trust account or the money is required to meet claims in the ordinary course of practice. The existing exemption in relation to trust accounts where the balance held in trust does not exceed a statutory amount will continue to apply. New subsection (13) will require the auditor of the legal practitioner's trust account to report on the fact that the practitioner did not pay the full amount into the Combined Trust Account and to report on the making of a demand under subsection (7). Subsection (13) has been included to ensure that proper consideration is given to a decision not to deposit moneys with the society and, equally, to withdraw money from the society (where the same considerations apply). Clause 5 amends section 96 of the principal Act so that proceedings for an offence under the Act may be commenced within two years of the date of the alleged offence.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

FAMILY RELATIONSHIPS ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Family Relationships Act 1975. Read a first time.

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

That this Bill be now read a second time.

The Family Relationships Act Amendment Act 1984 clarified the status of children born through AID and IVF procedures where one or more donated gametes were used in the procedure. The rationale behind the legislation was that it was necessary to establish, in relation to AID and IVF children, the persons in whom parental legal rights and responsibilities for the care and upbringing of such children are vested. This needed to be clarified because the children in these cases have biological parent(s) as well as social parents. It was considered that the social parents should have, in law, parental rights and responsibilities while the legal relationship with the biological parent should be severed.

The South Australian legislation was based on a model Bill agreed by the Standing Committee of Attorneys-General. Legislation in similar terms has now been passed by New South Wales, Victoria, Western Australia, Northern Territory and Australian Capital Territory. At the time the amendment was before this Parliament objections were raised because provision was made for the status of those children born to couples living as 'husband and wife on a genuine domestic basis' as well as for the status of children born to married couples.

The objections to the provisions were two-fold: first, that providing for the status of those children born to *de facto* couples was tantamount to providing that *de facto* couples should have access to IVF and AID programs conducted in public hospitals; and, secondly, that the phrase 'living as husband and wife on a genuine domestic basis' was vague and imprecise.

For the benefit of members who were not in the Parliament in 1984 I will outline the Government's view on these two matters.

As regards the first objection, the Government is of the view that legislation regarding the status of IVF and AID children is entirely separate from the issue of determining which couples should have access to IVF and AID programs. It is considered that every child should have a legally sanctioned relationship with those persons who bear the social responsibilities of parenting. It is also considered that where donated gametes are concerned the donor of those gametes should have no parental rights or responsibilities in respect of a child born as a result of the use of those gametes.

As regards the second objection, it is drawn to members' attention that the same phrase (albeit with the word *bona fide* substituted for the word genuine) is used in the legislation of each State and Territory which has passed legislation on the status of AID and IVF children. There has apparently been no difficulty with the use of the phrase in these Acts.

Further, a similar phrase is used in the Commonwealth Social Services Act. Section 59(1) of that Act refers to a woman 'living with a man as his wife on a *bona fide* domestic basis although not legally married to him'. This phrase has been examined by the Administrative Appeals Tribunal on a number of occasions and the case of *Waterford v. Director-General of Social Services* [1980] Fed. LR. 98 is instructive as to the proper interpretation to be placed on those words:

> In the first place, the words *bona fide* cannot literally mean what they mean in translation, that is to say 'in good faith'. They would be meaningless if they did. We consider they mean 'real' and 'real or genuine' in the sense that the 'domestic basis' referred to must be real and not accidental or contrived . . . But, the proper approach, we consider, is to regard the phrase as a whole and not to break it up into individual words. So doing, it must be seen as a legislative expression of a view that a woman whose rela-

tionship with a man has all the indicia of marriage save only that it lacks a legal bond shall not obtain the advantage of a widow's pension . . . A widow in fact or by application of the extended definitions no longer has a man to support her. But if she replaces the lost relationship which had formerly afforded her that support with another relationship that is the equivalent of marriage then her status as a widow within the definition is lost notwithstanding that the new relationship is not supported by a legal bond . . .

The Government is satisfied that the use of the phrase 'living with a man as his wife on a genuine domestic basis' is an adequate and proper term for use in the Family Relationships Act. A sunset clause was incorporated into the Family Relationships Act Amendment Act, 1984, with the effect that the new provisions will not apply to a fertilisation procedure carried out on or after 31 December 1986.

In keeping with the Government's view that issues of access to fertilisation procedures are entirely separate from issues regarding the status of the children born following those procedures, this Bill removes the sunset clause from Part IIA of the Family Relationships Act dealing with the status of children conceived following medical procedures. Clause 1 is formal. Clause 2 amends section 10b of the Act by striking out subsection (2).

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act 1935. Read a first time.

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

That this Bill be now read a second time.

This Bill proposes an amendment to the Criminal Law Consolidation Act relating to causing death by dangerous driving and causing bodily harm by dangerous driving. There has been considerable disquiet recently concerning death and injury on the State's roads. Despite intensive police campaigns, random breath testing and publicity related to road safety, the road toll for the first seven months of 1986 was higher than for the same period in 1985.

It would appear that community attitudes are now tending to be less accepting of drink drivers. Yet there are still far too many cases of drink driving resulting in death or injury. In fact, over 40 per cent of road deaths are alcohol related. Of course, drink driving is not the only factor contributing to death and injury on the roads. Other factors such as excessive speed, failure to observe safety requirements and driver inattentiveness can all contribute to this major social problem. All drivers have a responsibility to themselves and to other road users to know and observe road rules, to comply with safety requirements, to drive in a reasonable manner, and to avoid driving when they are tired or have some other impairment to their driving ability.

At present, the maximum penalty under section 14 (1) for causing death by dangerous driving of a motor vehicle is imprisonment for seven years, while the maximum penalty for causing bodily harm by dangerous driving or riding of a vehicle or animal under section 38 (1) is two years. The court has power to order a licence disqualification in addition to imprisonment, where the offence involves the use of a motor vehicle.

The Government has been concerned for some time at the leniency shown by the courts in sentencing under section 14 (1) and section 38 (1) of the Criminal Law Consolidation Act. The Crown Prosecutor monitored the sentences for these offences during the period January 1983 to May 1985. In the majority of cases involving bodily injury by dangerous driving a suspended sentence was imposed, while sentences for causing death by dangerous driving ranged from fines and suspended sentences to terms of imprisonment for periods up to 24 months. In an attempt to increase the sentences for these offences appeals have been instituted where it has been considered that the sentence is manifestly inadequate. However, the Supreme Court seems reluctant to impose sentences close to the maximum, even for the most serious offences.

The Government now considers that the only alternative is for Parliament to increase the maximum penalties and in doing so give a signal to the courts that the present level of sentences is inadequate. In policy statements released prior to the last election, it was announced that the Government would legislate to increase penalties for persons who cause death by dangerous driving. This Bill is in line with that policy commitment.

The Bill repeals the current sections dealing with causing death and causing bodily harm by dangerous driving or riding and enacts a new provision to deal with these offences. The increased penalties proposed in the Bill apply only to offences that cause death or cause bodily harm involving the dangerous driving of a motor vehicle. The increases are substantial, with the introduction of higher penalties for both first and subsequent offences. The penalties for causing grievous bodily harm have been increased to the same level as for those relating to cause death.

The penalty applicable to the offence of causing bodily harm by dangerous driving or riding of an animal or a vehicle, other than a motor vehicle, is imprisonment for a maximum period of two years, that is, the same penalty as applies to the current section 38 (1) offence. A distinction has been drawn between offences involving the driving of a motor vehicle and those that do not because:

> The major problem on the roads is dangerous or drunken driving involving the use of motor vehicles.
>
> It would be inappropriate for the higher penalties including mandatory licence disqualification, to apply to cylists and horse riders, etc.

In a recent appeal in the Court of Criminal Appeal, the Chief Justice warned against a knee-jerk reaction to the road toll. However, the Government is of the view that the community as a whole is dissatisfied with the level of sentences, especially in 'cause death' cases. Rather than a knee-jerk reaction, the Government sees the amendments as a measure calculated to act as a deterrent and to provide a more realistic punishment of offenders.

The Bill also provides for the introduction of automatic periods of licence disqualification for those offenders involving dangerous driving of a motor vehicle. In the case of subsequent offences for cause death or cause grievous bodily harm there is a minimum 10 year licence disqualification. This may seem harsh to some people, but when viewed in the context that a person has caused serious injury or death to victims on more than one occasion, the Government does not consider that it is. Further, it must be borne in mind that driving is not a right but a privilege. People who abuse the privilege must learn that such behaviour is unacceptable to the community.

At the same time as amendments are made to penalties, the Government has proposed a wider review of the offences of causing death and causing bodily harm by dangerous driving or riding. The Bill provides for a change in the relationship between manslaughter and the offence of causing death by dangerous driving. Under the present provisions a person can be charged with either manslaughter or causing death by dangerous driving but he cannot be charged with both. If the charge for manslaughter is defeated, there

can be no alternative verdict of causing death by dangerous driving. There are, however, alternative verdicts to manslaughter and cause death, namely, dangerous driving or driving without due care.

This Bill provides for the offence of causing death by dangerous driving to be an alternative verdict to a charge of murder or manslaughter. The proposed amendment will permit the Crown to charge murder or manslaughter in a case where a person has been killed as a result of a motor vehicle accident but allow the jury to assess the circumstances of the case and if they consider it appropriate, return an alternative verdict of causing death by dangerous driving. The alternative verdicts of dangerous driving or driving without due care will no longer apply where a person is charged with manslaughter.

