

## LEGISLATIVE COUNCIL

Tuesday 20 February 1990

The **PRESIDENT (Hon G.L. Bruce)** took the Chair at 2.15 p.m. and read prayers.

## PAPERS TABLED

The following papers were laid on the table:

- By the Minister of Tourism (Hon. Barbara Wiese):  
Committee Appointed to Examine and Report on Abortions Notified in South Australia—Annual Report, 1988.
- By the Minister of Local Government (Hon. Anne Levy):  
Public Parks Act 1943—Disposal of parklands, corner Clare and Kapunda Roads, Kapunda.

## QUESTIONS

## NATIONAL CRIME AUTHORITY

**The Hon. K.T. GRIFFIN:** I seek leave to make an explanation before asking the Attorney-General a question on the subject of the Stewart report.

Leave granted.

**The Hon. K.T. GRIFFIN:** I refer to the Attorney-General's revelation for the first time last Thursday, 15 February, of his meeting with members of the National Crime Authority at dinner on 19 July last year. The Attorney-General told the House last Thursday that during this meeting the Operation Ark matter was discussed and 'there was an indication that there would be a review of that matter by the Faris authority'. This admission was a clear change in the Attorney-General's story. Previously, he had attempted to give the impression that he had not been aware until December, after the State election, that the Operation Ark investigation was being reviewed by Mr Faris. I refer, for example, to the Attorney-General's statement on the *7.30 Report* on 5 February when he said:

I became aware that there were earlier documents relating to the so-called Operation Ark which had been prepared within the Stewart Royal Commission. I became aware of those, that is, that there were actually documents. I became aware of those officially in December last year.

In the light of this new and revealing admission from the Attorney-General, which causes further speculation that the transmission to the South Australian Government of documents relating to Operation Ark was deliberately delayed until after the State election, will the Attorney-General answer the following questions:

1. At his meeting with the NCA on 19 July, was he advised that Mr Justice Stewart had completed a report or documents on the Operation Ark investigation which the newly constituted authority had decided not to transmit to the South Australian Government, particularly as that decision appears to have been taken by Mr Faris on 2 July, only 17 days previous to the dinner meeting?
2. Was he informed of any of the recommendations made by Mr Justice Stewart?
3. Did he ask Mr Faris to complete his review as soon as possible to ensure any failure of administration in the South Australian Police Force could be dealt with expeditiously?

**The Hon. C.J. SUMNER:** I think I have answered all reasonable questions in relation to this matter now over the

past three weeks or so, either at press conferences or in this Chamber. I have no recollection of having been informed of the contents of any document that Mr Justice Stewart prepared prior to 30 June, which is the second question asked by the honourable member. As to the other questions, I have already answered those as best as I possibly can. The reality is that the meeting I referred to on 19 July was an informal discussion. As I said last week, no notes were taken on it. It was an attempt to explore informally with the new Chairman of the National Crime Authority and Mr Leckie the situation relating to Mr Faris's view of the National Crime Authority in South Australia and the National Crime Authority generally.

Frankly, I am not in a position to answer the questions beyond the answers I have given previously. I can assure the honourable member that there was no deliberate attempt to avoid receiving this particular matter—the Operation Ark report—prior to the State election. That clearly was not the case. The production of the reviewed report by the Faris authority was a matter for the authority. I am sure that, if the honourable member wants to pursue that through the joint parliamentary committee, he has an alley into that committee if he wants to use it; then I am sure that the authority will confirm that it was the authority's decision to complete that report in the manner that it did and that there was no influence brought to bear by the South Australian Government.

## MINISTERIAL STATEMENT: MARINELAND

**The Hon. BARBARA WIESE (Minister of Tourism):** I seek leave to make a statement about the Marineland select committee.

Leave granted.

**The Hon. BARBARA WIESE:** On behalf of the Minister of Industry, Trade and Technology, I now wish to table some 1 000 pages of documents relating to decisions leading to, first, the Tribond redevelopment proposal for Marineland, and subsequently the Zhen Yun proposal. As members are aware we will vote in the near future on the question of establishing a select committee to investigate issues relating to the decisions concerning the redevelopment of Marineland. The Government believes such an inquiry would be both costly and unnecessary as we have been very forthcoming in discussing a range of issues both in the Parliament (and that is reflected in the substantial amount of *Hansard* references attached to these documents) and in comments made outside this place.

