LEGISLATIVE COUNCIL

Thursday 27 August 1987

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

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

PAPER TABLED

The following paper was laid on the table:

By the Attorney-General (Hon. C.J. Sumner):

Pursuant to Statute—

South Australian Government Financing Authority—Report, 1986-87.

MINISTERIAL STATEMENT: ADOLESCENTS

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to make a statement.

Leave granted.

The Hon. J.R. CORNWALL: In the Legislative Council on 25 August 1987, following references I made in a major ministerial statement on adolescents frequenting Adelaide's inner-city streets, the Hon. Mr Elliott asked me to supply copies of reports by police and by the Executive Officer of the Children's Interest Bureau. I indicated I would consider tabling a copy of the memorandum submitted to me by the Executive Officer of the Children's Interest Bureau on 21 May 1987. I am prepared to table that report subject to the deletion of four sentences appearing on page 5. One relates to certain details of admissions to the S.A. Youth Remand Assessment Centre (SAYRAC): the remaining three sentences make reference to matters under investigation. I seek leave to table the document, as amended.

Leave granted.

The Hon. J.R. CORNWALL: I move:

That the document be authorised to be published.

Motion carried.

The Hon. J.R. CORNWALL: Members will recall that in quoting from the police reports to my colleague the Minister of Emergency Services I said it was not possible for me to canvass all the matters contained in them because certain matters were still subject to investigation. I have now referred Mr Elliott's request to the Minister of Emergency Services, and I will advise him of the outcome in due course.

QUESTIONS

RU RUA NURSING HOME

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister of Health a question about the Ru Rua Nursing Home.

Leave granted.

The Hon. M.B. CAMERON: The unacceptable conditions in which residents of Ru Rua are living were mentioned in this place during my Address in Reply speech of 20 August. I will just remind the Minister of what I said:

The residents are confined to areas that are totally unacceptable from a staff point of view and from a resident's point of view. The bathroom floors are worn out, the lino is cracked through, they are dangerous and disgusting. The building itself is fast falling down, the majority of pipes all over the place are rusted, window frames are falling out, the wards are dangerously overcrowded, the working conditions are disgraceful, and it has been like this for some time.

It was back in 1982 that the Government indicated in its election speech that the intake of patients would cease; that is, five years have passed since the serious problems at Ru Rua were recognised. The Minister told the Council yesterday that the devolution process for residents had begun—four houses had been purchased. This is five years after the conditions were recognised as being so bad that patient intake would cease. The fact is that patient intake did not cease, although people were taken in on the basis it was only temporary and not as permanent residents. The Minister added it was envisaged that 25 community houses would be required. He said, and I quote: 'One hopes that by near the end of the 1989 calendar year, certainly by the end of 1989-90 financial year, the devolution will be complete.'

This means that the vast majority of residents will have to live in unacceptable buildings requiring urgent maintenance for another three years at least, and by 1990 the buildings will really be beyond the pale. By 1990 many of these people will have had to live in substandard conditions for nearly a decade under this Government. I might add that in Victoria comparable facilities are far better than those in this State. In Victoria, deinstitutionalisation has successfully taken place because the Government there has recognised it as a high priority, and provided adequate funding. Parents of Ru Rua residents went on a study tour of Victoria recently and found that residents were comfortable and happy in a home environment, houses were large and roomy with no more than five residents in each, and staffing and support services were excellent.

Regarding funds, the Minister said yesterday that funding to Ru Rua had been maintained, and I quote, 'very close to real terms'. My understanding is that there is to be a three-quarter per cent drop in real terms, and this is following a 1 per cent drop last year. My questions are:

1. Why has it taken the Government five years to begin to rectify what is a very serious problem, and why is the Government prepared to let these people live in unacceptable conditions for nearly a decade before it plans to fully implement its devolution program?

2. Will the Minister ensure that funds for maintenance are made available immediately to upgrade Ru Rua to an acceptable and safe standard for the last period during which residents will be living there?

3. Will the Minister specify whether funding to Ru Rua has in real terms been reduced or increased for this next financial year?

The Hon. J.R. CORNWALL: First, with regard to the funding of Ru Rua I said yesterday that, in my recollection, the amount in the budget this year specifically for Ru Rua is $4.118 million, which contains an allowance for inflation. That is, it is maintained in real terms less, as the Hon. Mr Cameron says (since he has been talking to people who obviously have had some dealings with the budget negotiations), a reduction of .75 per cent, which is being required across the health units this year. In addition to that, however, there has specifically been an allocation of $160 000, which is quite clearly additional funding, so that the devolution process can commence.

Let me make a number of important points. The Hon. Mr Cameron always skirts around these, of course, and tells half a story. He is becoming expert—

Members interjecting:

The Hon. J.R. CORNWALL: He did not quite tell the full story about the old gentleman who was sent home in his pyjamas, either, but taste and the constraints placed upon me demand that I not tell the full story, either. I said

then and I repeat that that must never be allowed to happen again. The Hon. Mr Cameron is an expert at telling half the story. In fact, there has been a specific additional allocation in the 1987 budget of $160 000 so that the devolution process can begin. Ru Rua Nursing Home was relocated to the old mansion, Estcourt House, during the period of the Tonkin Government. That was at that time considered an appropriate place for it to be.

Since that time there has been a very clear policy of deinstitutionalisation adopted for the intellectually disabled. That has proceeded in an orderly way, and it has happened at Strathmont, at Minda, and in a whole range of institutions. There has been an active and successful deinstitutionalisation program conducted in this State now for more than four years. It is very important that deinstitutionalisation is done in an orderly way. Nothing could be worse than tipping people out of institutions into inappropriate accommodation or to no accommodation. If the Hon. Mr Cameron travels to the United States and sees the bag ladies, as they are called, who have nowhere to live and if he sees the hundreds of thousands of schizophrenics, particularly young schizophrenics, with nowhere to live, he will be impressed by the disaster that can come about if one gets into deinstitutionalisation without proper planning.

In the State of Massachusetts 77 500 of the 78 000 people in institutions were deinstitutionalised more than a decade ago and no (I repeat 'no') planning was made for where they should live—it was simply a money saving exercise. Those people are everywhere; they are visible for all the world to see. This has been the tragedy of deinstitutionalisation in the United States, and that is an experience that has been repeated in many other countries. We were determined that that would not happen, at least in the area of intellectual disability, so deinstitutionalisation has been carefully planned and put into place sequentially.

There has been a significant amount of deinstitutionalisation, initially against considerable, but understandable, resistance from parents, relatives and friends who were concerned that there would be a lack of certainty once the residents were put into ordinary suburban accommodation. However, as this project has been carried out sequentially, sensibly and in an orderly way that early resistance has been overcome.

I turn specifically to Estcourt House, which is an old mansion situated in what is now the West Lakes area and which sits on a large expanse of ground (about 2.5 to three acres, from memory) overlooking the Gulf; it is a very pleasant situation indeed. The building itself is not satisfactory, to put it mildly, as it contains large open style dormitory accommodation which is unacceptable in 1987 and there is no doubt that if we were to continue with it as an institution it would need a large amount of money spent on it. Indeed, it will still need some maintenance during the three years that deinstitutionalisation occurs.

I remind the Council, as I did yesterday, that four or five of these people, when living in a surburban home, will require up to six or seven staff members to care for them so that that there is at least one staff member present 24 hours a day, seven days a week. These people are severely to profoundly retarded and multiply disabled, so they are totally dependent. It is not easy in that sort of situation to find 24 or 25 suitable suburban houses in which to relocate these people, or to get involved in the double funding that will be required during the period of deinstitutionalisation, because obviously the institution (Ru Rua) will have to be maintained to some degree up until the day that the last resident is transferred to more appropriate accommodation. So, it is a costly exercise, and a relatively difficult one.

This changeover will be done in an orderly and sequential manner over the next three years, as I have outlined. I also made the point clearly yesterday—which the Hon. Mr Cameron again chose to ignore—that as part of the deinstitutionalisation program it was imperative that we protected the funding that Ru Rua currently attracts from the Commonwealth Government as a nursing home. I have said before, and I repeat, that I do not think there is very much value (certainly, there are no ethical points) in trying to use these residents as pawns in some sort of political game.

The Hon. M.B. Cameron: How on earth they can maintain the place with a cut in the budget, I don't know! You should go and have a look.

The Hon. J.R. CORNWALL: I have made the point previously, and I will make it again for the benefit of the Hon. Mr Cameron, that there is an additional $160 000 allocated in the 1987-88 budget which is to be used specifically to begin this deinstitutionalisation program.

I repeat that no-one is, or has been, more anxious than I to get on with the business of deinstitutionalising Ru Rua. I am pleased to say that the negotiations have now been completed; it is a clear initiative contained in the 1987-88 budget, and it will be done in a sequential and sensible way over the next three financial years.

NATURAL RESOURCES

The Hon. L.H. DAVIS: I seek leave to make an explanation before directing to the Minister of Tourism, representing the Minister of Mines and Energy, a question on the subject of the Labor natural resources policy.

Leave granted.

The Hon. L.H. DAVIS: Late last month, the Minister of Labour, Mr Blevins, in a prepared speech at a conference of the Public Service Association, called for greater Government ownership and development of natural resources. Later, on the ABC television program, *7.30 Report*, Mr Blevins expanded on these remarks. He said that the State Government should own up to 50 per cent of the massive Roxby Downs project—which, of course, raised the eyebrows not only of Opposition members but also of members of the South Australian Chamber of Mines and Energy, who remember only too well Mr Blevins's active opposition to the Roxby Downs Indenture (Ratification) Bill, which was before this Parliament in 1982.

My questions to the Minister are: first, does the Minister agree with this statement made by Mr Blevins calling for greater South Australian Government ownership and development of this State's natural resources and, secondly, does the Minister agree with Mr Blevins that the South Australian Government should have a 50 per cent interest in the Roxby Downs project? Can the Minister answer 'Yes' or 'No' to both those questions, please?

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

The Hon. L.H. DAVIS: By way of a supplementary question, Madam President: I did not ask the Minister—

The PRESIDENT: I am sorry, I fail to see how the Minister's reply can in any way lead to a supplementary question.

The Hon. L.H. DAVIS: Madam President, I am entitled to ask a supplementary question.

The PRESIDENT: No, a supplementary question arises from an answer that has been given. If the honourable member cares to look up Erskine May he will find a full explanation of what a supplementary question is. It arises

from the answer that has been given to the first question. I fail to see how any question can arise from the answer given by the Minister, namely, that she will refer the questions that honourable member has asked to a Minister in another place.

The Hon. L.H. DAVIS: Right. Well, I will redirect the question to the Minister in another way.

The PRESIDENT: Is the honourable member asking for the call for another question?

The Hon. L.H. DAVIS: Well, I am in your hands—as you know, Madam President: I am simply asking the Minister whether she will respond to these questions, I would have thought that that was a reasonable proposition.

The PRESIDENT: The honourable member may ask any question at all when he has the call in Question Time. Does the honourable member wish the call now?

The Hon. L.H. DAVIS: Yes, Madam President.

The PRESIDENT: The Hon. Mr Davis.

The Hon. L.H. DAVIS: Does the Minister of Local Government agree with the statement made by Mr Blevins, calling for greater South Australian Government ownership and development of this State's natural resources—yes, or no? Secondly, does the Minister agree with the Hon. Mr Blevins that the State Government should have a 50 per cent interest in the Roxby Downs project?

The PRESIDENT: I call the Minister of Tourism—although I point out that questions are meant to be directed to Ministers on matters for which they have responsibility to the Parliament.

The Hon. BARBARA WIESE: A matter which I intended to point out myself, Ms President. I am not sure whether these questions have been directed to me as Minister of Tourism or as Minister of Local Government—since both my areas of responsibility have been mentioned here. However, I point out that it is not the custom in this Parliament for Ministers to respond on issues relating to portfolio areas or responsibilities of other Ministers, and in this case I certainly do not intend to break that custom. Therefore, as I indicated earlier, I shall refer those questions to the Minister of Mines and Energy and bring back a reply.

THEBARTON DEVELOPMENT CORPORATION

The Hon. K.T. GRIFFIN: I seek leave to make a short explanation before asking the Minister of Local Government a question about the Thebarton Development Corporation.

Leave granted.

The Hon. K.T. GRIFFIN: Previously, the Minister has informed this place that, among other things, the Thebarton Development Corporation Pty Ltd is to be wound up. There is a range of information about the costs involved in that whole exercise that she undertook to ascertain and bring back in the form of replies to those questions. I have been informed that, although established earlier this year, the Thebarton Development Corporation Pty Ltd has never met formally; that at least some of its officers have never been properly appointed; and that a number of breaches of the Companies Code have occurred in consequence of the incorporation of that company and the events that have transpired over the past eight months. Will the Minister ascertain what breaches of the Companies Code have occurred and will she indicate whether or not the Government proposes to take any action if such breaches have occurred?