Another area which has been clarified relates to accidents where more than one person has been killed or injured as a result of an act of dangerous driving. The courts have expressed doubt whether the same act of driving can result in a separate offence with respect to each person killed or injured by it. However, it has been accepted that where one offence has been charged, death or injury to another person may be taken into account as a matter of aggravation. The Government considers that it is inappropriate that the Crown can only lay a charge in relation to one person's death or injury. Therefore, the Bill provides for the Crown to lay multiple charges where more than one person has been killed or injured as a result of the same act of dangerous driving.

The other area which has been examined and clarified is the mental element required for the offences of causing death or causing bodily harm by dangerous driving. In criminal cases, the Crown must prove that the physical act involved in a crime was voluntary in the sense that it was done pursuant to an exercise of the will of the accused. If self induced intoxication raises a reasonable doubt in that respect, the accused is entitled to acquittal.

There is already room for argument that voluntariness would not be an issue in relation to the offences of causing death or causing bodily harm by dangerous driving or that it may not be relevant where a person consumes alcohol or drugs knowing that in due course he may drive a motor vehicle in an intoxicated condition. However, the matter is not settled and this argument would run contrary to the approach adopted by the High Court in its benchmark decision in O'Connor's case.

It is essential that liability for conviction for these offences should not be escaped because of an inability to establish the requisite mental element by reason of self induced intoxication. This Bill provides accordingly. This Bill, if adopted, will strengthen the law relating to causing death by dangerous driving and causing bodily harm by dangerous driving. I commend this Bill to members and I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 repeals section 14 and 14a of the principal Act. Clause 4 inserts new sections 19a and 19b. The new sections embrace the subject matter of existing sections 14, 14a, 38 and 38a. Subsection (6) *(b)* of section 19 is inserted to ensure that courts will not use the Offenders Probation Act, 1913, to mitigate the licence disqualification imposed by the new provisions. Subsection (7) makes it clear that a person can be separately charged in respect of each person killed and injured as a result of the one accident. Clause 5 repeals sections 38 and 38a of the principal Act.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act 1961. Read a first time.

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

That this Bill be now read a second time.

It proposes an amendment to the Road Traffic Act in relation to the penalties for failing to stop and report after an accident. Section 43 (3) of the Road Traffic Act creates the offences of failing to stop after an accident, failing to render assistance to an injured person, failing to provide personal details and failing to report an accident to the police. The current penalty for failing to stop after an accident where someone has been injured or killed is a maximum $500 fine or imprisonment for a maximum of six months. The maximum penalty for other breaches of section 43 (3) is a $300 fine.

One of the major reasons for the inclusion of section 43 (3) is to penalise the hit-run driver. By attempting to leave the scene of an accident before their identity can be established, hit-run drivers seek to avoid the legal consequences of their actions. The obligation placed on drivers to provide assistance where someone has been injured in an accident seeks to ensure that an injured person receives medical attention as soon as possible so that injuries and resultant complications are minimised. The Government considers that the current penalties for section 43 (3) offences are too low, especially when compared to the general penalty for offences under the Road Traffic Act which is a maximum $1 000 fine.

The current maximum penalty for failing to stop after an accident where someone has been injured or killed is within a similar range to the penalty applicable to first offences for driving under the influence. However, the introduction of minimum penalties, the automatic loss of licence and the publicity associated with drink driving penalties may influence an intoxicated driver to make a decision to leave the scene of an accident until he has sobered up. The temptation to leave the accident scene may be even greater where the driver already has drink driving convictions, or where it is obvious that a person has been injured in the accident.

An increased penalty may not act as a deterrent in all cases as a driver may still panic and attempt to avoid his responsibilities without considering the criminal penalty. Nevertheless, the Government considers that there is a need to combat the incidence of hit-run accidents by increasing the maximum penalty for the offence of failing to stop. This Bill provides for the penalty for the offence of failing to stop after an accident where a person has been injured or killed to be increased to a maximum $5 000 fine and/or imprisonment for a maximum of one year. In addition, unless the offence is trifling, there is an automatic loss of licence for a minimum period of one year. The Bill sets the same penalty for the offence of failing to render assistance to an injured person.

The maximum penalty for breaches of the other provisions in section 43 (3) has been increased to a $2 000 fine. In addition, the court can continue to impose a period of licence disqualification in accordance with section 168 of

the Road Traffic Act. I commend this Bill to members and I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 amends section 43 of the principal Act. Paragraph *(b)* of new subsection (3b) ensures that a court cannot mitigate the minimum period of disqualification under the Offenders Probation Act 1913. Clause 4 makes a consequential amendment to section 169 of the principal Act.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 12 August. Page 223.)

The Hon. J.C. IRWIN: I support the motion and thank His Excellency the Governor for his speech. I affirm my loyalty to Her Majesty the Queen and join His Excellency and Madam President in expressing my sympathy to the families of the late Albert Hawke and Charles Harrison.

I have enjoyed listening to and reading most of the Address in Reply contributions this session. These sincere contributions help give us an insight into the thinking of our colleagues from various Parties. In my short time in this place I have noted a small common thread, best summed up by you, Mr Acting President (Hon. M.S. Feleppa), in your speech when you stated:

> In times of economic stress such as the present one, the political Parties need to make a great effort at working together rather than undermining each other.

This concept is not new, of course. It has worked before both in Britain and in Australia in times of war when the nations then have been under very great threat, when the threat may not have been of itself economic but in fact much more basic, the threat to our freedom as individuals and as a nation.

History recalls that both Britain and Australia overcame these threats to their freedom at an horrendous cost in terms of human lives alone. Using a quote from you, Mr Acting President, is made even more poignant because your home country of Italy joined the fight in the Second World War for a different kind of world from that defended by Britain and her allies. You and many thousands of your countrymen chose to settle in Australia, presumably because it offered better life prospects and freedom for the individual. It can be said then that freedom is a common denominator for the great majority of people living in Australia today. It is not then naive for me and others with varying degrees of experience in adversary politics to suggest and indeed endeavour to practise bipartisanship. The question is how can it be promoted.

The fact is that already a number of social issues have been legislated for on a free non-Party line vote. This does not deny the right of freely elected governments to govern, nor the right of Oppositions or minority Parties to question, probe and/or oppose. In many respects we, the major Parties, do not differ on what has to be done but rather there is a dramatic difference in the way we should do it. Many of us in fact have the situation not only in opposing Parties but in our own Parties. I will instance some that bother me; apart from the economy and welfare issues, I will instance such issues as peace, discrimination, nuclear energy, priorities for the Government spending dollar.

I think that a quote from the Premier in Monday's *Advertiser* under the heading, 'Fangio joins the carnival line-up as the Grand Prix races ahead of budget' enables me to comment on priorities. I make no reflection on the excellence or otherwise of the Grand Prix, the latest—if I may say so—of our sacred cows. The article states:

> For the expenditure of $1.5 million we are getting—

and I note 'for the expenditure of'—

> we are getting $40 million into this State—and the Government gets a claw-back from that with such things as payroll tax and other activities.

I find the logic of that quote from the Premier quaint to say the very least, yet he is our State Treasurer. It can be said that paying the dole, costing $2 983 million in 1984-85, would have the same claw-back and multiplier effect. Is not the Premier's remark odd logic when put against, for instance, the Central Linen Service which pays little or no sales tax on capital items, has other cost advantages in transport, power and material purchases and on top of that has a captive market? I do not need to say any more.

Does this mean that, in the State's mentality, dollars are pervading and justifying everything the Government does or will attempt to do? I hope people will stop and think about this a little and not be bowled over by the glamour, especially in times such as now when things generally are decidedly not glamorous by any stretch of anyone's imagination. Times like now when in terms of the rural crisis alone the last *Stock Journal* highlighted the fact that we are very good at producing highly skilled people in the area of biotechnology, but we are exporting the people at great cost to this country and State and are not exporting or fully entrepreneuring the potential of the product they have discovered.

Does this mean that everything stops at the gate of Technology Park? What is the Department of State Development doing? The Victorian Government has already stolen the march on us in this area.

I return to the Premier's statement in the *Advertiser*. The expenditure of $1.5 million highlighted by the Premier is in fact the difference between expenditure, mostly capital, and income. The State had to find and spend $18.6 million in order to get the income. It had to find $10 million for a $3 million swimming centre, and heaven knows how much more the Government will have to find to fund the ASER overrun contributed to by the builders labourers and their tactics. If people in private enterprise could use the convoluted logic displayed by the Premier, they would be laughing. Where are the Government members who should be questioning the Government about its priorities for spending the taxes and charges dollar? Perhaps the Three Day Event and the Youth Music Festival will be a salutory lesson that may one day catch up with the other events.

The Chairman of the PAC, as reported in the *Sunday Mail* of 10 August, hits the nail right on the head. When describing the PAC report, he said that hundreds of millions of dollars worth of Government assets, including roads, bridges, schools, water and sewerage facilities needed replacing or upgrading, not to mention funds needed for the Police Force, universities and hospitals. Mr Klunder's final quote puts it in a better nutshell:

> We have a capital works program of $60 million a year and, if we continue replacements of our ageing assets at the current rate, it would be a 300-year program, and they are not going to last that long.

That is a masterpiece of understatement, when Governments continue to build more and more assets. It is about time that the Parliament, the people in it and the people outside it were woken up, with that sort of a thud, to reality.

The greatest single problem that I see in Australia today is that people are polarised—capital or labour. Indeed, this is the case also in Britain. That is not the case in the United States or Russia. If we loosely link the Westminster system of Government with the Presidential system of the USA, and similarly the Russian and Chinese systems, we have two gigantic blocs with opposing systems. Somewhere between these systems lies the ideal. Similarly in Australia, somewhere between the Liberal and Labor philosophies lies the ideal. If we sincerely want a better Australia, we have to identify and be prepared to work at getting somewhere close to the ideal.