As members would be aware, we have also offered full briefings to the Opposition and the leader of the Democrats—offers which have been rejected. I note also that a recent offer by the West Beach Trust to brief all members of Parliament on Marineland issues was taken up by only one member. Therefore, these documents are being tabled in both Houses today to give members in this place opportunity to consider the facts before they vote on a select committee. In urging members in another place to seriously consider the need for a select committee, I make clear that the Government will co-operate fully if a committee is established.

The material which is being tabled today and which my colleague, the Minister of Industry, Trade and Technology, will also be making available to the media constitutes, to the best of his knowledge, all the files in the possession of the Ministry and that of the Department of Industry, Trade and Technology relevant to the Tribond proposal and the subsequent decision allowing Zhen Yun to develop the

Marineland site. My colleague, the Minister of Local Government, has also been asked to request the West Beach Trust to provide for tabling all relevant documents.

Not included in the material I am tabling today are Cabinet documents, intra-Government legal advice from the Crown Solicitor, minor material (such as invoices) relating to specific payments under the guarantee, and some specific financial information which would be clearly prejudicial to the commercial position of the developers. Apart from Cabinet documents and Crown Solicitor's advice all this other material will be made available to members if they wish a private viewing. This can be arranged through the Minister for Industry, Trade and Technology's office. In tabling this material, I can also confirm the decision to release all parties from the 'confidentiality clause' included in compensation agreements relating to the wind up of Tribond. On 6 October last year, the Minister wrote to the solicitors for the Abels indicating he would agree to a release from the clause, but we are still awaiting a final response from the Abels to the matters raised.

Given that a select committee would wish to examine all aspects of the matter the Government has decided to do this, notwithstanding that we have not yet received a response from the solicitors for the Abels to the Crown Solicitor's latest letter of 4 December 1989. I make clear, however, that there are still two matters before the courts and these limit the comments we can make in relation to the Marineland project. This Government supports and acts on 'Separation of Powers' and it would be quite improper for me to comment on, or answer questions relating to, matters before the court as this may be seen as having a propensity to influence the court. This has been a key point in the exchange of correspondence between the legal representatives of the Government and the Abels. Therefore while I have tabled the documents I am constrained as to the comments I am able to make on their contents, and I will also be constrained in my response to comments that may be made by others about their contents in the public arena.

I conclude by reminding members that the Government has at all times endeavoured to provide as much information as possible on this topic, but has had to do so within boundaries of legal and commercial propriety. I seek leave to table the documents.

Leave granted.

### TOURISM

**The Hon. DIANA LAIDLAW:** I seek leave to make a brief explanation before addressing a question to the Minister of Tourism about promoting South Australia overseas.

Leave granted.

**The Hon. DIANA LAIDLAW:** Tomorrow, representatives of the Australian Tourism Commission will brief South Australian tourism operators on how the commission proposes to spend \$18.5 million this coming year to promote Australia overseas, that sum being part of a \$31 million Federal Government rescue package for the industry arising from the pilots' dispute. Generally, tourism operators appear to welcome this strategy focused on promotion because, since September last, the dispute has led to a sharp and damaging decline in the number of overseas tourists to the State. However, operators have informed me in recent days that they are both anxious and angry that the Bannan Government has not sought to complement the Federal Government's rescue exercise by injecting vital funds into the marketing and promotion of South Australia overseas.

They argue that even before the pilots' dispute South Australia was the poor relation in terms of Government

dollars allocated to tourism promotion. They acknowledge, as I do, that in the past year the Government did increase funding for marketing and promotion, but the fact remains that the previous base was so low compared to other States and Territories. This increase has not lifted the State from the bottom rung of Government funded and supported tourism promotion initiatives, nor does the increase accommodate the urgent need at present to promote the State overseas in order to avoid lasting damage to the industry in South Australia arising from the pilots' dispute. Therefore, my questions to the Minister are:

1. Does she concede that in an increasingly competitive international market the Government's allocation for marketing South Australia is low or abysmally low compared to other States and Territories?

2. To help tourism operators in South Australia recover from the pilots' dispute, what special marketing initiatives and at what costs will the Government undertake through Tourism South Australia to complement the \$18.5 million rescue package proposed by the Federal Government to help raise the State's profile and image internationally?