The Hon. BARBARA WIESE: They are not allegations that have come to my attention, but I will certainly investigate the matters that have been raised by the honourable member and I will include that in my reply on the issue.

ORGANOCHLORIN CONTAMINATION

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Agriculture, a question about organochlorin contamination.

Leave granted.

The Hon. M.J. ELLIOTT: According to reports in the *Advertiser* this morning, 113 farms in four States have now been quarantined due to pesticide contamination but so far none in South Australia have been quarantined. It is also of interest that one-quarter of these cases has occurred in the past six weeks; in other words, it is only due to increased testing that we have begun to uncover the size of the existing problem. About 12 months ago, I asked questions on notice about organochlorin contamination of land and/or foodstuffs. The answers that I was given on 16 September last year indicated that, while no land had been quarantined in South Australia, 22 poultry premises had been quarantined. According also to the answers that I was given, testing of food is being carried out by the Department of Primary Industry National Residue Survey, the National Medical Health and Research Council Market Basket Survey and occasional surveys by the South Australian Department of Agriculture. The fact that contamination is only now being detected to any extent in Australian beef indicates the inadequacy of the testing that has previously been undertaken. It has been suggested to me that the fact that no farm had been quarantined in South Australia begs the question whether or not South Australia has no contaminated properties, or simply whether none have been detected.

According to a second report from the Department of Health detailed in the *Advertiser* this morning, between 60 and 80 (and that seems a rather vague figure) meat samples had been taken in the past month. That is a very low sample when one considers the millions of items of meat that would have been sold in South Australia in that same period. It would be a matter of .001 per cent, I would expect. It also noted that testing has been boosted in recent months. Here we have 60 to 80 samples being tested and that is a boost on what has happened in the past. It was suggested that all samples were below the prescribed level of contamination. Therefore, I ask the Minister two questions:

1. Will the Minister release the results of all pesticide contamination surveys carried out over the past 12 months in this State so that the public is aware of the degree of testing that has been carried out and exactly what level of contamination has been found?

2. Will the Minister of Health consider, at least on a one-off basis, a much larger sampling survey of meat to test for pesticide contamination?

The Hon. J.R. CORNWALL: That seems to be a mixed bag, as far as I can gather. The first question was to the Minister of Agriculture and I shall be pleased to refer the question to him and bring back a reply. The second one was, as I understand it, whether I would duplicate the testing done by the Commonwealth.

The Hon. M.J. Elliott: It hasn't been working, as has been clearly proved in the past couple of weeks.

The Hon. J.R. CORNWALL: The Hon. Mr Elliott seems to be embarking on a course to try to ensure that the confidence in the enormously important meat export industry in this country is somehow undermined. He should be very careful in these matters to act responsibly. As I understand it, no South Australian meat has been implicated to this stage. The public health authorities in this State regularly carry out checks of domestic meat which appears through butcher shops and other retail outlets.

The Hon. M.J. Elliott: Will you release the results?

The Hon. J.R. CORNWALL: The results were released yesterday. There was a public statement released by the South Australian Health Commission. I do not know whether or not the honourable member reads the papers. The testing is done regularly. I said in this place last week that I would be perfectly happy for the commission to make public the results of any testing that it had done. We have had no request to back up the Commonwealth testing. I presume that the Commonwealth regard it as adequate. The Commonwealth has not approached the commission for assistance at this time. I think the Hon. Mr Elliott should try to act a little more responsibly in this area.

The Hon. M.J. Elliott: I asked a question 12 months ago before it became an issue—

The Hon. Carolyn Pickles: I can see the halo!

The Hon. J.R. CORNWALL: Yes. Mr Parsimonious and Mr Sanctimonious: we still have the twins with us! Ms President, I simply repeat what I said last week. The Hon. Mr Elliott was here, I am sure, when I said that I would be pleased to ask the commission to publicly state the situation. It did that earlier this week. If the honourable member wants more information now I would be perfectly pleased to ask for it again. If it has additional information, I will ask the commission to make it available: we do not have any secrets in public health.

COMPANY DIRECTORS

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Attorney-General a question about the responsibilities of directors of public companies.

Leave granted.

The Hon. DIANA LAIDLAW: Yesterday, in the business pages of the *Advertiser* the speech to the Australian Universities Law Schools Association Conference by the Victorian Attorney-General, Mr Kennan, was highlighted. In part, the report states:

> Laws governing the responsibilities of directors were now largely out of date and did not reflect the realities of modern Australian corporations . . .
>
> At the very least, directors' decisions affecting the interests of employees and creditors must be taken into account.

The report continues:

> Mr Kennan said it could also be argued that responsibility should be extended to include consumers of a company's products as well as the environmental impact of board decisions.
>
> They have tended to operate according to economic considerations only, not according to any sense of public interest such as social or environmental considerations, Mr Kennan said.

He suggested legislation rather than court decisions to address what he saw as concerns. He went on to note that despite tentative steps to remedy the situation in the courts to date it could be a very long time before any legal decision on directors' responsibilities would be accepted. The report continues:

> However, with guidance from legislation, courts and the business community would be able to develop a system that adequately spelt out what matters directors must take into account and how they must be considered when reaching decisions on a company's future.

I raise these matters because honourable members in this Chamber may well be aware that, for any change to be made in the law to be made in respect to directors' responsibilities, it is a requirement that a majority of States agree to such a change, including the Commonwealth. In the light of the fact that it appears that Mr Kennan is pushing for such a change, I ask the Attorney:

1. Does he agree with the views of Mr Kennan that the laws governing the responsibilities of directors are now largely out of date?

2. Is he aware that the obligations on directors today are increasingly onerous and that it is becoming increasingly difficult in some cases for companies to find people who are prepared to accept the responsibility of directors?

3. Does he foresee a danger in seeking to impose even further burdens upon directors, such as those envisaged by the Victorian Attorney-General, without carefully considering the consequences of such a move?

The Hon. C.J. SUMNER: As the situation exists at present, for there to be any change to the company securities laws in Australia there is a need for matters to be considered by the Ministerial Council on Companies and Securities and for the resulting legislation to be passed by Federal Parliament, that legislation then operating automatically throughout the rest of Australia.

The issues that Mr Kennan has raised, namely, the responsibilities of directors in general, are always in some form or another before the ministerial council. There are a large number of issues involved, but I have not studied the remarks of Mr Kennan in any detail. Certainly, if there is to be any change then the normal process is for a proposal to come forward. It may well be that the proposal would, in any event, be referred to the Companies and Securities Law Review Committee before any change is suggested. The normal process is for matters to be discussed at ministerial council, for instructions to be given, and for amending legislation to be drafted.

That legislation is then exposed or made public for comment, and the ministerial council then considers the decisions it must make in the light of those comments before finally approving a Bill. That is the process that would occur in a matter such as this. However, as I understand it, Mr Kennan was expressing a point of view. I am not going to comment on what the Attorney-General for Victoria said without studying the article, but I have outlined the way such matters are dealt with through the ministerial council. The whole question may become somewhat academic for the States, because the Federal Government has announced its intention to introduce legislation in the Federal Parliament that will encompass the regulation of companies and securities.

If that is done, the honourable member will not have to bother about asking me questions of this kind. Instead she will have to direct such questions to her colleagues in Federal Parliament, including Senator Hill, who supported the takeover by Federal Parliament of responsibility for companies and securities legislation, Senator Puplick, and some National Party members; along with the Labor Party members on the Senate select committee that investigated this particular topic.

The Hon. DIANA LAIDLAW: I ask a supplementary question. Does the Attorney-General accept that responsibilities placed on directors are increasingly onerous and that this is one reason why it is becoming increasingly different to find directors who are prepared to accept the responsibilities involved in serving on many public companies?

The Hon. C.J. SUMNER: I am not sure about that. The honourable member may be in a better position to comment upon those matters than I am. All I can say is that when my time comes to retire from this House after many years of distinguished service to this State I certainly will not be wary about accepting directorships that might be offered by anyone who feels that I might be able to serve in that capacity.

The greatest takeover period in this State in relation to companies was between 1979 and 1982. We have created an environment for economic growth and entrepreneurial activity, which is well known in the South Australian community. There are numerous things that I will not repeat today because honourable members opposite are well aware of them, although they do not always embrace them with enthusiasm.

The Hon. M.B. Cameron interjecting:

The Hon. C.J. SUMNER: That is wrong. The honourable member should stop perpetuating that lie in Parliament. There are not 10 000 more public servants.

MINISTERIAL STATEMENT: DISTRICT COUNCIL OF ROCKY RIVER

The Hon. BARBARA WIESE (Minister of Local Government): I seek leave to make a statement.

Leave granted.

The Hon. BARBARA WIESE: This morning, the Governor has issued a proclamation for the amalgamation of the District Councils of Georgetown, Gladstone and Laura, together with some boundary adjustments involving the District Councils of Pirie and Jamestown. As a result, a new District Council of Rocky River will come into effect on 1 May next year. The decision to proceed with the formation of the new council gives effect to the recommendation made to me by the Local Government Advisory Commission. It follows an extensive period of discussion and investigation of various proposals for boundary reform in the mid northern region of the State. Though I have yet to formally receive the reports on alternative proposals submitted by the District Councils of Crystal Brook and Redhill, and the Corporation of Jamestown, my acceptance of the commission's recommendation on this matter necessarily involves the rejection of the others.

In making its recommendations to me the commission has pointed to a range of significant benefits which will flow from the union of the three councils. The cost of providing existing local government services in the area will over time be quite dramatically reduced, whilst the rationalisation of staffing arrangements will provide a substantial opportunity to improve the quality of services and the performance of local government functions within the areas. Cost savings, as they flow through the system, provide the opportunity to reduce the levels of rates or to improve and extend services. In each of these areas the benefits to existing electors, residents and ratepayers of the three areas is substantial.

The commission has estimated that the combined effects of a rationalisation of administrative staff and a lower level of capital outlays required by the amalgamated council will, in time, return a benefit in excess of 20 per cent of current rate levels. Whilst there is no suggestion that the savings are available immediately, they do identify the underlying cost structure of the larger council compared with the three separate bodies.

For the capital equipment area it is envisaged that the new council can save some $50 000 per annum, or 11 per cent of current rate revenue, by combining the operations of the three existing councils and instituting some new work practices. In relation to staffing, a reduction of $55 000 per annum is achievable, representing some 12 per cent of rate revenue. Such benefits flow directly to the residents and ratepayers of the area. In every area of Government administration, there is pressure to ensure greater efficiency in the provision of services and the performance of public functions, whilst at the same time retaining responsiveness to the community.

Members interjecting:

The Hon. BARBARA WIESE: They have been considered and rejected by the commission, and the report—

Members interjecting:

The Hon. BARBARA WIESE: Go away. Efficiency is not demonstrated in the maintenance of three separate council centres within 22 kilometres of each other, each with its own separate administrative staff, performing essentially similar tasks—

The Hon. L.H. Davis interjecting:

The Hon. BARBARA WIESE: Would you please be quiet, and let me read my statement.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —nor is efficiency demonstrated in maintaining three chief executive officers, each earning in excess of $30 000 per annum, to look after the interests of fewer than 2 500 people. It is equally inefficient that this small population is represented in the local sphere of government by 21 elected representatives, some of whom serve as few as 40 electors.

By combining the councils, not only are services provided at lower cost but the quality and scope of those services are improved. A combined administrative structure, even with fewer staff, allows more specialisation of functions and improved expertise. In turn this provides the council with a capacity to plan and undertake new projects of a larger scale and to adopt a broader and more professional role in the overall development of its area. I am confident that, as a result of this decision, the area will have more efficient and more effective local government and our whole system of local government will be strengthened.

In putting forward this recommendation, the Local Government Advisory Commission was particularly conscious of the opposition expressed by two of the councils involved in the amalgamation. Both councils put the view to the commission that their operations remained financially viable, and that they wished to retain their autonomy. The commission felt, however, that the first test was not whether a council could stave off insolvency but, rather, whether some change in boundaries proposed would provide a positive benefit for the electors and ratepayers the councils represent. Having determined that such a benefit did exist, and was in this case substantial, the commission applied a second test to ensure that the proposed change in boundaries would be accepted in the community and, therefore, that the new council would have a base of community support which would allow it to operate successfully. In this respect the commission noted the views expressed at electors meetings in two of the three areas which, while expressing a desire for continued autonomy, nonetheless showed a strong preference for any necessary amalgamation to occur with the Gladstone council rather than with other neighbouring councils.

It is my firm belief that, whilst there is often a reluctance to go through the change process, once the new council comes into effect and the underlying benefits of the move begin to flow through to electors, then any remaining opposition will be removed. Clearly, that process of ensuring the new council can operate successfully will be greatly assisted if staff and elected representatives of the three councils are able to work together in the task of bringing the new council into effect. Having recently held very valuable discussions with representatives of the councils, I feel confident that all parties will now accept the umpire's decision and, with a

spirit of goodwill, apply their considerable skills, knowledge and energy to making the new council work.