I will throw in a couple of points for good measure. Paul Johnson said some years ago in an article in the British paper *New Statesman, inter alia*, '... the general thrust of unionism is directly opposed to the ideals of socialism ... Unionism is a tool of capitalism.' Unionism in its thrust, certainly for a redistribution of wealth, is really not interested in how equitable that distribution is. Scant regard is paid to the hard core unemployed, recently defined as 8, 9 or even 10 per cent of those seeking full-time work, a figure that certainly I cannot accept as compatible with full employment.

Capitalism relies on the production of wealth and near full employment, with those on the lower wage incomes earning sufficient to provide self-help for themselves and their families. Taxation should provide sufficient for a minimum structure of government where the State should only have to provide for a minimum number of people who cannot help themselves.

I apologise to those here today who have to listen to this and those who will read this speech that I have not set out here to attempt to provide a precise definition of all of the isms that make up the political picture of this world. I have only introduced the foregoing to enable me to say further that it is as ridiculous a spectacle to see a Labor federal convention discussing business with very few, if any, contributors having any business or business management experience, as it is to take part in a federal Liberal conference discussing unions, without any single contribution from anyone with frontline union experience.

Further, in recent times, since 1975, the Fraser years were simply unable to bring this country on course using the singleminded approach of controlling inflation. Similarly, the Hawke Government years are failing and have failed to bring Australia on course concentrating as they are on controlling a different set of factors with the Accord being one of the tools. It is just as stupid to have an accord between Government and unions as it would be to have an accord between Government and business. In both cases, there are vital missing ingredients—small business, including the farmer, the hands-on people, and welfare. The worst accord of all would be between big business, big unions and big Government.

In my judgment, from studying economic analysis, overseas factors are not more than a half responsible for our troubles at home. There are grave problems in Australia, and no Government should be allowed to get away with blaming everything on overseas factors. As Max Newton said in the *Australian* on 2 August:

> As usual, the Australian Government is blaming foreigners for its problems. The Government complains about the policies of other nations is harming Australian exports. This is self-indulgent and in any case futile. There is nothing an insignificant nation like Australia can do to alter the export subsidy and protectionist policies of the USA and the EEC. Most Australian problems are home grown—the politics of self-indulgence and fiscal irresponsibility.

There is massive neglect in the area of research and development and repair and maintenance, and I have already mentioned that as far as South Australia is concerned. The same neglect is happening on the farm, as well as tremendous pressure being exerted on our most precious asset, the soil. Governments in hard economic times, misleading the people for the purpose of electoral popularity, put off the inevitable and put scarce money and resources into electorally popular areas. These costs, put off, inevitably return to haunt Governments as they are doing at this moment. It is clear that costs affecting our domestic economy must be addressed as a priority.

Let us consider the factor of borrowings. At a time when our overseas borrowings and debts have risen to $80 billion, and by all accounts are still rising, the domestic household debt alone has risen to $66.29 billion in 1985. This is a rise of $59.72 billion or 90 per cent from $6.578 billion in 1970. On a per capita basis of total population, in 1970 the per head debt was $526. That has risen in 1985 terms to $4 235, a 703 per cent rise, proof indeed that Australia and Australians are living beyond their means. People should be encouraged to save and buy rather than buy now and pay later. Thrift and self-help should be encouraged and not seen as dirty words.

A simple solution to the political problems in Australia may lie in the people judging that democracy will work best if the major Parties are voted in and out of office regularly, both in the State and Federal Government area. If bipartisanship is not allowed a chance to work, by Party discipline, by executive Government and the Party adversary system, we do not have many choices. My solution would not include Houses of Parliament full of Independents, nor would it include a multitude of small Parties.

I was interested recently in a speech made some months ago by Professor Richard Blandy, Head of the Institute of Labour Studies at Flinders University, a speech entitled, 'Industrial Relations for the Post Industrial Future'. Blandy argues that just as the agrarian revolution was replaced by the industrial revolution 250-odd years ago, the industrial revolution stands now to be replaced by a new revolution. Blandy says:

> There are forces at work ... leading us now towards a revolutionary new phase in human civilisation, to a revamping of social arrangements quite unlike those that currently hold sway, to a society of highly productive, cooperating small units which are compassionate, resourceful and free. The post industrial third wave future is essentially a reduction of bigness, centralisation and bureaucracy. Its motto is 'small is beautiful'. The second wave (industrial revolution) is about them and us. The third wave is about me and you.
>
> The popular view in Australia that the corporate state represented by agreements between big government, big unions and big business is the wave of the future is wrong. We are simply seeing in such arrangements the last hurrah of the industrial civilisation.

I wonder how many members feel as I do that 'big' has had its day and that 'small' is indeed our future direction. I refer now to local government because those quotes fit in with my thinking. The re-emergence of 'small' as outlined by Dick Blandy fits into my perception of the expectations of rural communities and the situation may well be similar in urban areas. My experience and my expectation for the future leads me to say that local government should be warned against the move for amalgamation—to get big—on the sole argument of economies of scale.

I am opposed to the forced amalgamation of councils, as are 71 of the 93 councils (a massive 76 per cent), as indicated in letters in my possession. I am opposed to the situation to which I referred in my question to the Minister of Local Government last Wednesday, namely, that a small council, with 700-odd people in its area and a rate revenue of about $350 000 and with no borrowings (and there are a number of councils in South Australia in this position) has

to fight off two other councils that are making a predatory takeover bid. The majority of electors in this small council area do not want the change. This council and other councils that may face the same situation should not have to justify their position to a local government commission. We can be sure that neither the commission nor the attacking councils will pay the legal fees and time loss costs where an unwilling council is forced to defend itself.

What is behind the local government amalgamation idea? It has become a prominent fashion in New South Wales, Victoria and South Australia since the early 1970s. In South Australia, a commission headed by Judge Ward came out in 1974 with a recommendation to cut the number of local councils from 137 to 72. Members may recall the anxiety and animosity prevalent at that time. The fact is that council numbers have now been reduced by 13 to 124. I acknowledge that there is no overt push evident for forced amalgamation in South Australia. Has the Government learnt from the experience in New South Wales, or has it other objectives? It seems that Victoria has not learnt, will not listen or has other reasons for pursuing almagamation as hard as is occurring at present.

It does not help my argument to say that the first moves in New South Wales were made in 1974 by the Askin Government under a plan to reduce the number of councils from 223 to 71. The then coalition in New South Wales used the economic argument as grounds for supporting amalgamation. I see no evidence that a Liberal Government or a coalition government, either State or Federal, will force council amalgamations. The Wran Government used the same argument of economics in New South Wales to camouflage what was a very different motive. The Askin Government went out of office in 1976, having had little or no amalgamation success. The Wran Government took office in mid-1976, the Premier having said at the election:

> A State Labor Government will amalgamate and rationalise local councils in an effort to reduce soaring rate increases. Every council has its own plant and equipment and own trappings of office. Amalgamation on a community and regional basis would prevent the overlapping of costly services.

The New South Wales Government increased the pressure for amalgamation, using its appointed tool, the Boundaries Commission, to bully and harass any council that was not adequately submissive. A backlash of resistence among councils and ratepayers alike appeared throughout the State. By 1984 the Wran Government had got the message from the backlash. A brief announcement in the press stated that plans for local government amalgamation and regionalisation had been abandoned in the face of widespread dissatisfaction and resistance.

It is worth now recounting a little of the New South Wales experience to see how and whether it fits into a national plan. The Wran Government's approach to local government amalgamation fitted in very well with the Whitlam Government's philosophy and plans of 1972—to regionalise Australia. The Hon. Tom Uren was, of course, in charge of the Department of Urban and Regional Development. Senator Murphy, as he was then, was Attorney-General and started work on international treaties and the external affairs power. Whitlam attempted to bypass the States by making grants directly to local government in 1973. In June 1974 the Australian people rejected a constitutional referendum requesting the allowance of the payment of money direct from the Commonwealth to local government.

As we know, Federal Government money for local government is now paid to the States and distributed by State grants commissions. There is very much more to be said on this subject. Both major Parties federally have contributed to the attack on local government, for varying reasons and by varying degrees. I intend today to say just enough to warn local government and electors about the history of the subject. A number of facts need to be recognised in this whole argument. First, the program that is being pushed so assiduously in Victoria at present was preceded, as I have already said, by more than 10 years of struggle in New South Wales, ending in defeat. Secondly, from the days of H.V. Evatt, J.J. Dedman and H.C. Coombs in the early postwar years, the policy of amalgamating local governments into regional government was seen by the socialist left as a means to emasculate the States and bypass the federal nature of the constitution.

After Dr Evatt's failure to achieve vastly increased powers for the Commonwealth Government in the 1944 '14 powers' referendum he, together with Dr Coombs, realised that the Australian people would never opt voluntarily for a centralised unitary government in place of the federal system. A tactic of subterfuge would be needed. Regional government offered an alternative. If a transfer of power from States to regions could be achieved through financial manipulation, the long-term result would be a number of regions without any constitutional protection, being totally subservient to central direction. I remind members that local government is still not recognised in the federal Constitution.

The other alternative was to concentrate on the external affairs power of the Constitution, seeking a High Court decision that the signing of international treaties could override the Constitution without any consultation with the Australian people. This was achieved, as we all know, in the Tasmanian dams decisions of 1982 and 1983. Thirdly, a great mass of accumulated evidence from overseas, where local government amalgamation has been tried, shows that it has produced not improvement but deterioration.

Fourthly, there is much evidence that the policy of regional governments under central direction, replacing local councils with representatives responsible to ratepayers, has been a carefully developed objective of the Fabian Movement, which has provided so much of the thinking of the ALP at both State and Federal levels. Powers under the proposed so-called Bill of Rights are further evidence, if any is needed, that forces in Australia are still at work that are hell bent on reducing many of the values in which the great majority of Australians believe and I am glad to say that this morning I heard that this Bill of Rights may well be talked out of the Senate and that time will beat it, thus leaving it for another fight on some other day.

The Democrats' 'pay off' for their support of the Bill of Rights in the Senate was conditional upon a federal commission being set up to inquire into electoral legislation and practices in Queensland and Western Australia. What a nice piece of trampling on the rights of States to make their own decisions! As members may know, this commission is now at work. All hell will—and should—break loose if and when a recommendation is made by that commission for one vote one value. The issue will not be the correctness or otherwise of one vote one value but, rather, it will be the Federal Government imposing that on the States against their will.

I must add that the South Australian Local Government Commission, in its rolling review of local council ward boundaries, will aim for one vote one value. The accumulated effects of this will be that the bulk of local councillors will be elected from the large towns, which will then have the majority of councillors at the expense of the farmer electors, whose property capital value, without question, provides the bulk of local government rates in rural South

Australia. If the Self report recommendations are implemented under the South Australian Grants Commission, these same capital values will cause federal grants money to be horizontally equalised away, in most cases, to urban areas having high human service needs.

Today I have spoken of working together, of Dick Blandy's, if you like, academic look at the future, with its emphasis on 'small', and of the problems facing local government in the argument over amalgamation. With respect, I put it to members of the Council that there are a number of factors common to the three threads of my contribution.

I conclude by urging all members of Parliament never to forget that people are the bottom line of all things that we do in this Parliament—indeed, in all Parliaments and in all local government. We must find ways of breaking down the polarisation that is evident in Australia today. If we fail to do that, it will be to the peril of this country. The common denominator is people and those people want freedom. The basic freedoms of thought, worship, speech, association, choice, and the freedom to be independent and to achieve. These things can never be—and they are not—achieved in totalitarian States, by big Government doing everything for its people.

The Hon. L.H. DAVIS: I support the motion and I join with my colleagues in thanking His Excellency Sir Donald Dunstan, the Governor, for his speech. I offer my sympathy to the relatives of deceased members of this Parliament. The South Australian Superannuation Fund has been the subject of controversy ever since the new fund was established by legislation in 1974 with the then Premier Dunstan's enthusiastic endorsement. The Hon. Don Laidlaw, a former colleague well respected on both sides of the Council for his thoughtful and practical contributions, and the Hon. Ren DeGaris criticised various facets of the scheme on more than one occasion. For example, in March 1980 the Hon. Don Laidlaw criticised the fact that at 30 June 1979 the South Australian Superannuation Fund held no equity share investments, a policy at that time at variance with most other Government and private sector superannuation funds.

In May 1983, and again in September 1983, I criticised several aspects of public sector superannuation in South Australia. On 22 August 1984, in this Council I moved that the State Government should establish an independent public inquiry into public sector superannuation schemes in South Australia. I suggested that the inquiry should examine the structure, administration and management of the schemes, as well as the auditing requirements, the appropriateness of current benefits, the future financial implications for Government of the existing basis of funding, the existing investment powers and investment performance. At that time I made several points.

First, in October 1978 the Public Actuary estimated the cost of the superannuation scheme to the State Government for the year ending 30 June 1988 would be $57 million. In fact, for the 1985-86 year just ended, the State Government budgeted $66 million. The cost for the 1987-88 year will almost certainly be between $75 million and $80 million, which is almost 40 per cent higher than predicted just eight years ago.

Secondly, in 1977 the Public Actuary claimed that the fund would be in balance in 1980, but at 30 June 1980 there was an $8.33 million deficit. At that time Mr Weiss claimed that the fund should be in balance at 30 June 1983. In fact, there was a $19.9 million deficit at that date. The unfunded liability in respect of the past service of contributors and pensioners of the fund is now a staggering $1 billion in present values. The inquiry into the South Australian public sector superannuation scheme, which inquiry was established in response to my call for it by the Bannon Government in October 1984 (and made public in May 1986), indicated that the fund is about $300 million short in its capacity to meet 28 per cent of all benefits, including cost of living indexation of pensions in respect of the past service of contributors and pensioners. That 28 per cent was the share of benefits that the Public Actuary believed could be met by the fund. There is also an estimated $146 million cost of concessions granted to members of the old fund at the time that the new fund was set up in 1974.

The report is written in restrained language, but there is an iron fist in the velvet gloved pen of the committee. The Chairperson's foreword is quite explicit. On the first page he states:

> While these shortfalls have been referred to in actuarial evaluations in terms of the capacity of the fund to meet considerably less than 28 per cent of all benefits, the actuarial reports have not explicitly stated the amount of the assessed shortfall in the above terms. The effect of these shortfalls is that the fund is currently able to supply only 17.5 per cent of the benefits in respect to past service, the implied assumption being that the State Government will support these benefits on a ratio of 4.7 to 1. However, the Acting Public Actuary has estimated that present contribution rates for new entrants can support 23 per cent of their future benefits.

What is even more sobering is the present open-ended unfunded liability of the State Government in addition to the $446 million shortfall already mentioned. The two other major public sector pension schemes, the Electricity Trust of South Australia Pension Fund and the Police Pension Fund, both quite similar to the State fund, understandably have similar financial burdens attached. The report also states:

> The committee has recommended that, in order to curtail the spiralling costs of the present South Australian Superannuation Fund, the fund be immediately closed. The fund is currently able to meet less than 17.5 per cent of the cost of benefits payable. Furthermore, the Actuary considers the present contribution rates for new entrants can support only 23 per cent of future benefits as compared with a target of 28 per cent, and it is because of this that he made the recommendations either to increase member contribution rates, or to reduce the benefits. The committee accepts the principle that public sector employees should meet 28 per cent of the cost of their superannuation.

The committee's conclusion on the fate of the current South Australian Superannuation Scheme and other major public sector schemes is blunt and to the point. I have already noted the fact that it has recommended that the spiralling costs of the fund demand that the current South Australian Superannuation Scheme be closed down. The committee also says:

> Reports by the actuaries to the Police Pensions Fund and the Electricity Trust of South Australia superannuation scheme indicated and highlighted the eventual inability of these schemes to meet costs.

Thirdly, the Public Actuary had an impossible conflict: he was President of the Superannuation Board but he was also Chairman of the South Australian Superannuation Fund Investment Trust, which invests and manages the funds. As Public Actuary he investigated the state and sufficiency of the fund. Therefore, he had three hats—serving as an administrative officer of the board; managing the investment of funds; and, as Public Actuary, reviewing the fund which he had administered.

Fortunately, this conflict had already been partly resolved. However, the committee of inquiry, not surprisingly, recommended that the Office of Superannuation Policy and Management be set up to advise the Government and agencies on superannuation matters independently of the Actuary and Treasurer.

Furthermore, it recommended that the Public Actuary should not be a member of superannuation boards, but be an independent adviser to the Government without any

involvement in superannuation administration. The committee also suggested appointment of a new South Australian Superannuation Fund Investment Trust and that the Public Actuary and the Chief Executive of the South Australian Superannuation Fund Investment Trust not be members of the new trust.

Fourthly, I have criticised the investment performance of the fund since it was established in 1974. Inferior investment performance by the South Australian Superannuation Fund since it was established in 1974 has deprived the fund of at least $100 million. Even in recent years, when the fund has been managed more effectively, its investment performance has fallen well short of that of private sector funds.

The Hon. R.J. Ritson: Does the Public Service know that?

The Hon. L.H. DAVIS: It will know after I have spoken today. The regular IMS survey of 40 private sector funds shows an average investment return per annum of 20.7 per cent for the three years ending 30 June 1985. Over the same period the return of the South Australian Superannuation Fund was only 18.3 per cent. It is appropriate to note that private sector funds were constrained by the 30/20 requirement until 1985, and that this would have lowered annual returns for the private sector. They were obliged to invest a minimum of 30 per cent in Commonwealth and/or semi-governmental securities, which have necessarily, or generally speaking, a lower rate of return. In other words, if they had not had that constraint—a constraint that does not apply to the South Australian Superannuation Fund—their average investment return per annum for the three years ended 30 June 1985 would have undoubtedly been significantly better than the 20.7 per cent recorded.

The review committee which examined Victorian public sector schemes found that in the period 1978-83 poor investment performance had cost the State between $575 million and $1 200 million. On my estimates, a minimum of $50 million to $60 million would have been added to South Australian Superannuation Fund assets in the five years to 30 June 1985 if private sector fund managers had been employed. Assets at market value as at 30 June 1985 were $362 million. I am suggesting there was at least another $50 million to $60 million which would have been added to that $362 million if the average return to 40 private sector funds had been applied to the South Australian superannuation scheme during that five-year period 1980 to 1985 inclusive.

A feature of the Victorian Review Committee Report on Public Sector Superannuation Schemes in that State was the publication of evidence given to the inquiry. While I commend the Agars committee for a well researched and well presented report on the South Australian scheme, I am disappointed that no supporting evidence is provided. In particular, there is no comparison of the investment performance of the South Australian Superannuation Fund Investment Trust in recent years as against private sector funds. That study was undertaken in Victoria and made public. Therefore, I call on the Treasurer of South Australia, Mr Bannon, to immediately release any report or reports analysing the investment performance of the Investment Trust. This is a matter of public interest and public concern involving public moneys. It is essential that all relevant information should be made available immediately to interested parties.