In recommending that this proposal proceed, in preference to the others put before it, the commission has, I believe, shown its sensitivity both to the views of electors and to the capacity of the local government system to absorb change. There will be those who will say that this structural reform does not go far enough; that a council of fewer than 2 500 people, without a major urban centre, and a rate revenue of only $450 000 is not large enough in the current circumstances, and that within a short period further boundary reform will be inevitable.

It will be said that if a council of 2 500 can provide a significant reduction in unit costs and improved services, then one which is even larger will demonstrate even greater benefits. While I believe there is some merit in the argument, the system we have established for boundary reform relies on solutions generated from local government itself. Reform must occur at a pace which local government and, hence, local communities can accommodate. The views of electors must therefore continue to be an important factor in making judgments on reform. I accept the commission's comments that boundary reform should no longer be regarded as a 'once-in-fifty-years' event, but rather a more on-going process.

In accepting this recommendation, I wish to encourage the notion that councils should more regularly review their overall circumstances, taking account of changes in communication, demography, revenue sources, the cost of providing services, community expectations, and the function of local government. They should then ask themselves whether they could better meet the community needs through some alteration in their boundary.

In seeking to initiate any such change, however, I expect councils to maintain close communication with their neighbouring local governments and, at least in the first instance, to attempt to reach agreement with affected neighbours through discussion and negotiation. Local views, however, should not be the only factor in achieving boundary change. Whilst we absolutely reject the 'big brother' approach to boundary change favoured by some—

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —we equally do not ignore our ultimate responsibility for the achievement of an effective local government system. Whilst clearly it is preferable for reform to occur by way of consensus, to require it, in every circumstance, is a clear abdication of our responsibility to ensure that effective and efficient local government is available for all citizens. Boundary reform is a most complex matter requiring rational analysis and debate, and should not be reduced to the level of a popularity contest. Rather, we should ensure we maintain a system which balances local interests and views against an objective assessment of the benefits of change, and the wider interests of the local government system as a whole.

The new procedures established in 1984 centred on the operation of the Local Government Advisory Commission to achieve that objective. The commission is independent, represents broad interests, and has expert staff at its disposal. It is able to collect evidence from all interested parties, to sift and assess information put to it, and to undertake its own inquiries. I have every confidence that, once a recommendation from the commission comes before me, it takes account of all the views put to it, and represents a balanced judgment.

Finally, may I record my very great appreciation to all parties involved in this amalgamation. At all times both those in favour and those opposed to the proposal conducted themselves with dignity and professionalism. The submissions put to the commission were consistently well researched and well argued, and each council represented the views of its electors fairly and forcefully. It is my hope, and my expectation, that the vigour, intelligence and commitment each of the councils has shown during this lengthy and, at times, testing process will now be turned to making a success of the new council. I feel certain that those who put their case so articulately to the commission will, in a spirit of goodwill, offer their full support to the new council and thereby continue to provide the level of effective local government leadership which they have so ably demonstrated in the past.

DRUGS

The Hon. R.I. LUCAS: I seek leave to make a brief explanation prior to directing a question to the Attorney-General on the subject of drugs.

Leave granted.

The Hon. R.I. LUCAS: Last Thursday I asked a question of the Attorney-General, and I quote from *Hansard*:

> Is the Attorney-General in a position to confirm a report in the *Sunday Mail* of 24 May this year that Federal investigators had questioned a senior South Australian State politician about drug related conspiracy allegations?

The Attorney's reply was as follows:

> I know of no senior South Australian politician being so investigated.

I emphasise the word 'investigated', quite contrary to the question I put to the Attorney in relation to whether a senior South Australian State politician had been questioned. Yesterday in response to a question from the shadow Attorney-General the Attorney conceded and said, 'I have provided assistance to the authority—"that is the National Crime Authority"—in a certain matter by way of evidence,' and then went on to say, 'But it is not possible because of the NCA Chairman's rulings on confidentiality in the interests of fairness and propriety to persons under investigation for anything more to be said about the matter'; and that is fair enough. I accept that.

Why was the Attorney-General deliberately evasive in his response to the question that I asked him last week about whether he was aware of a senior South Australian politician having been questioned in relation to drug related conspiracy allegations as suggested by the *Sunday Mail*? As I indicated previously, the Attorney-General's response was, 'I know of no senior South Australian politician being so investigated,' which of course was not an answer to my question.

The Hon. C.J. SUMNER: I know of no senior South Australian politician who has been questioned, if that helps the honourable member.

The Hon. R.I. LUCAS: I ask a supplementary question. Can the Attorney-General indicate whether the substance of what he said yesterday was correct, namely, that he provided assistance to the authority in a certain matter by way of evidence, and whether in fact that assistance involved the Attorney-General responding to any questions from investigators from the National Crime Authority?

The Hon. C.J. SUMNER: I am not quite sure what the honourable member is trying to get at with this line of questioning. I have answered the question: I know of no senior public figure or politician—Liberal, Labor or Democrat—being questioned by the National Crime Authority in relation to drug related conspiracy charges. If that makes

the honourable member happy, I answered that question last week.

The Hon. R.I. Lucas: No, you said 'investigated'.

The Hon. C.J. SUMNER: Very well, 'investigated', and the honourable member said 'questioned'. If the honourable member wants clarification, I am saying that I know of no public figure being investigated.

The Hon. R.I. Lucas: Questioned.

The Hon. C.J. SUMNER: 'Questioned', that is right. There is nothing inconsistent between that and what I said yesterday. In any event, I made it quite clear yesterday that I had no intention of commenting on any evidence.

The Hon. R.I. Lucas: Did you respond to questions from officers?

The Hon. C.J. SUMNER: I said yesterday that I provided assistance by way of evidence to the National Crime Authority.

The Hon. R.I. Lucas: Did you respond to questions?

The Hon. C.J. SUMNER: What does 'evidence' mean?

The Hon. R.I. Lucas: You responded to questions.

The Hon. C.J. SUMNER: Yes, that is right.

The Hon. R.I. Lucas: That was my question last Thursday.

The Hon. C.J. SUMNER: It wasn't. The honourable member said 'in relation to drug related conspiracy charges'.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: That was what the honourable member said.

The Hon. R.I. Lucas: I said 'about': read *Hansard*—

The PRESIDENT: Order! This is not a conversation.

The Hon. C.J. SUMNER: I know of no person who has been questioned in relation—

The Hon. R.I. Lucas: I didn't say that.

The Hon. C.J. SUMNER: You did. I know no such person who has been questioned about drug related conspiracy charges—if that makes the honourable member even happier.

CHLORINATED HYDROCARBONS

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Agriculture, a question about chlorinated hydrocarbons.

Leave granted.

The Hon. PETER DUNN: On 13 August I asked the Minister a question about the disposal and withdrawal of chemicals from people who presently possess them. Since then there has been much printed in the media about the problems that Australia is having presently in exporting its beef because that beef contains small quantities of these chemicals. Reports on this matter which have come from farmer groups, exporters, and more recently unionists, all seem to indicate that we must totally withdraw these long half-life chemicals from use.

The Minister of Agriculture in this State has made no comment about any method of destroying these chemicals, or about withdrawing them from use. I therefore ask whether the Minister will offer a monetary reward in an attempt to speed up the withdrawal of these unacceptable chemicals from people who presently hold stocks of them. There have been reports from interstate about unsatisfactory methods of disposing of these chemicals, such as burying them. Does the Minister have in mind any method, such as the use of high temperature furnaces, of destroying these chemicals?

The Hon. J.R. CORNWALL: I will refer the question about the specific method which may be used to destroy organochlorines to my colleague, the Minister of Agriculture, and bring back a reply. However, I cannot let pass the other two matters that were raised by the Hon. Mr Dunn. He said that the Government has no public position with regard to the banning of organochlorines for agricultural use or for use in rural industries generally. That is simply not correct. The Minister of Agriculture called initially for a ban on organochlorines months ago. He has been totally consistent in his approach.

Ultimately, that led to a firm decision being taken by the Government in Cabinet, and that decision to move to ban the use of all organochlorines in this State other than by licensed pest control operators for termite control was announced publicly. That is on the record, and it is a complete mischief for the Hon. Mr Dunn to suggest otherwise. I cannot believe that he has made a simple mistake in relation to this matter, because he has been sensitively in touch with this subject ever since it became a matter of public concern.

With regard to the payment of compensation, I said in the Council the other day that I did not believe it was appropriate. The present situation would not have arisen if a very small but, might I say, irresponsible number of people had not been less than scrupulous over the past 20 years in their use of organochlorines.

The serious situation regarding the use of DDT and some other organochlorines has been known now for two decades. Certainly, the use of organochlorines in agriculture generally is not something that has been done by responsible farmers and graziers in this State, in this country, or indeed anywhere in the developed world, for a very long time. If members of the rural community have quantities of DDT, dieldrin, or other organochlorines in storage at this time, they should only be residues from the less enlightened days of the 1960s when those pesticides were in reasonably widespread use both for spraying livestock to control external parasites, or for spraying pastures to control parasites. However, there should not be any significant quantities in storage.

I do not believe that the question of compensation, when set against an export meat market worth in excess of $750 million, is really a significant consideration. I gave the same answer when this matter was raised in the Council last week. As the Hon. Mr Dunn persists with this matter, I will refer it to the Minister of Agriculture for a formal reply, which I will bring back as soon as I reasonably can.

The Hon. PETER DUNN: I have a supplementary question. The Minister has given an answer that does not appear to have much credence, because they have not set up—

The Hon. J.R. CORNWALL: I rise on a point of order, Ms President. This is not a supplementary question. If the honourable member wishes to make a statement, that is presumably acceptable under Standing Orders, but he cannot make an Address in Reply speech when asking a supplementary question.

The Hon. Peter Dunn: That's funny coming from you.

The Hon. J.R. CORNWALL: I do not have to ask the questions; I am a Minister on the front bench.

Members interjecting:

The PRESIDENT: Order!

The Hon. PETER DUNN: My supplementary question relates to the second question that I asked.

The PRESIDENT: Order! I point out that a supplementary question cannot have an explanation; that applies only to the original question.

The Hon. PETER DUNN: My supplementary question relates to the second question that I asked, that is, whether

the Government has made any effort to set up a repository or an area where these chemicals can be deposited?

The Hon. J.R. CORNWALL: First, may I say that I am very pleased that I am not on the back bench in Opposition and, therefore, any comparison between Mr Dunn's prolixity and mine is quite inappropriate. I happen to be on the front bench—I have never been on the Opposition back bench in my political career.

With regard to the specific question asked, the honourable member is really pretty slow—he seems to suffer from the lonely neurone syndrome. I answered the question at the outset: I said quite specifically that I would refer that question to the Minister of Agriculture for a formal reply. If the honourable member checks *Hansard* tomorrow he will see that I said that right at the outset.

STRATHMONT

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Health a question about Strathmont.

Leave granted.

The Hon. M.J. ELLIOTT: I have been approached by several parents of Strathmont residents who have expressed to me the feeling that Strathmont is acting very much as a management centre rather than as a place which really cares for their children. Among other things they have alleged that there is over-use of psychotropic drugs and that force is regularly used on the residents. A report (which is out of date—it being now eight years old—but which will become relevant after I further explain) referring to drug treatment at Strathmont has been brought to my attention. It states:

> Clearly, drug treatment formed a great part of the medical management of the intellectually handicapped. Of the 596 residents, 513 were taking one or more of 155 different types of drugs, chloral hydrate carbamazepine and thiaridazine being the most common.
>
> Of the total 1 799 medications prescribed on a single day, 1 722 had been prescribed regularly for four weeks or longer. Furthermore, tranquillisers, anti-depressants, anti-convulsants, sedatives and hypnotics comprised 63.6 per cent of all drugs prescribed. The pattern of prescribing reflected to a certain extent the high incidence of diagnosed behaviour disturbance (62.9 per cent) and epilepsy (38.6 per cent) in the resident population.

That passage is from the *Australian Journal of Developmental Disabilities.* One parent, in particular, referred to the drug treatment that his son was receiving. In particular, he pointed out that he was regularly receiving 25 milligrams of fluphenazine a day, and at times as much as 40 milligrams. According to the literature that has been brought to my attention, it is recommended that doses exceeding 20 milligrams should be administered with extreme caution. In fact, it has been suggested that over a longer period of time it should be possible to reduce the dosage back to one to 2½ milligrams.

It has been suggested to me that so many people are on drug treatment simply because they have very little to do with their time. The school operates from 9 o'clock to 1 o'clock, with about 70 people attending. The activity centre caters for another 20 or so people, and only 20 people from Strathmont itself are involved in the workshop. The suggestion has been made that, if people were less bored and if less insensitive treatment was given, there would be fewer problems.