The fund has ignored calls over at least six years to invest a greater percentage of its assets in equity shares. The Superannuation Fund Investment Trust has repeatedly said it is not very interested in equity shares; in fact, it is on the public record as saying that in its reports. In fact, whereas private sector funds during 1985-86 had at least 25 per cent to 40 per cent of their investment portfolio in Australian equity shares plus a significant percentage in equities offshore, the Investment Trust exposure to equities remained, as far as I can ascertain, at no more than 6.5 per cent.

Since 1975 the Australian All Ordinaries Share Price Index has increased sixfold. In the past two years the All Industries Index has virtually doubled. In the past three years the All Ordinaries Index has doubled. The gains have been spectacular. The benefits to managed private sector superannuation funds have been considerable. Companies have been able to reduce the level of employer contribution in some cases from the typical level of 8 per cent of salary to 5 per cent or 6 per cent of salary. Superior investment performance also builds up a larger asset base and provides greater security of the fund in future years. The investment performance in 1985-86 has been spectacular.

I suggest that when we analyse the results for 1985-86 the performance gap between private sector funds, with investment flexibility, and the South Australian Superannuation Fund, with its relatively inflexible approach to investment, will widen. The key to successful investment performance is to have top investment managers. Without being disrespectful, the fund in South Australia would find it difficult to compete with private sector salary packages. It is difficult for them to operate a top flight in-house investment management service. Public sector funds here and interstate have to either pay top money or accept the best advice elsewhere.

I believe that the question has been implicitly answered by the inquiries into the Commonwealth, New South Wales, Victorian and South Australian public sector superannuation schemes. They have been consistently outperformed by private sector schemes. Public servants and the taxpayers have both been disadvantaged. It is time to seriously examine private sector management of public sector funds. Of course, it may have to be phased in over a number of years.

The fact is that, although the Investment Trust has lifted its game in recent years, the performance continues to lag behind the private sector. The Agars report supports the arguments I have raised over three years with respect to the appropriateness of investments. The committee commissioned a report from William M. Mercer, Campbell and Cook Pty Ltd on investment performance and strategy, together with a report from a leading property consultant. William M. Mercer, Campbell and Cook commented on the Investment Trust's predilection for index linked long-term investments.

I have, along with my colleagues, on more than one occasion talked at length about the Investment Fund's seeming love affair with property. This is what William M. Mercer, Campbell and Cook had to say on index linked long-term investments, which absolutely dominate the investment portfolio of the South Australian Superannuation Fund Investment Trust:

> There is no apparent recognition that an unduly passive approach to managing the fixed interest sector will have a deleterious effect on the returns achieved on that sector and thus on the overall return on the whole portfolio. The significant deregulation of the Australian financial market means greater volatility in interest rates both over time and over the period to run until maturity. To achieve acceptable returns on its fixed interest portfolio the trust must therefore be prepared to adjust the mean term to maturity of its holdings.

I quote further:

> While an index linked stock provides a significant measure of immunisation against inflation linked movements in liabilities, above average investment returns will not be achieved without active management of the sector as the value of the stocks will still show movement although with much less volatility than an unlinked stock for a corresponding term.

In other words, index linking may immunise the funds from losses but it will also immunise it from profits. I find it highly significant that the trust's enthusiasm for index linking is not shared by top private sector funds. I support the committee's recommendation that the trust's property investments should not be restricted to South Australia. Already it has the freedom to make other investments interstate. The committee was scathing in its criticism of its adequacy of annual reporting in the property area:

> Insufficient details of investments and holding costs have been disclosed to allow comparisons to be made of performance. While the committee attempted to undertake a comparative study of property performance it found that the SASFIT (South Australian Superannuation Fund Investment Trust) was unable to provide data readily in a form suitable for this.

I find it absolutely scandalous that a public sector superannuation fund in South Australia with an asset base of $360 million a year ago does not even have its property portfolio in such a form that it can be readily analysed to allow a comparative study of property performance with private sector funds.

The Hon. C.M. Hill: Unbelievable!

The Hon. L.H. DAVIS: That is quite unbelievable. It is quite unacceptable.

The Hon. C.J. Sumner: You are pretty unbelievable, too.

The Hon. L.H. DAVIS: The Hon. Mr Sumner should read this and I think he will agree with what I say. The committee further stated:

> The trust has invested only a small percentage of its funds in equity shares. As a result, it appears to have missed opportunities for improved returns that have materially assisted other funds to achieve high investment returns in recent years.

Again, that is a further criticism from the Agars committee, which was established to inquire into the South Australian public sector superannuation schemes. That is its finding with respect to equity shares and again it bears out the points that I have made on this occasion and for the past three years. Indeed, as I mentioned earlier, as far back as 1980 the Hon. Don Laidlaw in a valuable contribution to this subject highlighted the deficiency in investment policy with respect to investment in equity shares. The summary of the review of the investment policy by William M. Mercer Campbell Cook reinforces my views. It is included in the committee's report and is as follows:

> Basically our analysis of the trust's performance over the full six year period revealed that it had on average substantially underperformed the results achieved by private sector funds. The relative situation has improved substantially over the last three years compared to the previous three.
>
> The trust's investment policy will result in an overall investment portfolio that is relatively inflexible in the face of future possible adverse experience in the sectors it is concentrated in. Both property investments and the index linked loans have relatively low marketability. When other attractive investment opportunities present themselves the fund may be precluded from obtaining the benefits of an appropriate exposure because the low marketability of its property investments prevents the necessary funds being made available. This would not be the case with a share or Commonwealth bond portfolio for which a ready market always exists.

That again underlines a point of concern. The successful fund managers in the 1980s have been those who have been prepared to be flexible in their approach. In the last 12 or 18 months there has been an explosion in Australian share prices, and astute fund managers have had flexibility to enable them to take advantage of the strong rise in share prices. Because of the inflexible structure of the investment portfolio the South Australian Superannuation Fund has been quite unable to respond in that way. A further matter causes me concern. The report puts it succinctly, as follows:

> The trust has a substantial investment in the ASER project with about 34 per cent of its total assets to be committed to this project. Fund managers generally avoid investment of a substantial proportion of their fund assets in a single project owing to the concentration of risk.

The committee goes on to say that it 'believes that this concentration should be reviewed by the Trust'. Does any other major or private sector superannuation fund in Australia have more than one-third of its assets in one project? As far as I can ascertain, the answer is 'No'. In an earlier speech I drew attention to the generally accepted international standard that a fund should have no more than 5 per cent, or perhaps 10 per cent, in any one investment. This guideline has been used recently by the Prime Minister, Mr Hawke, and the Treasurer, Mr Keating, in a major statement on guidelines and operating standards governing occupational superannuation. That statement was delivered on 11 June 1986. Under a heading 'Investment Standards' the following statement was made:

> New standards apply to all funds, existing or new, from 1 July 1986. In addition to existing restrictions on 'in-house' (loan-back) assets it will be provided that: all investments must be directed towards achieving the maximum return consistent with sound plan management and be at arms length, and a general limit (5 per cent suggested) to apply to the assets which may be invested in any single company, asset or person.

That underlines again the point that I have made, the wisdom of not putting all your eggs in one basket. Here is the South Australian Superannuation Fund with over one-third of its assets in one project, and that goes against an internationally accepted standard, indeed a standard laid down by the Prime Minister and Mr Keating and accepted by the superannuation industry. That was a major statement on guidelines and operating standards governing occupational superannuation which suggests a general limit of 5 per cent applying to the assets which may be invested in any single company, asset or person. However, the ASER project flouts that to the extent it has almost seven times the maximum limit laid down, invested in one particular project.

The committee had some interesting comments about the low number of public sector employees who belong to the fund: one in two eligible males and one in seven eligible females—in aggregate, less than one in three—belong. The report states:

> It appears to the committee that . . . the board has actively adopted a view of not having a publicity program.

That is in relation to encouraging members to join a superannuation fund. The Agars committee further stated:

> The committee's feeling is that this has developed over a period from a concern by Treasury that having a publicity program would incur additional costs to the Government in meeting benefits.

I find that a disturbing allegation—a campaign of non-promotion of the scheme to contain costs. But in so doing, of course, the Treasury is thumbing its nose at the security of public servants in their retirement.

Having considered investment performance, I want to move on to make a comparison between the costs of public and private sector superannuation schemes. After considerable negotiation between the New South Wales Government and the unions, a new State Public Service Superannuation Fund became operational in July 1985. Employer costs were reduced from between 15.2 per cent and 16.2 per cent of salaries down to 12 per cent. In Victoria, a review committee noted that the future cost to Government of the existing scheme was 15.4 per cent of salaries. A recommended new scheme yet to be implemented will reduce the cost to the order of 11.5 per cent.

The committee of inquiry in South Australia notes that the employment contribution in the South Australian Superannuation Fund is a nominal 18 per cent. However, I am

not sure whether that means that this is the effective contribution. My earlier calculations suggested a figure in excess of 20 per cent. Page 21 of the committee's report tends to support my view that 18 per cent is a minimum cost to the employer, that is the Government, in the South Australian superannuation scheme. It is stated:

> Pensions are indexed, thereby putting employer costs at a minimum of 18 per cent of salary.

Therefore, it is not surprising that at page 31 the committee observes that:

> Employees in the major South Australian public sector superannuation schemes are generally receiving more generous benefits relative to contributions than their interstate counterparts. They are also receiving benefits well in excess of those received by all but a small minority of private sector employees.