The father of one of the children involved complained that his son, who is autistic, objected to being shaved and, indeed, the father himself objected to his son being shaved. However, the staff there insisted that that should be done. This is just one of those things that produced an ongoing fight—and this father could see no necessity for it. He said that there were cases where food was withheld from patients as a punishment. On one occasion he went to give a banana to one inmate and was told by the nurse that he could not do that as the patient had been a naughty boy that day.

It has also been suggested to me that, quite often, decisions as to whether or not people would be locked away in their rooms because of misbehaviour had been made by home assistants, and that perhaps psychiatric decisions should be left to properly trained people rather than to people who are just involved in the day-to-day caring of those people. I ask the Minister the following questions: What regular activities are available for residents of Strathmont? How many residents are involved in such programs? Is the Minister willing to release figures on the current usage of drugs at Strathmont?

The Hon. J.R. CORNWALL: First, let me say that, to pump up that explanation, the Hon. Mr Elliott, who is not averse to playing the same sort of games as the Hon. Mr Cameron, quoted from a report which, on his own admission, is seven years old. The honourable member did not quote any specific current problems—except that, apparently, an allegation had been made that a parent complained to him about an incident concerning a banana.

The Hon. M.J. Elliott: I also talked about the levels of fluphenazine being given to a particular patient.

The Hon. J.R. CORNWALL: Okay. So, on the strength of some allegations that are being made—

The Hon. M.J. Elliott: What I didn't talk about was alleged bashings that are still going on.

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: You did raise it, and your behaviour in this place in recent weeks has been disgraceful, as I will explain to the Council when we resume. The honourable member raised a matter last week in the worst and lowest possible way, and I will have something to say about that.

The Hon. M.J. Elliott: About Strathmont?

The Hon. J.R. CORNWALL: No, not about Strathmont; it was about another matter, and I will fix you right up when we come back on Tuesday week.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: I will expose the honourable member for his totally unethical behaviour in relation to that matter.

The Hon. R.I. Lucas: You have as much support as Keating!

The Hon. J.R. CORNWALL: Yes, I probably have!

Members interjecting:

The PRESIDENT: Order! There are only two minutes of Question Time left, and a question has been asked on the topic of Strathmont.

The Hon. J.R. CORNWALL: These failures on the front and back benches opposite want to talk about Paul Keating. Bless me, have they not seen the result of the recent Federal election? I am happy to talk about Paul Keating's popularity all day. If my popularity rates with that of Paul Keating, I will be delighted. The Prime Minister certainly has not nominated me as a logical successor, as he has Paul Keating, but on the other hand I must say that I am delighted to be compared with Paul Keating.

With regard to the questions that were raised, I will certainly have my officers take up the matters with Strathmont. I will ensure that I bring back a comprehensive and considered reply. Furthermore, I will ensure that it is available on Tuesday week. I hope that when I give an indication to the honourable member that it is available he will leap

to his feet that day and ask for the reply to his question, so that we can get it on the record quickly. I do not appreciate the sort of tactic that is used in quoting from a seven year old report, in an attempt to try to bring some sort of discredit on Strathmont Centre.

SUPPLY BILL (No. 2)

Adjourned debate on second reading.
(Continued from 26 August. Page 482.)

The Hon. L.H. DAVIS: In the Legislative Council it is customary not to devote a lot of time to what is a formality, that is, the passage of the Supply Bill. This Bill provides $875 million, which will enable the Public Service to carry on its normal functions until November, when the Appropriation Bill will be received and assented to. This year the Supply Bill is for a larger amount, $875 million, which is an increase from the amount of $650 million provided in the second Supply Bill for 1986-87. That increase is to cover the passing of a number of Commonwealth grants for the first time through the Consolidated Account. That is a mechanical adjustment of no great consequence.

I was appalled to hear of the Premier's announcement yesterday that the entertainment centre has been axed. The entertainment centre at Hindmarsh was the centrepiece of the Labor Party's arts policy for 1985. For the past nine months the Government has been to-ing and fro-ing on this matter and, as my colleague the shadow Attorney-General (Mr Griffin) said only yesterday, it has become only too apparent in recent months that the Labor Party's promise during the State election campaign in 1985 of an entertainment centre was never intended to be delivered. It was a promise to dupe young people and to gull the voters of South Australia into returning the Labor Government. It certainly succeeded in getting mileage out of the promotion of the entertainment centre, with the Premier being seen in photographs at the site and being seen to advantage on more than one occasion in promoting the virtues of the entertainment centre and the benefits that would flow to young people and to the community at large.

The concept was widely supported by the arts community and in fact the community at large. The fact that as early as late last year the entertainment centre was on the skids was a reflection that the Labor Party was not serious about carrying its key election promise into effect. The fact that the Premier now claims that Federal budget cuts have made it impossible to undertake this project is arrant nonsense, because those Federal budget cuts were not known in early 1987, and it leads one to the inescapable conclusion that the Labor Party had no intention of fulfilling a key promise of the 1985 election campaign. I am sure that matter will be addressed by other members during this and other debates on the budget when it comes to this Chamber, but I accept the need for the speedy passage of this Bill and indicate that, as is customary, the Opposition will support it.

The Hon. M.B. CAMERON (Leader of the Opposition): As this Council has always done—and I trust always will—we support the Supply Bill. Nevertheless, it provides an opportunity to draw attention to some problems associated with ongoing Government expenditure and that is the reason for the Supply Bill. I know that there has been some difference of opinion as to just how much debate should occur at this stage but, nevertheless, I think it is an opportunity—and a rare opportunity in this place—to express some points of view.

I was somewhat bemused when the Government intimated that it intended to close the hospice care facility at Kalyra. Normally, I think as the Hon. Mr Davis said, this area has had fairly bipartisan support, because hospice care is a very important part of our community. I was surprised, to say the least, to find that the Government was prepared to go to the point of withdrawing funding for this institution. I know (and it is accepted) that in the early 1980s there were some moves to initiate a rebuilding program at Kalyra. As everybody knows, that was in the days when there were perhaps more capital works funds available and less understanding of the role of such institutions and the sorts of institutions that were needed. I think the Chairman of Kalyra said, 'You don't need the sort of hospital facility that you would normally need in order to bring about hospice care.'

I raised this subject in a question: Kalyra itself was used as an example in a document called 'Hospice Care Policy', a copy of which I tabled earlier. That document was prepared by the South Australian Health Commission. On almost every page of that booklet distributed by the South Australian Health Commission and based on a foreword by the Minister of Health, reference was made to Kalyra, or there was a photograph. If it is such an unacceptable institution, I cannot understand why in 1985 it was used as an example of hospice care. One would have thought that, if it were unacceptable, it would not have been used. That document was published in 1985, only two years ago and nothing has happened since then to have made such a huge difference.

Of course, the reasons given for the closure are based on a supposed rebuilding program. That is not needed, as is generally accepted. In fact, again the Chairman of the James Brown Trust indicated quite clearly that that rebuilding program was not required and that there are no plans for it. In the past few days an architect has looked at the institution and he has advised that that rebuilding program is not needed; the institution is perfectly suitable. In fact, I predict that, even if the Government withdraws funding, it will continue as a hospice care unit. I cannot imagine that responsible citizens who have given service to the community over such a long period of time through the James Brown Trust would continue to do so if it were an unsuitable institution.

It was rather interesting to note that in October 1981, when there was a move to transfer some older people from Magill to Windana (and that is where these people eventually are to be relocated), the then Leader of the Opposition went absolutely bananas, to say the least. He used such words as, 'This would mean a cruel upheaval for most of the elderly.'

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: That is not the way it was indicated earlier. The Government has changed its mind a little since then. In a media statement, the then Leader of the Opposition further stated:

> Once again, the State Government is putting the interests of those who are least able to fight back as its last priority. The ideology of small government is taking precedence over people.

The statement continues:

> Callous, short-term decisions today can only have even more serious consequences in the future.

Frankly, I now agree with him, because I think that in relation to Kalyra this move will have long-term and unacceptable effects. Of course, as I said, it is based on the supposed saving of capital funds. As the Minister knows (and he has been told) and as the department knows, those

capital funds are not required. In fact, I understand that Kalyra has indicated that it is prepared to take a course of action that will reduce that sum of $1 million by $700 000. So, for the sake of $300 000 the Minister will close an institution that he used in his document, the South Australian Health Commission Hospice Care Policy, as an example of hospice care. I hope that the Minister has read it again, because it makes quite clear that Kalyra is an extremely acceptable institution.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: I know all the background. The Minister used 1981 documents today. He said that he would not do that and that he would find that unacceptable in us. Madam President, the fact is that Kalyra, with the James Brown Trust, is an excellent organisation. It has done excellent work over a long period for thousands of needy South Australians. It is not for the wealthy but for the poor people of this community. It is providing a public service and I am frankly bemused that it appears that the Minister and his department are absolutely determined to withdraw any funding from this institution, which has done such an excellent job in the community. It has an excellent hospice care unit which has taken a long time to build up, as people who are associated with that activity would know. It is not an easy type of unit to form because the people for whom it cares have so many different requirements.

There is a long waiting list. As I understand it, Kalyra receives innumerable telephone calls every day from people seeking hospice care. The need for respite care in the community has to be addressed soon by the Government, or there will be many angry people around not only in this area but in many other areas. I will be raising some of those issues from time to time to try to remind the Government of its promises in these areas. I appeal to the Government to reconsider its position on this matter.

I hope that some sensitivity will be shown and that this excellent facility providing this keenly sought after support in the southern part of Adelaide will be able to continue. Also, I appreciate the work done by the James Brown Memorial Trust over such a long period. It has been involved not just with this institution, because at one stage it was invovled with Estcourt House in its early days.

This large organisation not only provides hospice care but also homes for the aged as well in basic units at a very reasonable rate. This excellent organisation deserves the support of the Government. Certainly, it does not deserve to be pushed aside and left by the wayside, especially as the Government has used Kalyra as an example of what can and should be done in regard to hospice care. I support the Bill.

The Hon. R.I. LUCAS: In supporting the second reading of the Supply Bill, I want to address two different broad areas. The first, Ms President, is the general question of blame in relation to this Bill and also the budget which is being introduced by the Premier in another place today. Of course, this Bill relates closely to the performance of the State Government from last year's budget through to this year's budget. Ms President, the line that we are being asked to accept by the Bannon Government on the occasion of this Bill and this State budget is that tough financial times that South Australians face are due solely to Federal Government cutbacks in funding.

Everyone would have to accept that Federal Government cutbacks in funding to the States are significant and obviously are a major reason for problems that State Governments such as that in South Australia might have in their own budgeting and Supply matters. However, the argument that has been developed—that, in effect, the sole reason for the problems that we are confronted with as a State is due to Federal Government cutbacks—is erroneous, and I want to spend a short time indicating why the attitudes, policies and economic decisions taken by Premier Bannon and his Cabinet have served to make this State budget much more difficult and added to the related problems and size of Supply Bills that we must debate.

I take members back just 12 months to August 1986. On that occasion the centre piece of Premier Bannon's budget was a calculated gamble with the State's economy and finances. Premier Bannon and his Cabinet took a $100 million punt. The punt was that the economy—national and State, and therefore the State's finances—would turn around in the ensuing 12 months. The Government decided on a high borrowing State budget in 1986, a budget where borrowings for capital works programs were increased to $415 million, an increase of $102.9 million or about 33 per cent.

On that occasion, the Government said that it was a bid to protect the State from the damage to investment and employment that a sharp cut in South Australian Government spending would cause. So the Government, with its economic advisers, made the political decision to take a $100 million punt on a high borrowing capital works program—an increase of 33 per cent—to try, as it argued then, to cushion the State economy from a sharp cut on that occasion.

Ms President, it was a high risk gamble from Premier Bannon which enabled him to keep many of the interest groups on side by winding out or winding up the capital works program. He was able to still promise, albeit on a slightly longer time frame, his promise of the entertainment centre and a range of other capital works programs. As I said, Ms President, it was a calculated high risk gamble taken by Premier Bannon with the State's finances.

Today's Supply Bill and State Budget—for which the Premier and others have been softening us up over the past four or five days—indicate that the high risk gamble that the Premier took with the State economy last year has failed, and failed dismally. This high risk option that Premier Bannon took with our future last year is one of the major reasons why the State economy faces such severe contraction problems at the moment as a result of the 1986 and 1987 State budgets. It explains why we will see and why we have heard already of a severe contraction in the capital works program in the construction and housing sectors of the South Australian economy. It is because of a risk that the Bannon Government took with State finances 12 months ago. Ms President, that risk last year was well known to everyone.

The Hon. C.M. Hill: Bannon admitted it on the radio.

The Hon. R.I. LUCAS: Exactly. He also spoke to some of our more prominent political journalists. I want to quote from a former prominent political writer in South Australia, Mr Matthew Abraham, who wrote for the *Advertiser*. On 29 August 1986, under the big bold headline of 'Bannon takes a $100 million punt', Matthew Abraham said:

> The Bannon Government has taken a $100 million punt on a turnaround in the national economy with a high borrowing wait and see State budget tabled yesterday.

I am sure that if Matthew Abraham was still here he would remember that particular article from last year, and we would see incisive comment in the *Advertiser* criticising the high risk gamble of the Bannon Government that went sadly wrong. As a result of that high risk gamble taken by Premier Bannon and his Cabinet the South Australian taxpayers and the South Australian economy will this year suffer very harsh treatment from the Bannon Government because of

its own ineptitude in economic and budgetary matters, as has been demonstrated.

The other area in which the Bannon Government must share criticism for State economic and fiscal problems at the moment is in relation to the myriad of stories that have been instanced in the past 12 months in relation to Government waste. The most recent example is that in which the Minister of Forests, Mr Abbott, had to concede on the Leigh Hatcher program on 5DN that an investment of some $14 million to $17 million in a New Zealand forest company (IPL) had been a bungle by the State Bannon Labor Government.

At a time when the Bannon Government is asking South Australian taxpayers and interest groups, such as the education and further education community, to absorb cutbacks in funding and cutbacks in critical programs, the Bannon Government saw fit to pour $14 million to $17 million of taxpayers' funds down the proverbial gurgler in a company in New Zealand that at the time of first considering the investment showed some prospect that it was either insolvent or close to insolvency.

The Hon. T.G. Roberts: A charge has been laid.

The Hon. R.I. LUCAS: The Hon. Terry Roberts says the Government is laying charges against people, as if that absolves the Bannon Government and the Hon. Terry Roberts from criticism. Perhaps we will leave the Hon. Terry Roberts out of it, because being a back bencher he does not know what the Cabinet gets up to. We know that the Cabinet acts as a law unto itself.

At a time when interest groups in the community are being asked to absorb cutbacks, it is an absolute tragedy for the South Australian taxpayer and for the South Australian community that this Government should pour that amount of money down the drain into a New Zealand company which at the time was close to insolvency or perhaps even insolvent. That tragedy came at the end of a long line of fiscal disasters of the Bannon Government. We could all play the game of 'let's remember the biggest disaster of the Bannon Government' of the past couple of years when millions of dollars have been wasted.

We can look at the three day horse event at Gawler; at the yachting challenge; and at the reorganisation of the Education Department that was supposed to save $1.5 million in salaries, but the blow-out in that particular program was about $5 million to $8 million. We can look at the youth music festival that was supposed to have cost $250 000 but which, at last count, had cost over $1 million: a blow-out of $750 000 in a single function. There have been many other examples where the Bannon Government, through decisions that it has made, has contributed to the fiscal problems that we are now facing in the Supply Bill and the State budget that will soon be debated.

The second matter that I want to touch upon in the Supply Bill relates to the Entertainment Centre. Any member of this Chamber who has a teenage son or a daughter—or perhaps a grandson or grandaughter in the case of some of the older members of this Chamber—or perhaps a friend of that age group or even older, the 20 to 30 year age group, will know that one of the most significant vote-winning promises made by the Bannon Government at the 1985 State election was the promise of an entertainment centre. Listeners to the top rating radio station, SA-FM, will know that over a number of years they have conducted a campaign for an entertainment centre, because South Australians had missed out on high profile concert performers because of our lack of a suitable facility. For exactly that reason recently South Australia missed out on the performance of Billy Joel.

The Bannon Government knew that, and it knew that SA-FM had presented a petition signed by thousands of young South Australians who wanted an entertainment centre. What was the result of that? The result was that on 19 November 1986 in the *News*, in a report given by the Bannon Government to journalist Randall Ashbourne, on the front page we had in one inch block capital letters '$40 million South Australian entertainment complex' with a photo of a smiling Premier Bannon, smiling, no doubt, because he knew that this was a vote-buying exercise for the Bannon Labor Government, holding open a proposal for the entertainment complex, with Premier Bannon knowing full well that times were tough and that there were going to be cutbacks in Federal funding. He knew that he did not have the money for a $40 million South Australian entertainment complex when he made that vote-buying promise of the 1985 State election emblazoned across the Adelaide *News*.

The Hon. C.M. Hill: He hadn't even bought all of the land.

The Hon. R.I. LUCAS: Exactly. That was the case. The businesses had not been warned, had not been told, but the Bannon Government knew it was going to be a tough election fight and that it needed to pull out every election bribe that it could think of, so it thought up this $40 million South Australian entertainment centre without even telling the businesses on that particular Hindmarsh site. They milked that promise for every vote they could get during the three or four weeks of that election campaign. Thousands of young South Australians bought that promise from Premier Bannon: they believed Premier Bannon and his Cabinet, and followed like sheep to the polls and supported Premier Bannon because he was going to deliver to them an entertainment centre.

After that State election a number of questions were asked, both publicly and in this and in another Chamber, about the tendering process adopted in relation to that entertainment centre and about the possibility that an entertainment centre could have been built for less than what then turned out to be a $60 million entertainment centre. The cost was estimated at $40 million before the election; immediately following the election it became a $60 million entertainment centre. On 29 September 1986 there was a story in the Adelaide *Advertiser* under the heading of 'The South Australian Government rejected a cheaper centre bid' and I quote:

> The Bannon Government has rejected alternate plans to build an entertainment centre at a cost believed to be $6 million to $15 million cheaper than the final $60 million concept chosen for the Hindmarsh site.
>
> The unsuccessful tenderer, Colliers International, is believed to have written to the Government prior to the final decision, registering a complaint about certain aspects of the tendering process.

I took up that matter on that occasion, and indicated that I believed that the Colliers proposal had been costed at $54 million, including optional multi-level car parking for 1 500 cars and additional sporting halls attached to the main centre, and in that article I was reported to have said:

> If the car park and additional sporting buildings were not included, he had been informed the centre could be constructed for between $40 million and $45 million.

What I was saying on that occasion was that we as a State Opposition knew that times were tough and knew that there was not the money there prior to or soon after the election for a $60 million entertainment centre. We said to the Government, 'Why have you rejected a centre which could have saved up to $15 million of State taxpayers' funds?' Subsequent to those stories a private developer said that he and his consortium could build an entertainment centre for

much cheaper even than the Colliers International proposal of $40 million to $45 million.

When we raised those matters in late 1986 or early 1987 Premier Bannon and the Government representatives said loudly that what they were about was building a world class entertainment centre, and entrepreneurs and private developers might be able to build a cheap tin shed—and that was the phrase that was used—for an entertainment centre, but that was not suitable for the Bannon Government because it had its $60 million entertainment centre.

The words of the Opposition have been proved to be 100 per cent correct. First, the Bannon Government knew that it could never afford its $60 million entertainment centre, and it was a cheap vote buying exercise to lure the votes of young voters in South Australia. That is the first point where the Opposition has been proved to be correct. Secondly, there are private entrepreneurs and there were alternative high standard proposals for an entertainment centre that could have been built in South Australia much cheaper than the $60 million proposition the Bannon Government paraded as a vote buying exercise in 1985.

Thirdly, at that time the Opposition, based on information we had been given from within Government departments, said that that $60 million project of Premier Bannon was fatally flawed in its costing and would blow out significantly to about $100 million by the time it was built in the early 1990s. What response did we get from Premier Bannon: an article in the *News* of 29 September written by Geoff de Luca, with the headline 'Centre cost not $100 million, says Bannon'. The article states:

Criticism about the choice of Adelaide's proposed $60 million entertainment centre was rejected today by the selection committee and the Premier, Mr Bannon. Claims by the State Opposition that the centre could cost $100 million by 1990 were refuted—

The ACTING PRESIDENT (Hon. G.L. Bruce): Order! I draw the attention of the Council to the time. We have a commitment later on, and I wonder whether the honourable member would seek leave to conclude his remarks?

The Hon. R.I. LUCAS: I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 25 August. Page 432.)

The PRESIDENT: The question before the Chair is that the Address in Reply as read be adopted.

Motion carried.

The PRESIDENT: I remind the Council that His Excellency the Governor has appointed 4.15 this afternoon for the presentation of the Address in Reply to his opening speech. I therefore ask all members to accompany me now to Government House.

[*Sitting suspended from 4.2 to 4.46 p.m.*]

The PRESIDENT: I have to inform the Council that, accompanied by the mover, seconder and other honourable members, I proceeded to Government House and there presented to His Excellency the Address in Reply to His Excellency's opening speech adopted by this Council, to which His Excellency was pleased to make the following reply:

The Hon. President and honourable members of the Legislative Council: I thank you for the Address in Reply to the speech with which I opened the Third Session of the Forty-Sixth Parliament. I am confident that you will give your best considerations to all matters placed before you, and I pray for God's blessing upon your deliberations.

SUPPLY BILL (No. 2)

Adjourned debate on second reading (resumed on motion).
(Continued from page 541.)

The Hon. R.I. LUCAS: Prior to the short adjournment I was developing a powerful point relating to the fact that the Bannon Government had indicated that the entertainment centre would cost $60 million, that the Opposition had indicated that it had not been properly costed, and that it was likely by the time it was completed some time in the early 1990s that that figure would blow out to $100 million. Prior to the short adjournment I was quoting from an article written by Geoff De Luca which appeared in the *News* on 29 September 1986 and which was headed, 'Centre cost not $100 million, says Bannon'. That article reports that both Mr Bannon and the Chairman of the committee that was examining the centre (Mr Inns) rejected the Opposition's claims that the centre could cost $100 million. Mr Inns was reported in that article as saying that the $60 million figure was the projected all-up cost of the centre including an allowance for inflation.

In the lead-up to the dumping of the election promise on the entertainment centre this week, the Government conceded that in just 12 months the estimated cost of the proposed entertainment centre had increased by $13 million. The Bannon Government now says that it will cost $73 million to build, whereas 12 months ago it was saying that it would cost $60 million and that that was the projected all-up cost of the centre. The Opposition indicated at that time, and I indicate again today, that that costing of $60 million was flawed, and that it would blow out considerably. Premier Bannon rejected that criticism, but his statements have been shown to be absolutely incorrect and misleading, not only to members of this Parliament but to everyone in the community.

The other point made by Premier Bannon in the dumping of this election promise was that we could not now afford the centre because each performance at the centre, if it were built, would cost $120 000. Premier Bannon knew prior to the election, and soon after it when the Opposition raised criticisms of the costings relating to the entertainment centre, that the cost per concert would be of that order; that is, a six figure sum, which he has now given as $120 000. Therefore, it is nonsensical of the Premier to now trot out that figure of $120 000 a concert as a justification for dumping this project. If that figure is true now, the Premier knows full well that the figure of roughly $100 000 was true in 1985 when he made his promise, or soon after that when the Opposition and members of the community queried the costs relating to the centre.

A large part of the reason for the tightness in the economy and in the budget involves the errors that the Bannon Government made in its budget last year, and in its wastage in the past 12 months. Premier Bannon now argues that when times are tough projects such as the entertainment centre must be dumped because we need to concentrate resources on schools and hospitals. The Opposition and most members of the community accept that the essentials of Government spending, in which I include education, further education, health, hospitals and community welfare, must come first. The Opposition is saying that wastage in Government spending needs to be stopped and that on the non-essential items (which is perhaps a poor description to use), in the non-essential, discretionary funding areas of the

budget, by which I mean those expenses outside the essential costs of education, hospitals, community welfare, etc., the Bannon Government must make its tough decisions in relation to the implementation of its policies and promises.

The Hon. T.G. Roberts: Industrial development.

The Hon. R.I. LUCAS: No. I am talking about matters such as hockey stadiums, involvement in yachting ventures, three-day events, and possibly the Commonwealth Games—things like that. When a Government makes a promise (such as providing an entertainment centre) that wins it a substantial proportion of the vote it needs to take tough decisions about that section of the budget. This Government said that a horse event or a hockey centre (with which it is going ahead) were more important than the entertainment centre. Indeed, the Government obviously considers it more important to spend money on a yachting challenge, so that a few hob-nobs can drink champagne and eat sandwiches on a tender off the Western Australian coast every few years, rather than on an entertainment centre.

I am saying that within that non-essential part of the State budget a credible Premier (having made this promise and won so many votes with it) should say, 'Well, I have made this promise about the entertainment centre, so such things as horse events, yachts and other things will have to be put aside so that the entertainment centre can go ahead, perhaps at a reduced expenditure rate.'

At the same time, he should have been saying what we had said all along, that is, that instead of going for a $60 million extravaganza—which is what he wanted and which he said was the only thing that could go ahead—the alternative options available to the Government should be looked at. Surprisingly, now Premier Bannon says, 'Yes, we are now prepared to have a look at the matter.' However, back then he was saying that, of course, we could build a tin shed for less than $60 million but that for a good entertainment centre we would have to undertake the proposition put forward at that time. That idea was nonsense then and it is nonsense now.