It is generally true that employee contributions in the private and public sector tend to be comparable. In the public sector they currently range between 5 per cent and 6 per cent although there has been pressure applied to increase them in this State to between 5.5 per cent and 7 per cent. In the private sector it is generally also the case, that maximum contributions from employees run at no more than 5 per cent to 6 per cent. However, employer contributions vary greatly. In the private sector a typical scheme would provide retiring employees on salary with six times his retiring salary after 40 years service. They would be putting into such a scheme 5 per cent to 6 per cent of salary and the employer would be matching that with perhaps a 7 per cent to 8 per cent contribution.

I mentioned earlier that, because of superior investment performance by private sector funds some employers have been able to drop their contributions from 8 per cent to 5 per cent or 6 per cent. However, in public sector schemes, as I mentioned, the employer contribution is far greater. It is a nominal 18 per cent in South Australia, but the committee does not reveal what is the effective rate—I suspect that it is in excess of 20 per cent.

Having examined the cost of the scheme I want to turn briefly to some of the disadvantages. Quite clearly, the low number of public sector employees currently belonging to the scheme reflects not only the disgraceful fact noted by the committee, that Treasury deliberately does not promote the scheme because it will add to the cost of the scheme but also that the scheme is structured in such a way that it is not attractive to younger entrants. Quite correctly, in my view, the report also highlights the lack of flexibility in the structure of benefits compared with other private or public sector schemes. The committee cited the inflexibility of the scheme, the high cost of new entrants and the fact that:

> The benefits on withdrawal from the superannuation fund act as a deterrent to an age group where many would otherwise consider alternative lifestyles.

Finally, I refer to dilatory reporting. On several occasions the Hon. Robert Lucas and I have expressed concern about the fact that reporting by statutory authorities is so slow. Therefore, it was a pleasant surprise to find that the report of the South Australian Superannuation Board and the South Australian Superannuation Fund Investment Trust for the year ended 30 June 1985 was actually tabled earlier this year: it had been presented within seven months of the completion of the financial year. I still, however, make the point that public companies listed on the Australian stock exchanges, large and small, are required to report within four months and I believe that no less a standard should be set for public authorities where public moneys and often matters of great public concern are involved. It is pleasing, however, to see this improvement in the reporting standards of the South Australian Superannuation Board and the South Australian Superannuation Fund Investment Trust, because in recent years, as I recall, up to 16 months has elapsed before we have received a report or triennial review of the fund.

Madam President, I have addressed a matter of some importance—the public sector superannuation schemes in South Australia. The inquiry was established in October 1984 in response to the demand for an inquiry through a private member's motion which I initiated and which was supported by my colleagues. The report has been made, but all the facts are still not on the table. Earlier in my speech I requested that the Treasurer of South Australia table all relevant evidence relating to investment performance, structure of the trust and other matters so that a full and frank discussion, whether in the Parliament or by interested parties outside the Parliament, can be held. We must get it right this time. One of the very strong and striking conclusions drawn by the Agars committee was the fact that, when the new fund was established in 1974, Parliament was not in possession of all the information. That must not be allowed to happen again. I hope that the Treasurer will respond with alacrity to my request.

The Hon. C.M. HILL: I support the motion that the Address in Reply as read be adopted and join with other honourable members who have commended His Excellency on the manner in which he opened Parliament on this occasion. I also join with other honourable members who have extended their sympathy to the relatives of the two former deceased members of the South Australian Parliament, namely, the Hon. Albert Hawke and the late Charles Albert Harrison. I did not, of course, know Mr Hawke but I served in this Parliament during the nine-year term when Mr Harrison was here. I recognise him as having been a very sincere and genuine member of this Parliament.

In supporting the motion, Madam President, I am critical of the performances of some of the members of the present Government. I do not think that those performances are good enough. Consequently, I do not think that the Government or the Cabinet as a whole provides the standard of service that the people of this State deserve. The first Minister I criticise is the Hon. Terry Hemmings, the Minister for Housing and Construction. The Hon. Mr Hemmings has amongst his duties the responsibility to administer and control the Public Works Standing Committee of which I am a member. For years I and other members of Parliament associated with that committee have been bringing to that Minister's notice some of the inefficient and outdated practices with which the committee is involved. Perhaps I can demonstrate the point clearly by referring to the debate of 5 March this year when an amendment to the Public Works Standing Committee Act was before this Council and I stated:

> The only other point that I raise in regard to the Bill is that, as a member of the committee, I have observed some practices which I believe are very inefficient. I shall not go into these matters in great detail in this place and at this stage I will give just one example of this. When the Public Works Committee goes into the country and has to stay overnight, members of the committee and the staff who attend the committee hearings must pay individually for their own motel expenses.
>
> Those accounts are then handed to Public Works Committee staff, who in turn forward the accounts to the Department of Housing and Construction, which arranges for individual reimbursement of expenses incurred. Seven members of Parliament can be involved with the Public Works Committee and then there might be three or four members of *Hansard* staff, as well as the Secretary of the committee. About 12 people can be involved in this process, and in today's world a system involving individual payments being made later to, say, 12 people with reimbursements having to be processed by a Government department which makes the necessary calculations for each claim, is simply outdated.

Later, when directing a question to the Hon. Dr Cornwall who was representing the Hon. Mr Hemmings in this place, I asked the Minister:

> . . . to give me an undertaking that some kind of investigation in the Department of Housing and Construction will be undertaken at the top level more particularly at the Director-General level with a view to bringing all inefficient and outmoded practices up to date. That is not too much to ask.

In his reply, the Hon. Dr Cornwall said:

> It seems an anachronism that each member of the committee, when the committee visits areas such as Mount Gambier or other areas of the State pays accounts individually, so there would be seven members of the committee and, of course, their support staff (anything up to a dozen people) booking out of a motel at about the same time in the morning.

Later, he said:

> I give the Hon. Mr Hill a personal undertaking that this matter will be drawn to the attention of the Minister of Public Works. I believe that those matters of administration that would lead to better efficiency and perhaps in the long run economy could be instituted.

Later in the same debate, the matter arose again, and the Minister stated:

> . . . I did specifically address the matters raised earlier by the Hon. Mr Hill concerning the current inefficiencies involved in the payment of travelling costs and expenses of members of the Public Works Standing Committee and support staff. I even specifically referred to the fact that it got down to individual costs for individual meals in individual motels and the subsequent drawing of individual cheques. On occasion this has been known to cause a little friction amongst members of the committee. Therefore, the sooner this is put to rights, the better. I have given a personal undertaking that I will discuss the matter with my colleague the Minister of Housing and Construction.

I do not want to pursue the matter as far as fault is concerned with the Hon. Dr Cornwall, because he is away on parliamentary business. I accept that he referred the matter to the Hon. Mr Hemmings, as he promised to do. However, the Minister (Hon. T.H. Hemmings) is incapable of doing anything about it. Nothing has changed. Years come and years go, and the Hon. Mr Hemmings rolls on and does not do anything about the matter such as that. If he cannot handle a problem like that, how can he handle his overall ministerial responsibilities?

Honourable members: He can't.

The Hon. C.M. Hill: He cannot; that is quite right. I can well understand members joining in, crying out, 'He can't'. So, he should give the job to somebody else.

The Hon. C.J. Sumner: No. Why doesn't your Chairman fix it up?

The Hon. C.M. HILL: The Chairman of the committee at the moment is Mr Rann. Are you criticising Mr Rann now? Do not worry about criticising the Chairman of the committee. The Attorney should realise where the criticism should lie and that is firmly at the feet of the Hon. Mr Hemmings. I have reliable information that this matter has been drawn to the Premier's notice, and the Premier was aghast that this kind of policy and this kind of waste and inefficiency still exists within the Public Service, but nothing happens.

The Hon. C.J. Sumner: How much savings are there in your proposal?

The Hon. C.M. HILL: If 12 people are queuing up to pay their own motel bill at Mount Gambier, and three weeks later 12 people receive their individual cheque from the Department of Housing and Construction, and the accounts all have to be processed by public servants within the department, it is quite ridiculous. I am not concerned so much with the actual amount of money wasted, but there is a wastage of labour and blatant inefficiency, and for years the Chairman—

The Hon. C.J. Sumner: Why can't the Chairman fix it up?

The Hon. C.M. HILL: Subsequent Chairmen have taken it up, but nothing happens, because the Minister does not know how to do it. He does not know how to go about it. It is in the Minister's hands to give an instruction to his department.

The Hon. C.J. Sumner: No—

The Hon. C.M. HILL: Yes, it is. The Hon. Mr Sumner started to criticise the Chairman and the committee once before, and he well remembers the consequences of that. He was pulled over the coals by Mr Whitten out here—

The Hon. C.J. Sumner: Who?

The Hon. C.M. HILL: You were, and he gave you a blast.

The Hon. C.J. Sumner: About what?

The Hon. C.M. HILL: Because you had the audacity to criticise him and the committee, when that was completely unjustified.

The Hon. C.J. Sumner interjecting:

The Hon. C.M. HILL: Yes, it was, and the whole committee recognised that it was completely unjustified. The fault in this matter lies in the hands of the Minister.

The Hon. C.J. Sumner: It is astonishing. Why doesn't the Chairman—

The Hon. C.M. HILL: Of course it is astonishing, but it is not funny. There is no humour in it. It is blatant inefficiency, because the Chairman cannot do anything without the Minister.

The Hon. C.J. Sumner: But the Chairman—

The ACTING PRESIDENT (Hon. R.I. Lucas): Order! The Attorney-General has made that point a number of times.

The Hon. C.M. HILL: It is my firm view that a Minister who is incapable, after several years, of rectifying that situation is incapable of holding down his portfolio. If that is an example of a Minister in the present Government team, what sort of quality does the team itself have? I simply close on that criticism by saying that the Minister should resign. He should get out and somebody with more ability should take his place.

The second Minister I criticise is the Hon. Ms Wiese. The Hon. Ms Wiese is not doing too well in her job. I noticed in last weekend's *Sunday Mail* an article by one Randall Ashbourne, a journalist who writes under the title of Onlooker, referring to the fact that one of the front benchers in this Chamber, the Hon. Legh Davis, caught the Minister of Tourism in a display of arrogance which came unstuck. Mr Davis pointed out that there was hardly a skerrick of information about South Australia in the Australian Pavilion at the World Fair in Vancouver. He says that, following a similar lapse at the 1984 World Trade Fair in New Orleans, the then Minister (Gavin Keneally) had given assurances that it would not happen again. Later in his article, he quotes Ms Wiese as saying:

> I was not aware of the pavilion at the International Expo. . .

I remind members that this is the Minister of Tourism talking. I will repeat her statement:

> I was not aware of the pavilion at the International Expo, so I am not aware of what arrangements have been made for South Australian content to be included.

The journalist then says:

> Not aware that Australia had a pavilion at an event expected to attract 2.5 million North American tourists, and you would admit it.

That was a very serious blunder, I would suggest, on the part of the Hon. Ms Wiese.

The Hon. C.J. Sumner: It was very honest.

The Hon. C.M. HILL: That is quite right. I am not criticising her honesty but I question whether or not she is

an effective Minister of Tourism. I can cite another example. On Tuesday this week I asked the Minister, in her capacity as Minister Assisting the Minister for the Arts (a separate portfolio), a question about security arrangements at our Art Gallery. Members know of the most unfortunate theft of a Picasso painting in Melbourne and I would have thought that the first thing to cross the mind of any Minister for the Arts or Minister Assisting the Minister for the Arts in this State when the news broke was the need to ascertain the position in the Adelaide Art Gallery. So I asked the Minister a question about that issue and she said:

I have to confess—

(and I agree with the interjection made a few moments ago—it is rather honest)—

that I am not sure what the arrangements are about security and insurance at the Art Gallery, but I will refer the honourable member's question to the Minister for the Arts and bring back a reply.

I do not think that that performance was particularly good. Then, of course, we have the Hon. Dr Cornwall and his property tax. That a member of Cabinet under a Westminster system can go out on a limb and promote his own method of collecting a separate tax for his own portfolio responsibilities is simply amazing.

The Hon. T.G. Roberts: It has been explained.

The Hon. C.M. HILL: What has not been explained is why he put fear into the hearts of about seven-eights of the population of this State.

The Hon. B.A. Chatterton: The *News* did that.

The Hon. C.M. HILL: Does the honourable member blame the *News* and not the man responsible for the headline? I was driving my car down Marion Road on that fateful day and I saw the *News* placard and the headline 'New SA Property Tax', and I could not believe my eyes. The Minister was advocating a new property tax that would affect every house owner in the State, because he was worried that he did not have enough funds from Treasury for his portfolio work. Where do we stop if that sort of thing goes on? The Minister of Education might as well float an idea that every parent who has a child at school must pay a special tax because the Minister wants more money for education. The Minister of Tourism could put in her oar and say, 'Let us impose a bed tax, because I want more money for the tourism area.'

The Hon. T.G. Roberts: People gave that headline the same credibility as all the other *News* headlines—none.

The Hon. C.M. HILL: I can assure the honourable member that, when that news broke, it put the fear of God into a lot of people in South Australia. They did not know what was coming next. We cannot have that sort of behaviour from a responsible Minister under the Westminster system. It just does not occur, and I believe it shows that the Hon. Dr Cornwall was seriously at fault in regard to that matter. I criticise, too, the Premier, because I recall that, when he gave out the portfolios after the last election, he created a portfolio of 'Minister Assisting the Minister for the Arts' and allocated it to Ms Wiese.

That was an acknowledgement that criticism of the Premier during the last term of government for not having sufficient time to attend to the arts was justified. His strategy, to spread that responsibility with another Minister, was very commendable. In fact, on the floor of this Council I commended the Premier for that.

However, there should not be words only. I do not want the Premier to think that he can get away with it if he has appointed someone who either cannot do, or has not the time to do, the job, because we must remember that the Hon. Ms Wiese has the portfolios of Minister of Tourism, Minister of Local Government, and Minister of Youth Affairs as well as Minister Assisting the Minister for the Arts. If she was involved in the arts in any shape or form she would have known the answer to my question about security at the Art Gallery. I hope that during the term of this Government, as time passes, we will see—

The Hon. C.J. Sumner: She hasn't had as much experience as you have. You are the grandfather of the Council. You've been here longer than anyone else.

The Hon. C.M. HILL: The Hon. Mr Sumner is trying to be funny, but this matter is not funny at all.

The Hon. M.S. Feleppa: It's rather a compliment to you.

The Hon. C.M. HILL: Well, I will be gracious if the Hon. Mr Feleppa thinks that; I will accept his interpretation of the interjection. The Premier has not really given any of the responsibilities from his arts work to the Hon. Ms Wiese at all. There has been action in name only, to make things look good. There has been a trial over 12 months or so, and certainly I do not think it has been at all effective.

The last Minister that I wish to criticise (and I want to dwell on this matter at some length, because it is really the burden of my song) is the Minister for Environment and Planning. The Minister announced earlier this year the receipt of reports and recommendations on the growth of metropolitan Adelaide and the way that growth should be handled from the point of view of development. We in South Australia face a very unique situation: about 70 per cent of the people in the State live in the Adelaide metropolitan area. There is a unique situation also that follows from that—the great sprawl that exists north and south through metropolitan Adelaide.

It was in February this year that the Minister, having received reports, supported them in the press and explained that the population of the outer metropolitan area would increase by 55 per cent by the year 2001. According to the reports, it was expected that the population of the outer metropolitan area would reach 626 100, an increase of 222 200 people by that year. There would be 120 000 people all up in Noarlunga and about 25 000 people all up in Willunga. Some of the increases in these areas would be very serious indeed.

The Hon. C.J. Sumner: Where would you put them?

The Hon. C.M. HILL: I will come to that later. One of the articles was headed, 'Outer city population to grow by 55 per cent' and states, in part:

The projections indicate that the most substantial growth will take place in Noarlunga (up 56 646 people or 90.5 per cent) Munno Para (45 380 or 186.2 per cent), Tea Tree Gully (37 945 or 54.2 per cent) Salisbury (30 805 or 34.9 per cent), Willunga (18 459 or 291.3 per cent), Happy Valley (17 478 or 85.3 per cent) and Gawler (13 910 or 127.9 per cent).

This Government, through this Minister, is acquiescing in this plan that there will be more and more metropolitan growth, a bigger and bigger outer metropolitan area and, of course, more metropolitan sprawl. This will involve an immensely expensive infrastructure. The supply of services will cost a lot of money in the next 20 years when money for public works will be very scarce.

It involves great expense for commuters because of the population spread. As Adelaide's population gets bigger and bigger the present Minister for Environment and Planning rubs his hands and says, 'This will be good for Adelaide.' It is quite understandable that journalist Peter Ward headed his comments in an article on this matter with the words 'Adelaide spreading—blot on the landscape.' There is no imagination at all in that kind of planning: there is no deep thought at all in that kind of planning.

The Hon. C.J. Sumner: How are you going to stop it—send industry to Mount Gambier, Whyalla and Monarto?

The Hon. C.M. HILL: I will tell the Attorney in a moment. There is no basic premise in the present Government's plans as to how it should syphon off this increasing population; it simply accepts weakly that the population will grow in this way and that by the turn of the century there will be 1.2 million people in metropolitan Adelaide. Some of the best agricultural land in the State close to Adelaide will be absorbed by this plan. Vineyards and other tourist attractions in the South will go, but this easy way out is being taken by the Minister for Environment and Planning and by the present Government. The Hon. Mr Sumner interjected asking what should happen. I will tell him my view, which is that there should be a basic tenent that the population of Adelaide will always be kept at no more than one million people. There should be properly laid plans for regional city growth.

The Hon. T.G. Roberts: Will bureaucrats check the births, deaths and marriages?

The Hon. C.J. Sumner: What if they do not want to move to Oodnadatta?

The Hon. C.M. HILL: I will come to that matter, too. One has to lay plans properly to achieve a target population of one million for Adelaide. I believe that the excess population should be housed in areas surrounding existing regional cities. No Government in this State's history has tackled this problem. I pose the simple question: why should not our rural cities, our regional cities, be expanded?

The Hon. C.J. Sumner: Because industry won't go there.

The Hon. C.M. HILL: I will come to that point in a moment. One effort to tackle the overall problem was the Monarto project. However, the Monarto concept is certainly not what I have in mind. One of the failings of professional planners—and I am sure that this is not understood by the Minister or the Government—is that they always want to start from scratch. There is not the glamour or status if one rebuilds an existing city. However, if one takes a situation where one can start with acres of bare land and plan from the word go—

The Hon. Diana Laidlaw: They pull out all the trees, first.

The Hon. C.M. HILL: They pull out the trees and then one has a planner's dream, and a great achievement when it is all over. However, a planner does not get a great deal of credit when an existing city has to be expanded. Of course, the existing city already has the basic infrastructure: it has public works such as schools, hospitals and roads; it has a water supply and, in some cases, sewerage, and so forth. These services have to be extended, admittedly, but it is a far cheaper process than starting from scratch.