As I have said, Premier Bannon has really lost all credibility in relation to the delivery of election promises, and the young people of South Australia will not forget the breaking of this election promise. I do not agree too often with the comments that Tony Baker makes in the *News*—some I agree with and some I do not—but the comment that he made in relation to the passion with which young people in South Australia attach themselves to the concept of an entertainment centre was spot on.

It is nonsense for Premier Bannon to say that it is a question of an entertainment centre or of schools or hospitals. We say that it is a question of the entertainment centre or things like yachts, hockey stadiums, three day horse events, and a few other things that the Government has been talking about in that, what I would call, non-essential spending area.

The Hon. J.C. Irwin: And hotels.

The Hon. R.I. LUCAS: Yes, that is a good point from the Hon. Jamie Irwin: we have this Bannon State Government spending $1.5 million buying hotels. The Minister of Tourism is in the Chamber at the moment, and I note that her department has been involved in the purchase of a hotel for about $700 000 to $750 000. These are the areas that the Bannon Government ought to reassess in relation to priorities.

It ought not to be saying that it is all the Federal Government's fault and that we really only have a choice between an entertainment centre or hospitals or schools—because that is not the case, and young people in South Australia will not accept that. It is the young people in South Australia who were sucked in, if I can use that term, by Premier Bannon and the Bannon Cabinet prior to the 1985 election, and they will not have the wool pulled over their eyes again during the 1989-90 election.

We know that during the 18 months preceding the 1989-90 election Premier Bannon will trot out another proposition for an entertainment centre. He will trot that out; it will have a greater involvement from the private sector and this one will have a slightly lower cost factor, something that the Opposition has suggested all along.

However, at some time prior to the next State election the Premier will trot out another proposition and he will once again try to take the young people of South Australia to the cleaners and try to pinch a few extra votes from that section of the voting public. But the young people of South Australia will not be fooled; they will not be as gullible next time, and they will see the Bannon Government for what it is—that is, a hollow Government lacking any substance and credibility at all, led by a Premier who also lacks any substance or credibility at all, a Premier who makes promises left, right, centre left, and wherever on education and teaching, on entertainment centres—on anything at all that will get him and his Party a vote. Then, as soon as the election is over he jettisons those promises as quickly and efficiently as he can, until the time of the next election, when he will again trot out the proposals and the promises and seek to fool the voting public of South Australia again. With those words, I indicate my support for the second reading.

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

MARKETING OF EGGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 August. Page 483.)

The Hon. J.C. IRWIN: The Bill seeks to amend the Act in relation to the board. It is part of a package of amendments now in front of us in two Bills—this one and the one to follow—aimed at improving the egg industry from producer through to consumer. Other aspects of the proposed changes are discussed in the Bill to follow this one, namely, the Egg Industry Stabilisation Act Amendment Bill.

I will concentrate my brief remarks on the board aspects of the matter. Members will recall lengthy debate on egg marketing during November 1986. The Bill proposed then did not get past this Chamber. The Bill now before us is the result of proper consultation with the industry and is acceptable to the Opposition. The Opposition supports generally the two principles of orderly marketing and properly planned deregulation. The producers of eggs, through their principal mouthpiece, the United Farmers and Stockowners, have signalled often enough that they, too, support orderly marketing and some move towards deregulation.

As I have indicated previously, the Bill's primary aim is towards changes to the board. I pick up three principal areas: first, all members of the board will be appointed by the Minister; secondly, greater flexibility within the board's activities; and, thirdly, improved financial reporting procedures. I will refer to each point briefly. First, the board will now consist of five members where previously there were seven, and two members will be nominated directly by the UF&S. To do this the UF&S will call publicly for nominations from egg producers in South Australia, whether or not they are members of the UF&S. They must, however,

be owners of 500 hens or more. The UF&S will constitute a committee of its own members to interview and then nominate two representatives to the Minister.

In the other House the shadow Minister, Graham Gunn, read into *Hansard* a letter from Red Comb seeking support for a representative of egg graders on the Egg Board. The Opposition put forward an amendment proposing that one of the five board members could represent the graders. After serious consideration and further advice on this matter the Opposition will not proceed with that amendment, and I will briefly explain why. Graders of eggs are licensed by the board. Red Comb, for example, as a grader cooperative, has many UF&S members supplying eggs to it. Producer agents and producer packers grade 55 per cent of eggs graded in South Australia. I am led to believe that Red Comb at one stage had an agro. political arm within its membership and within its operation as a cooperative. Some time ago this was disbanded and I understand there was a transfer of excess money in the kitty for that aggro political arm. That money and membership was transferred to the UF&S. On reflection, the Opposition is satisfied that the UF&S does and can represent the majority of egg producers in the State. We have noted the Minister's comments on this question.

We also note that the Minister has made clear that he will look seriously at the two representatives put forward by the UF&S to ensure that, as far as possible, all sections of the industry are considered—producers, graders and so on. We are now satisfied that the procedures put in place in this Bill supporting the UF&S nomination of two producers will be the most effective and, on a reduced board of five, will allow for good balance with suitable expertise.

The Opposition agrees that the three other board positions available should be taken up by a person with financial experience, someone with marketing expertise, and a consumer who truly represents consumer thoughts and experiences. The Chairman will come from one of the five board members. The Opposition will view with considerable concern the placing of anyone on this important board who does not truly have a proven track record. It is not an opportunity for this Minister or any other Minister to patronise a political friend for service delivered to his Party.

The Minister recently had his fingers burnt with respect to the old Egg Board and we sincerely hope that that situation will not be repeated. Reporting procedures and requirements indicated by the Auditor-General will be met under this legislation and will fall into line with reporting procedures required by other statutory bodies.

The shadow Minister moved an amendment in another place which would have had the effect of requiring an examination of the functions of the Egg Board every five years and a report to this Parliament. This amendment was not successful. However, the Opposition noted that, in the debate in the other place, both the Minister and the member for Elizabeth (Mr Evans) did not oppose in principle a suitable reporting time frame. The Minister sought Crown Law advice and he did not appear to oppose the proposition put by Mr Gunn. The Minister and his department now have had some time since the debate in the other place to consider the amendment proposed by Mr Gunn in the other place. The Opposition would appreciate advice from the Minister in this place, representing Mr Mayes, as to any proposal to insert into the Bill a review period. Otherwise, we will proceed with our amendment for a five-year review.

As I have said previously, the Opposition is happy with the amendments proposed in this Bill. We congratulate the UF&S for its patience, perseverance and advice both to us and to the Minister. I do not forget other bodies, such as Red Comb and other egg producers, handlers and persons who have had an input into the debate from the time a similar Bill was defeated last year up to this point. What has emerged from negotiations over the months prior to November last year and since will not please everyone, but the Opposition believes that the proposals in this Bill and the one following are going in the right direction. The interests of the producers, packers, wholesalers, retailers and consumers must be taken into account. The Opposition looks forward to observing the operation of a lean, innovative and efficient board which will serve the egg industry and consumers well into the future. The Opposition supports the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

EGG INDUSTRY STABILISATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 August. Page 484.)

The Hon. J.C. IRWIN: The Opposition supports this Bill. The second reading explanation in both places would barely fill one page of *Hansard*. I suppose that that is not extraordinary, but it is a far cry from the lengthier, aggressive, angry, badly researched and dogmatic second reading explanation of a Bill introduced in November last year that was intended to restructure the egg industry. It is amazing how the wheel has now turned. To his credit, the Minister has learned that, so far as the egg industry is concerned, there is no substitute for proper, meaningful consultation. Members will recall that the Premier had to drag this Minister to the barrier after the debacle of the last egg legislation in 1986. At that stage the Minister's credibility in general, and with the egg industry in particular, reached a very low ebb.

However, in relation to this Bill, we are pleased to note that the Minister of Agriculture has addressed the problems raised by the industry and the Opposition. The fact that the second reading explanation is so short and to the point reflects that the work has now been done properly. At least, when this Bill is passed, the industry will be closer to what I and members on this side understand to be the aim of the Minister and the Government—a deregulated egg industry. As I said, in speaking to the Marketing of Eggs Act Amendment Bill, the Opposition supports the two principles of orderly marketing and deregulation, and it will fight to ensure that in this Bill and others proper procedures are followed to achieve those aims. For example, if an industry develops and for years is encouraged under a regulated policy, no Government should be allowed to just drop the axe and permanently damage those who are abandoned.

I warn the Minister of Agriculture and the Government that the milk vendors are in this very same category. The Minister should think very carefully before dropping the axe on the milk vendors who have worked and spent capital under a regulated Act. They must not be abandoned without being given a proper and sensitive way out of the industry. Again, that is no different from the further deregulation contained in the egg legislation. The politics have largely been removed from this Bill, so I will keep with the spirit thus far engendered and will not make lengthy remarks about it, as I was forced to do on another occasion in the Council last year.

The Opposition is happy that this Bill will abolish the Poultry Farmers Licensing Committee. If this Bill is passed,

hen quotas will be managed directly by a new board of five members. Amendments will allow for more flexible management and control of egg supplies, egg surplus and egg and shell pulp. We note that the Bill proposes that up to 50 hens can now be kept by so-called backyard producers—it used to be 20.

The maximum number for a hen quota will be 50 000 hens. At present some existing quotas are far in excess of that figure, with one being something like 93 000 hens. It is not envisaged that existing quotas over 50 000 will be reduced, but in the future the figure of 50 000 hens will not be exceeded, although groups of producers who form themselves into co-operatives to improve efficiency and for other measures can aggregate more than 50 000 hens. Of course, this is further regulation, not deregulation. It may well be the result of a negotiated compromise between those bodies and individuals who have been talking with the Minister. I do not know whether it is a compromise. Further down the track Parliament and the industry may well need to review the whole question of hen quotas; they do not sit well with deregulation.

The voting procedures on the question of whether or not the Egg Industry Stabilisation Act should be continued have been amended. We support the amendment which now gives every egg producer, that is, producers with over 50 hens, the opportunity to vote. Previously, voting was restricted to about one-third of producers who had more than 500 birds. The definition of 'hen' has been altered from a six-month old bird to a 22-week old bird. That does not mean much to me but I am sure it means much to those who know more than I do about the industry.

The Hon. R.J. Ritson: It means much to the hens.

The Hon. J.C. IRWIN: Yes, indeed. In conclusion, I refer to the price of eggs in the market place, that is, the shops. Following the defeat of the egg legislation in November 1986 the Minister instituted moves to lower the price of eggs. The Council will remember all the fun we had here and in another place in relation to the last Bill which was brought in to reduce the price of eggs. It was suggested that, if the Bill was passed, the price of eggs would drop by 20c a dozen. However, there has already been a reduction of some note without any Bill having to be introduced. There has been a reduction in the hen levy and a reduction in the price to the consumer. I understand the total reduction was 15.5c a dozen, comprised of 9c in grower savings and 6.5c in administration savings. I am sure that consumers are happy with that move.

I am as concerned as the Minister that this price reduction is passed on as fully as is possible to consumers and not held by the retailer. My observation at one supermarket was that some but not all of the 15c is being passed on. Growers have had to accept a net 9c per dozen cut, which represents a 4 per cent drop in income. Most employees, including members of Parliament, do not seem to be looking for a 4 per cent drop in income. Rather, it is the opposite, yet here we have egg producers taking a 4 per cent cut in their income. I cannot see why all this 15.5c is not passed on to the consumer. There may be statistical advice that the 15.5c saving is passed on through prices used in different egg gradings—extra large, medium, small, and so on. I now quote briefly from the Minister of Agriculture in another place in relation to this matter; he said the following:

> I gave an assurance to the UF&S that, when the proposal to reduce the levy and price to the consumer was instituted. I would pursue, with as much vigour as possible, the aim of passing the price reduction on to the consumer and that it would benefit not just the middle men, or the handlers of the product. It is important to note that in some cases those cost reductions were not passed on and, in fact, the industry was given a week to remove old stocks at the higher price from the market shelves, but unfortunately some of the supermarkets did not play ball and they kept selling at the higher prices. In fact, a couple of supermarkets actually increased the price of eggs after the price had been reduced from the producer through to the packer. That is a rather extraordinary state of affairs and I can assure members that those concerned received a fairly sharp response from my office.

I raised this matter in some detail last year, and I am glad to hear the Minister of Agriculture comment to that effect in his second reading reply. The Opposition supports the Bill.

The Hon. M.J. ELLIOTT: The Democrats support this Bill. We opposed the Bill that was before this place last year because we felt that the abolition of orderly marketing was not the way to go. We have been consistent supporters of orderly marketing in contrast to the Liberal Party which, not that long ago, assisted in the demise of the Potato Board. Members really need to examine their navels a little more carefully at times and ask themselves whether or not this blind acceptance of deregulation, which they subscribe to most of the time, is really all that sensible. In this case they have subscribed to some regulation by allowing the Egg Board to continue. I hope that there is a salutory lesson for the Minister—

The Hon. Peter Dunn: At least we gave the industry a chance to do something.