What I think went wrong with the Monarto concept was that the city of Murray Bridge was bypassed because it was just an ordinary town in the planners' view and they wanted to bring to fruition a complete new dream of their own. I believe that all the regional cities in this State should be expanded and an increasing number of people accommodated in those larger regional cities.

Looking at the question very broadly, everyone must admit that South Australia as a State within the nation needs large regional cities: it is the only way to achieve a balanced spread of the State's population. These cities will not grow by themselves. I now come to some of the points that the Hon. Mr Sumner has made by way of interjection. I know that they will not grow by themselves. People will not go there without Government involvement in the planning process. Our decentralisation plans—

The Hon. C.J. Sumner: You sound like Mr Howard.

The Hon. C.M. HILL: I am talking about policies here. Our decentralisation plans need a major review. What we need is a bold plan to hold Adelaide to one million people and to revitalise other cities.

The Hon. C.J. Sumner: How are you going to do that?

The Hon. C.M. HILL: Just be patient. When I talk of bold plans of this kind I mean, for example, plans such as those put in train in the Albury-Wodonga area.

The Hon. C.J. Sumner: That was a Whitlam proposal.

The Hon. C.M. HILL: I do not care whose proposal it was. The Hon. Mr Sumner cannot do anything but talk and think politics. I am trying to indicate to him that there is more in life than just petty political interjections. The Hon. Mr Sumner should only think about the ruination being brought to this State by this Government's Minister for Environment and Planning, who is happy to accept plans and to state publicly that the population will go through the million figure to 1.2 million people by the turn of the century; he does not have much thought for the welfare of the State as a whole.

The Albury-Wodonga scheme involved a major planning concept. Government was involved at three levels: federal, State and local. Private enterprise was also involved. A separate commission was established. Great planning problems were encountered and overcome one of which, of course, was that there were the interests of two States to weld together because the growth centre comprised areas from both New South Wales and Victoria. Nevertheless, it was achieved and so large plans of that kind can succeed.

When one looks at the interstate position one sees that there are moves in other States for various decentralisation and development plans to be put in train. Queensland, for example, is in the process of developing industrial estates all over the State; one is being developed at the moment that specialises in research and development. There is a move in Queensland to spread out. The Northern Territory does not have any existing plans in relation to this matter; Tasmania has been divided into three regions, but they have no special incentives yet; and Victoria and New South Wales, of course, are in a different position from this State because they have large regional cities that are well established and up and running.

The Hon. T.G. Roberts: Incentives.

The Hon. C.M. HILL: Incentives come into it. Some comparison between Western Australia and South Australia can be made, and in Western Australia there is the South-West Development Authority which is administering the well-known Bunbury 2 000 program. There is a separate ministry, a Department of Regional Development and the North-West, established by the present Labor Government in Western Australia. They have 10 regional development advisory committees covering the whole of the non-metropolitan area. States such as Western Australia can see the need and the worth of developing a State as it should be developed, with a spread of population throughout the State and, no doubt, Western Australia understands the great disadvantages and dangers of allowing one metropolitan centre to over-expand. At present, the situation in this State has been in train for some years but, frankly, the incentives that we are offering are not achieving what I would like to see achieved.

The Hon. C.J. Sumner: More taxpayers' money put in; more handouts.

The Hon. C.M. HILL: No. One must have investment. Look at it from the point of view of investment. What is the alternative? The Attorney knows what it is—it is what the Minister in the other place and the Government want: namely, this wild sprawl to go on and on.

The Hon. C.J. Sumner: You want private enterprise uncontrolled.

The Hon. C.M. HILL: I do not see the relevance of that. However, it does mean Government involvement; there is no doubt about that, but, in my view, with a carefully planned program, it would be one of the best investments this State could ever make. The incentives that we provide in South Australia at present are not achieving what is needed. First, in relation to pay-roll tax subsidies, all companies pay pay-roll tax but companies outside the metropolitan area may receive a rebate at end of the financial year of 50 per cent or 100 per cent, depending on how far they are from the metropolitan area. The second effort is being made through the Housing Trust, and I commend the trust for its efforts in that program, but certainly the program is not enough to achieve the desired result.

The trust has developed industrial estates, by buying land zoned for industry next to Housing Trust land used for rental housing. The aim is to encourage industry to move to areas where unemployed Housing Trust tenants live, offering them jobs and increasing the Housing Trust's ability to charge market-related rents. The industrial estates are located in Mt Gambier, Port Augusta, Whyalla, Murray Bridge and at metropolitan locations, including Elizabeth West. The Housing Trust offers the land only or it will build a factory on the land and arrangements are made to lease or lease-purchase.

The trust also offers a land-building finance package, providing up to 100 per cent of finance over a term of 11 years. A prerequisite for that assistance is that the company involved be able to demonstrate its viability and provide at least 25 new jobs. The incentive to decentralise arises from the different prices of land in the industrial estates. For areas of more than one hectare, a site in the Mt Gambier industrial estate currently costs about $80 000 per hectare; at Port Augusta, $45 000; Whyalla, $44 000; and at Murray Bridge, $25 000 to $65 000, depending on the size of the site. By comparison, sites under one hectare in the Elizabeth West industrial estate cost about $60 000. There is no specific incentive for tertiary rather than secondary industry. I mention that information in detail because I think it is very relevant to the points that I am trying to make.

In this State I believe that we should have a ministry of regional development, because of the importance of this question. I believe that we should have a Northern Regional Development Commission. Such a commission should supersede the Iron Triangle arrangements which are in train at the moment but which have not been successful over the past 20 years. Of course, it would include not only the Iron Triangle but also developments such as Roxby Downs, Moomba and Port Bonython. Further, it could endeavour to expand all industry related to that region and attract other new industry to it. Various industries have shown an interest over the years but the Government has not been successful in establishing those industries here. The tin-plate industry was one; the petro-chemical industry is another, and many industries associated with Roxby Downs and Moomba are in this category. If such a commission developed a shop front in the north in one of the major towns and aggressively endeavoured to encourage expansion there, we would have a different ball game altogether from that which we have at the moment with the present State Development Department and the efforts being made by local government people and businessmen, and so on, in the three major northern towns. Governments at the three levels would have to be part of such a commission, but we could well develop the northern part of the State, and much of the natural population growth which will otherwise occur in metropolitan Adelaide would be siphoned off into that region.

I believe also that there should be a regional development advisory committee for all cities outside Adelaide—cities such as Murray Bridge, Mt Gambier, Port Lincoln, and so forth. Such regional development advisory committees could play an active role in expanding the various areas to which I have referred. A new approach must be taken to the provision of incentives. I know that this will cost money and it would mean an initial outlay over so many years, but it is possible to see the return of funds given in various forms of incentives. The whole question of incentives provided throughout Australia, and overseas, ought to be publicised.

Migrant entrepreneurs should be sought by the State, and I am referring to successful men from other countries who are capable of employing South Australian citizens. I am agreeably surprised at the number of migrants, for example, who have succeeded in industry and in commerce in South Australia. Collectively, they now employ a lot of people and it is that employment generation that we need as part of these expanding plans. Enterprising immigrants will develop employment. What is more, if they are approached, as some of the other States have done—the Northern Territory particularly has already done it—and they are offered a lifestyle in South Australia it may seem very attractive to them compared with, say, the political turmoil with which they are living in their own countries; a comparison could also be made between the education system available here for their children and that available in their homeland. There are many attractions that would interest overseas people to come here, but it has to involve planning on a major scale. The thinking applied to this question until now in our history has not been sufficiently aggressive or big enough to achieve the necessary goals. I believe that we must achieve them if we are determined to hold down the population of metropolitan Adelaide to this limited figure of one million people.

I have stressed the point in this speech that some of the performances of Ministers is not good enough for the people of South Australia, but on this latter question of population planning I hope that the Government does not continue to be hypnotised by the planners who have issued the reports published last February. I hope the Government takes a much bigger and broader—

The Hon. C.J. Sumner: They were projections.

The Hon. C.M. HILL: They were projections, but there were plans there too—do not deny that. If there were not plans, why did the Government freeze land in all these areas?

The Hon. C.J. Sumner: Are you going to stop people buying land now?

The Hon. C.M. HILL: No, I am not going to stop them and that is not a question I want to raise. It is a tragic shame that this Government timidly accepts these planners' proposals, proposals that Willunga, Virginia, Sandy Creek, Mount Barker, Roseworthy, etc, should become developing cities each with 100 000 people in them. They were the plans that the Minister announced. All of that is in fact—whether or not we talk of Mount Barker or Sandy Creek—a sprawling, expanding metropolitan Adelaide. I plead with the Government to keep Adelaide's population within the one million limit, to keep the vineyards down in the south, to keep the lifestyle that we all enjoy and, at the same time—

The Hon. C.J. Sumner: You shouldn't have sold that land at Monarto.

The Hon. C.M. HILL: The Minister missed the point I made. The cost of developing Monarto when we already had alongside it an established city at Murray Bridge was

scandalous. The thought of spending all that money on infrastructure when we already had a regional city alongside it was scandalous.

The Hon. C.J. Sumner: You could have linked them.

The Hon. C.M. HILL: There was no need to link them up—we could have expanded Murray Bridge. The plans I have announced today would set about expanding Murray Bridge. I hope the Government gives further thought to this question and concentrates on syphoning off the excess population from metropolitan Adelaide to our established regional cities. I support the motion.

The Hon. DIANA LAIDLAW secured the adjournment of the debate.

ADJOURNMENT

At 6.9 p.m. the Council adjourned until Thursday 14 August at 2.15 p.m.