The Hon. M.J. ELLIOTT: This time!

The Hon. Peter Dunn: We did before, too.

The Hon. M.J. ELLIOTT: Not with the Potato Board. The Government, and particularly the Minister, did need to learn a lesson, and that lesson was to negotiate with the people who know best. The UF&S did know the industry very well, and I do not believe that the Minister or his department sufficiently consulted with that body before he went ahead with his previous intention to abolish the board. Some supermarkets are not lowering their prices, even though the price at the farm gate has dropped, and this indicates clearly how deregulation fails. It might even be necessary for stronger attention to be paid to the supermarkets; they are not going to play ball.

The deregulation argument fell down there and then because the price dropped at the farm gate. What did the supermarkets do? They increased their profit levels. Therefore, the theory is flawed and we are seeing a classic case of that now. I support the second reading.

Bill read a second time.

REAL PROPERTY ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 12 August. Page 115.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill, which reflects the provisions which were enacted two years ago to allow the lodging at the Lands Titles Office of standard terms and conditions of mortgages. This Bill deals with standard terms and conditions of leases. The proposition two years ago, which has now had some two years to be tested, was that instead of bulky mortgage documents being deposited at the Lands Titles Office, thereby occupying a considerable amount of space and requiring on each occasion of the preparation of a lease that those standard terms and conditions be incorporated in all of the copies of the documents, including those which went to the mortgagee, the standard terms and conditions of a mortgage were to be handed to the mortgagee and the mortgagor and would be available for perusal by any member of the public at the Lands Titles Office.

At that time I indicated that I had one or two reservations about the proposal, particularly in respect of public searching of the standard terms and conditions, and matching them with a particular mortgage document, but it appears that that difficulty has been overcome. Although, as the second reading explanation indicates, there were at that time some practical problems in the system, those problems have now been worked out. We now have in this Bill a proposition which deals with leases which will enable the standard terms and conditions to be deposited at the Lands Titles Office and for the lease documents lodged for registration to make reference to those standard terms and conditions rather than specifically including them in printed form in each document.

This procedure will be particularly helpful for large developments, such as shopping centre developments and office buildings, where there are numerous leases for premises within those developments and as a result there will be no difficulty which I can envisage occurring if the standard terms and conditions are deposited at the Lands Titles Office and are also handed to the parties at the time that the document is executed. The Law Society, the Real Estate Institute, and the Landbrokers Society see no difficulty with the proposition, and accordingly I am prepared to support this Bill.

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

SUMMARY OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 August. Page 115.)

The Hon. K.T. GRIFFIN: The Opposition is prepared to support this Bill. Section 73 of the Summary Offences Act deals with the power of a member of the Police Force to enter places of public entertainment and order certain persons who are in that place of public entertainment to leave it. It also presently provides that, if a person is ordered to leave a public place of entertainment by a member of the Police Force and that person returns on the same day, a member of the Police Force can forcibly remove that person from the place of public entertainment and take that person into custody. The Bill also provides that it shall be an offence for any person to remain in a place of public entertainment after being ordered to leave, and if that person returns on the same day, having been removed or having been asked to leave a place of public entertainment pursuant to section 73, that person shall be guilty of an offence. At the moment the definition of 'place of public entertainment' includes:

> Any premises or place open to the public whether on payment of money or not and kept or used for any entertainment, amusement, sport, game or contest.

Under section 73 as it now stands, a member of the Police Force does have the capacity to order any common prostitute, reputed thief or disorderly person to leave a place of public entertainment. The second reading explanation indicates that, as a result of an interpretation of the description 'disorderly person' by the court in 1981, the reference is not to a person who may be behaving in a disorderly manner but to someone who, by a course of conduct, has established himself or herself to be a disorderly person.

The Bill overcomes that, because it provides that a police officer has power to enter a place of public entertainment and to order any person behaving in a disorderly or offensive manner to leave, so it is not necessary to establish a course of conduct or a reputation before a police officer can order a person behaving in such a manner to leave. Under the new section the police can use such reasonable force as is necessary to remove a person behaving in a disorderly or offensive manner, and certain offences are prescribed: namely, where a person remains in a place of public entertainment after having been ordered to leave, there is an offence; or if a person re-enters or attempts to re-enter a place of public entertainment within 24 hours of having left, or having been removed from such a place, again there is an offence.

The maximum fine is $2 000 or imprisonment for six months. The advantage of having the time period of 24 hours inserted is that, under the old section, reference is made to returning on the same day. I suppose one could contemplate a person being required to leave a place of public entertainment at 11.30 p.m. and returning at 12.30 a.m. the next day, the criteria of the present section having not thereby been satisfied. So, the 24 hour time limit will be helpful.

To the removal of the reference to a common prostitute or reputed thief I do not raise any objection. I do not think that that reference in the section has ever caused any difficulty and, quite obviously, when it was enacted in 1936 I understand that it was designed to make it easier for places of public entertainment to be policed, to maintain order and to eliminate questions of soliciting, and also in terms of reputed thieves, pick-pockets, and so on, having something of a field day.

I think that the new section 73 will be adequate. My consultation with various persons, including members of the Police Force involved in this area of the law, suggests that there is no difficulty. Accordingly, I indicate my support for the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Repeal of section 73 and substitution of new section.'

The Hon. K.T. GRIFFIN: I notice that there is no definition of 'place of public entertainment' in the new section. I have raised this on a previous occasion in relation to other legislation where previously there has been a definition of 'place of public entertainment' in particular sections. Does the Attorney-General envisage any difficulty by virtue of the fact that there is no definition in this clause relating to a place of public entertainment?

The Hon. C.J. SUMNER: I hope not. All I can do is refer the honourable member's question for advice from Parliamentary Counsel and, if it seems that there is any question of a problem, I will have the matter examined in the lower House.

Clause passed.

Title passed.

Bill read a third time and passed.

WEST BEACH RECREATION RESERVE BILL

Adjourned debate on second reading.

(Continued from 19 August. Page 314.)

The Hon. DIANA LAIDLAW: The Opposition supports this Bill, which seeks to repeal the West Beach Recreation Reserve Act 1954, and seeks to restructure the controlling authority of the reserve, which is the West Beach Trust. The reserve comprises some 160 hectares of land immediately west of the Adelaide Airport, bounded by Tapleys Hill Road, Anderson Avenue, the coast and West Beach Road.

It was created in 1954 by the Playford Government to provide open space for recreation purposes. Prior to this time it was held by the South Australian Housing Trust and was intended for close urban housing development.

Having looked at some of the history of the trust, and considering the crisis that we face today in the lack of affordable shelter and suitable housing, and the trust's frustration in acquiring land near to the city of Adelaide, it is difficult not to speculate how dearly it would covet this land today if it was in fact at its disposal. However, that is not the case and it is certainly not the intention in this measure to open up this reserve to uses other than by the West Beach Trust.

The open space recreation area is a valuable and valued asset within the Henley and Grange, West Torrens and Glenelg communities. The reserve provides a wide range of recreational activities including golf, softball, baseball, yachting, soccer and tennis. Also increasingly, the reserve is becoming an important asset to the State, providing an impressive range of low to medium cost accommodation options. These include a very attractive caravan park, caravan village and village or chalet units. Many of these recreational and tourist facilties have been developed or upgraded in recent years and great credit is due to the trust for these excellent initiatives.

The Hon. C.J. Sumner interjecting:

The Hon. DIANA LAIDLAW: For all trust members. As the Attorney knows, any fault or good deed by a Government is not claimed by the Premier alone, but is the responsibility of all members, and the same applies with this trust. However, the trust is not prepared to stand still. It is very keen to expand and use the wonderful site at its disposal to its full potential. Accordingly, in 1984-85, the trust commissioned consultants Kinhill Stearns to prepare a future development plan. The consultants' report recognised that the progressive development of the trust's lands had created an excellent tourism and recreational asset of both local and State significance. It also made recommendations on land use for the reserve, recommending—and I understand that the trust is keen to pursue these matters—new facilities and services, such as shopping venues, a country club and the revitalisation of Marineland, and steps have been taken in respect to the latter.

I deliberately highlight the background of the trust, the excellent initiatives taken in the past and the plans for the future, and also the consultants' endorsement of the developments undertaken on the site, because I believe it is important to recognise that the progress to date has been undertaken by a trust of which the majority of members have been representatives of local government. It is the view of the Opposition that the membership of this trust should remain with a majority of members of local government—an opposite view to that proposed in the Bill.

When the formation of the trust was first envisaged in 1954, Henley and Grange, Glenelg and West Torrens councils were all invited to participate. All those councils were either within the trust area or abutted the reserve. Initially, all three councils agreed to do so. I believe that it would be of interest to members to hear some of the history of this matter. On 5 April 1954 the Henley and Grange council agreed to the establishment of the trust. Later that month, on 20 April, the council approved of the proposed trust and accepted responsibility for a third share of the $40 000 to be contributed to the development of the land over the following five years.

A council election was held a little later and matters changed with the change in composition of the council. Following the election the council resolved:

> That a further conference be held with the other two councils involved in an endeavour to determine a working scheme of control in view of our recent council elections giving mandate against spending ratepayers' moneys.

On 2 August 1954 it was further resolved that the Town Clerk write to the Premier (Premier Playford) indicating the council's decision to withdraw from the West Beach reserve scheme in its then present form. When that Bill was debated in March 1955 the Premier of the day said:

> The original proposal placed before the Henley and Grange corporation was that it would be a constituent member of the trust, with membership rights. If that corporation signifies a desire to join the trust at any time I am sure that the Government will immediately take steps, if they are not already provided for, to enlarge the trust to give that corporation full representation.

I emphasise that it would be prepared to 'enlarge the trust to give that corporation full representation'.

The passage of that Bill in 1955 provided for three members of each of the West Torrens and Glenelg councils plus a Chairman elected from a group of individuals. In the following years, just a decade later, membership of the Henley and Grange council changed again. In 1962, 1963 and 1964 they attempted to gain membership of the trust. However, the other two councils, West Torrens and Glenelg, were not keen to oblige those requests, as both had put up considerable sums of money a decade earlier and were not pleased with the new overtures from the Henley and Grange council.

Even in 1973, when the Act was amended and the trust membership was changed, providing power for the Minister of Local Government to appoint three members, including the Chairman, and cutting back representation from both Glenelg and West Beach councils to two members, it was not considered appropriate that Henley and Grange be included in the revised membership. Hence we come to a further decade in 1985 with the report by Kinhill Stearns.

That consultants' report recommended that the trust remain the same size and consist of seven members, but that the Minister appoint four of those members rather than three, and that the number of representatives from local government be three instead of the existing four members, those three comprising representatives from Glenelg council, West Torrens council and Henley and Grange council, which clearly had been forgiven by both neighbouring councils.

Perhaps because of inflation the money that was originally put in means nothing today. I am not sure why they have been forgiven but, a generation on, they have. The recommendation from the consultant's report is that Henley and Grange council be included. Page 6 of the report notes as follows:

> The reserve is not contained within one local government area. The majority of the reserve falls within the city of West Torrens and a small portion lies within the city of Henley and Grange. The latter council is not represented on the trust, yet Glenelg City Council provides two members. Therefore, it is timely to consider whether trust representation and council boundaries are adequate or appropriate.

The reports further states:

> A rationalisation of boundaries, particularly with respect to the city of West Torrens and the city of Henley and Grange, is something which should be examined further by the Minister.

It certainly has been examined further by the Minister and, late in 1985 and early in 1986, the Minister consulted with all the councils. As I understand, it was the advice of those councils at the time that they were not prepared to accept the recommendations of the consultant's report and that they wished to maintain majority control. That was the advice that was provided to the Minister approximately 18 months ago.

When this Bill was introduced, my colleague in the other place (Hon. Bruce Eastick) spoke with the three councils concerned and was most surprised to learn, as they in turn were surprised, that this was the first knowledge that they had received of the introduction of this Bill, let alone a Bill based on the consultant's report rather than on consultations with local government itself. Accordingly, all the councils have written to the Hon. Dr Eastick, and I will read from the three letters. The first letter, from Glenelg council, is as follows:

I confirm our telephone conversation of today, in that my council has advised the Minister of Local Government that it agrees that the Henley and Grange council should be represented on the West Beach Trust, and requests that two representatives from that council be added to the membership of the trust as currently constituted.

The letter was signed by the Acting Town Clerk (R.K. Baker). The West Torrens council letter reads as follows:

I refer to the current Bill before Parliament to repeal the West Beach Recreation Reserve Act 1954 and in particular clause 7 relating to the intended revised local government representation on the trust.

Ever since its original inception, local government has had either total or a majority representation on the trust and the standard of development achieved to date must be conclusive evidence of the managerial ability of its members, both past and present; therefore, any suggestion that future development of the reserve requires expertise not available in the trust as presently constituted is baseless rhetoric.

West Torrens does not oppose representation by Henley and Grange council on the trust; indeed, it sees this as a progressive move towards an involvement in future development by the three councils directly affected. In this regard, however, council is categorically opposed to the proposal to transfer majority representation on the trust from local government to other outside interests and accordingly seeks your support in amending the Bill to provide either *(a)* the inclusion of two representatives from Henley and Grange to the trust as it is presently constituted or *(b)* and in recognition of the greater interest of West Torrens, the retention of a trust comprising of seven members—two of whom shall be from West Torrens and one each from Henley and Grange and Glenelg.

That letter is signed by the Town Clerk (H.W. Boyce). The letter from the City of Henley and Grange reads as follows:

Further to our recent telephone conversation, I enclose herewith a copy of council's 1986 submission to the Minister of Local Government indicating council's desire to become involved in the management of the West Beach Trust. There is a minor and major concern relating to the Bill now before Parliament. The minor issue is that the name of my council is incorrect, that is, it should be 'City of Henley and Grange' rather than 'Corporation of the City of Henley and Grange'.

The major issue involves local government representation on the trust. The Henley and Grange council fully supports the concerns expressed by the Glenelg and West Torrens councils that the Bill removes local government autonomy. Council has advised the Minister of Local Government that the three neighbouring councils should collectively have sufficient representation to ensure that the views of local government are fully recognised and decisions determined accordingly. Council has been keen to be involved with the trust since the initial discussions in 1954. I hope that its ambition can be realised during this session of Parliament.

That letter was signed by the Town Clerk (Tony Stacey). It is the view of the Opposition that the request of these three councils, that local government maintain majority control on the council and that that be met by representation of two members from each council, is one that it is important for this Parliament to support. As the City of West Torrens indicated in its letter, and as I indicated earlier in my contribution, the trust has a very proud record of achievement in developing the reserve, and there is no reason to believe, in respect of its past achievements or future plans, that this Parliament should not have confidence in local representation from local government being the majority on that trust. Accordingly, the Opposition will move amendments that there be two members appointed from each of the Glenelg, Henley and Grange and West Torrens councils, one of whom in each case will be an officer of the council with the other being a member of the council. That will require an increase in the size of the trust from the present seven members.

Also, the Opposition will move amendments along the lines of amendments suggested in the letter from the Henley and Grange council. The fact that the Henley and Grange council has been incorrectly referred to in the Bill as the Corporation of the City of Henley and Grange, rather than the City of Henley and Grange, is some slight on the part of the department and the Minister. Further, amendments on file relate to our concern in respect of the parking of vehicles. Similar concerns were raised during the last session, in October 1986, in respect of the Private Parking Act. At that time, the Hon. Trevor Griffin expressed concern about the reference to both the owner and driver being guilty of an offence. We were concerned that only the driver should be subject to a penalty arising from such offences and that the owner should not be involved in such circumstances. An amendment in these terms was agreed to by the Minister at the time. We believe that similar amendments should be made to this Bill. I realise that time is short and that we have all had a long day and a long week, so I shall raise the other matters of concern to the Opposition during the Committee stage. However, I indicate that Opposition supports the Bill but that we will move important amendments concerning the composition of the trust.

Bill read a second time.

PLANNING ACT AMENDMENT BILL (No. 2)

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 detailed explanation of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill seeks to amend the Planning Act 1982 in two respects. First, the Bill seeks to change the provisions governing the composition of the South Australian Planning Commission and the Advisory Committee on Planning. Secondly, the Bill seeks to amend the procedures for preparation of amendments to the planning policy set out in the Development Plan under the Act, in so far as the process concerns referral to the Joint Committee on Subordinate Legislation.

The Bill seeks to enlarge the Planning Commission from three members to five. The current composition of the commission has created two problems. First, a membership of three does not enable the commission to reflect a wide range of views. Debate on proposals can become restricted, particularly when one member is disqualified from participating in a debate due to having an interest in a matter. Secondly, the Act currently provides for deputies to the members of the commission. While deputy members have performed very well in their role, it is clear that these members suffer from lack of continuity, particularly when an issue has been the subject of consideration over a number of meetings.

To overcome these problems, it is proposed to abolish the concept of deputy members, and enlarge the commission from three to five, with a decision-making quorum of three.

The enlarged commission will then reflect the wider background in society. It is proposed to retain the current planning professional and local government based members, and replace the current third member with an urban development/industry/design related person, an environmental/natural resources/community facilities person, and a second planning professional, who shall act as Chairman in the absence of the appointed Chairman. The commission will then have a better balance, and continuity problems will be overcome. The Bill also inserts provisions to attach liability against members of the commission, to the Crown, where that member acted in good faith in the performance of his or her duties. This is a common provision for statutory authorities such as the commission.

The Bill also amends the composition requirements of the Advisory Committee on Planning to provide that the Committee must still include a member who is a planning professional, but that this need not be the Chairman of the Planning Commission. The second area of amendment refers to the role of the Parliamentary Joint Committee on Subordinate Legislation. Section 41 of the Act currently provides that proposed Supplementary Development Plans must be referred to the Parliamentary Joint Committee on Subordinate Legislation before they can be authorised and provides the committee with 28 days in which to examine plans. It is now evident that this has created problems from time to time for plans given interim effect under section 43 of the Act.

This section enables plans to be given interim effect during the public display and authorisation process, thus preventing proposals from undermining the intention of such plans during the display period. The Act currently provides that such interim effect expires after 12 months. Without implying any criticism of the Joint Committee, it is clear that many plans have still been at the Joint Committee stage when the 12-month limit has neared lapsing. To ensure that such plans do not lapse in these circumstances, it is proposed that the 12 months lapsing provision not apply once a plan has completed the full display process and been referred to the Subordinate Legislation Committee. Like regulations, such plans will then remain in effect until such time as the plan is disallowed, revoked or suspended.

Clauses 1 and 2 are formal.

Clause 3 amends section 10 of the principal Act in the manner already outlined.

Clause 4 amends section 11 of the principal Act so that either the Chairman or the Deputy Chairman must be present at every meeting of the commission.

Clause 5 inserts an immunity provision.

Clause 6 removes the requirement from section 14 that the Chairman of the commission must be the Chairman of the advisory committee.

Clause 7 makes the other amendment already discussed.

The Hon. L.H. DAVIS secured the adjournment of the debate.

TECHNICAL AND FURTHER EDUCATION 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.

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

Leave granted.

Explanation of Bill

In essence the Bill is intended to achieve two things. First, the main amendment extends to officers of the teaching service certain long service leave entitlements available to public servants under the Government Management and Employment Act. This move reflects long standing practice to align, wherever possible, leave conditions for public servants and officers of the teaching service.

Secondly, other amendments are intended to assist understanding and calculation of long service leave entitlements by repealing certain provisions that are either too detailed or no longer necessary and replacing them, where appropriate, with terms and expressions similar to those in the Government Management and Employment Act.

Specifically, the main thrust of the Bill is to allow officers of the teaching service to take pro-rata long service leave after seven years effective service at the discretion of the Director-General. Should leave be approved normal conditions will apply viz., the timing and extent of the leave will be subject to Departmental convenience.

A further amendment which also flows from the Government Management and Employment Act, provides for long service leave payments to be calculated at non-substantive salary rates if the Director-General so decides. Such a provision would cater for, say, an officer who has acted at a higher classification level for an extended period prior to taking long service leave and who expects to return to that classification level following the leave.

The remaining amendments are either consequential on the principal amendments or reflect a general tidying up of the existing Act. A transitional clause will ensure that officers of the teaching service are neither advantaged nor disadvantaged by the repeal or rewording of existing provisions.

Clauses 1 and 2 are formal.

Clause 3 amends section 4 (2) of the Act which defines 'effective service' of an officer for the purposes of the Act to mean the continuous full-time service of the officer (subject to Ministerial discretion). The amendment removes the reference to full-time so that continuous part time service automatically counts as effective service.

Clause 4 substitutes sections 19, 20 and 21 of the Act which are the main long service leave provisions. The new section 19 provides that an officer accrues an entitlement to long service leave as follows:

(a) 63 days for the first seven years of effective service;

(b) 0.75 of a day for each complete month of effective service from the 8th to the 15th year;

and

(c) 1.25 days for each subsequent complete month of effective service.

It also ensures that any long service leave entitlement that accrued before the commencement of the Bill will not be affected and that any entitlement to five year pro rata long service leave that would have arisen apart from the Bill will be preserved.

The new section 20 provides for the taking of long service leave. It introduces the possibility of taking long service leave after the seventh year of effective service but before the tenth such year. After 10 years there is an entitlement to take long service leave. In all cases, long service leave may only be taken in respect of completed years of effective service and only at times and for periods that are, in the opinion of the Director-General, convenient to the Department. The salary payable to an officer on leave is that applicable to the officer's substantive classification level. The Director-General may authorise payment to the officer

of additional salary or allowances. An officer may elect to take twice the length of long service leave on half salary. A part-time officer may elect to take a reduced amount of leave on the pay applicable to full-time service.

The new section 21 entitles an officer who has completed at least seven years effective service to payment in lieu of long service leave on ceasing to be an officer. If such an officer dies the equivalent payment is to be made to the officer's personal representative or such of the officer's dependants as the Minister considers appropriate. If there are any outstanding claims under the Act against the officer, the section empowers the Minister to deduct an appropriate amount from the payment in lieu of long service leave.

The Hon. L. H. DAVIS secured the adjournment of the debate.

EDUCATION 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.

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

Leave granted.

Explanation of Bill

In essence the Bill is intended to achieve two things. First, the main amendment extends to teachers certain long service leave entitlements available to public servants under the Government Management and Employment Act. This move reflects long standing practice to align, wherever possible, public servants and teachers' leave conditions.

Secondly, other amendments are intended to assist understanding and calculation of long service leave entitlements by repealing certain provisions that are either too detailed or no longer necessary and replacing them, where appropriate, with terms and expressions similar to those in the Government Management and Employment Act.

Specifically, the main thrust of the Bill is to allow teachers to take pro-rata long service leave after seven years effective service at the discretion of the Director-General. Should leave be approved normal conditions will apply viz., the timing and extent of the leave will be subject to Departmental convenience.

A further amendment which also flows from the Government Management and Employment Act, provides for long service leave payments to be calculated at non-substantive salary rates if the Director-General so decides. Such a provision would cater for, say, a teacher who has acted at a higher classification level for an extended period prior to taking long service leave and who expects to return to that position following the leave.

The remaining amendments are either consequential on the principal amendments or reflect a general tidying up of the existing Act. A transitional clause will ensure that teachers are neither advantaged nor disadvantaged by the repeal or rewording of existing provisions.

Clauses 1 and 2 are formal.

Clause 3 amends section 5 (2) of the Act which defines 'effective service' of an officer for the purposes of the Act to mean the continuous full-time service of the officer (subject to Ministerial discretion). The amendment removes the reference to full-time so that continuous part time service automatically counts as effective service.

Clause 4 substitutes sections 19, 20 and 21 of the Act which are the main long service leave provisions. The new section 19 provides that an officer accrues an entitlement to long service leave as follows:

(a) 63 days for the first seven years of effective service;

(b) 0.75 of a day for each complete month of effective service from the 8th to the 15th year;

and

(c) 1.25 days for each subsequent complete month of effective service.

It also ensures that any long service leave entitlement that accrued before the commencement of the Bill will not be affected and that any entitlement to five year pro rata long service leave that would have arisen apart from the Bill will be preserved.

The new section 20 provides for the taking of long service leave. It introduces the possibility of taking long service leave after the seventh year of effective service but before the tenth such year. After ten years there is an entitlement to take long service leave. In all cases, long service leave may only be taken in respect of completed years of effective service and only at times and for periods that are, in the opinion of the Director-General, convenient to the Department. The salary payable to an officer on leave is that applicable to the officer's substantive classification level. The Director-General may authorise payment to the officer of additional salary or allowances. An officer may elect to take twice the length of long service leave on half salary. A part-time officer may elect to take a reduced amount of leave on the pay applicable to full-time service.

The new section 21 entitles an officer who has completed at least seven years effective service to payment in lieu of long service leave on ceasing to be an officer. If such an officer dies the equivalent payment is to be made to the officer's personal representative or such of the officer's dependants as the Minister considers appropriate. If there are any outstanding claims under the Act against the officer, the section empowers the Minister to deduct an appropriate amount from the payment in lieu of long service leave.

The Hon. L.H. DAVIS secured the adjournment of the debate.

ADJOURNMENT

At 6.5 p.m. the Council adjourned until Tuesday 8 September at 2.15 p.m.