**The Hon. BARBARA WIESE:** The honourable member has raised an issue which has been close to my heart for a long time. If she had read my public statements over a long period she would be aware that it is my view that the Government should be spending more on tourism marketing than it currently does. It is because I hold that view that I have put two substantial proposals to the Government in the last two budget periods. This has enabled us to lift significantly our marketing budgets in South Australia for tourism promotion. I hope that the submission that I put to the Treasurer this year will lead to another lift in the promotional budget for Tourism South Australia during the course of the next financial year.

I think that that deals with the question whether or not I am committed to the need for appropriate promotional funding, and that the performance of the Government in this area indicates that the Government has demonstrated its commitment to the need to promote the State. I might say, too, that it is not sufficient for the Hon. Ms Laidlaw or any other members in this place simply to look at our tourism marketing budget to measure the performance of this Government in marketing South Australia. It is particularly important to look at the work of the Australian Formula One Grand Prix and the money invested there in raising South Australia's profile. It has been an important image builder for South Australia. It is important to look at the money that has been invested in the Convention Centre and the recently opened Exhibition Hall as well as the marketing funds that are provided to that organisation to see the sort of investment that this Government has put into promoting South Australia as a destination.

So, certainly the Government and I are committed to doing the very best we can within the resources available to us. During the past two years we have demonstrated our commitment to increasing the funds that are made available; and I hope that that will occur again this next year. I warmly congratulate the Federal Government on the moves that it—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** —recently announced in providing a considerable amount of money both for international promotion—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** —and for domestic promotion—

*Members interjecting:*

**The PRESIDENT:** Order! The Council will come to order.

**The Hon. BARBARA WIESE:** —to ensure that any effects that may have accumulated as a result of the pilots' dispute are soon overcome and that South Australia is restored to its rightful place as a very popular tourism destination in Australia.

**The Hon. Diana Laidlaw:** What is South Australia doing?

**The Hon. BARBARA WIESE:** If you wait I will tell you.

*Members interjecting:*

**The PRESIDENT:** Order! The honourable Minister has the floor.

**The Hon. BARBARA WIESE:** If you wait you will hear the story, but you are going to hear it as it is, not only bits of it.

**The PRESIDENT:** Order! The honourable Minister will address the Chair.

*The Hon. Diana Laidlaw interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** The industry is quite convinced, and you obviously don't have much appreciation of what is happening in the industry here.

**The PRESIDENT:** Order! The honourable Minister will address the Chair.

**The Hon. BARBARA WIESE:** Thank you for your guidance, Mr President. It would be helpful if members opposite did not interrupt so that I could finish my reply. The Federal Government is about to start a spending program in international markets which is fully supported by this Government and which will certainly enjoy our support and involvement. One of the first steps is a joint industry/Government mission, which will be undertaken by people involved with Federal and State Governments as well as industry representatives, to our major markets overseas to ensure that people understand that Australia is again well and truly open for business and that they can be confident that, if they are selling Australia as a destination, they will be able to deliver what they offer.

At the end of this month this mission will embark on a visit, first, to South-East Asia, Europe and Japan. As I understand it, the Hon. Clyde Holding, the Federal Minister for Tourism, was to lead that mission. However, as a Federal election is now under way, I understand that he is unlikely to be part of it; but certainly very senior people will undertake the mission. The Managing Director of Tourism South Australia will be in Europe and Japan at about the same time and is, therefore, scheduling his program to coincide with that mission and therefore will be able to put South Australia's case very clearly in those markets to make sure that people understand that South Australia is accessible. Down the track there will be some advertising and promotion opportunities of which South Australia will take full advantage.

**The Hon. Diana Laidlaw:** What does 'down the track' mean?

**The Hon. BARBARA WIESE:** Within the next 12 months. The judgments about what markets and the timing of appropriate promotional exercises is still being worked on, and we will make our judgments based on when we think it is most appropriate to enter particular markets in order to be absolutely certain that our message can be sustained and that we will be able to deliver. That is the sort of thing that is happening on the international front.

Domestically, there will be a campaign that will include television, newspaper and magazine advertising. South Australia will participate in that campaign. An amount of money—some \$150 000—has already been allocated for it. This will enable us, because of the nature of the campaign

and the way in which it has been constructed, to receive promotional benefit that is worth at least twice that amount of money and, as opportunities arise in that area, we will pursue them.

We already have our prescheduled promotional activities under way in those markets, and we will continue with them; for example, another advertising campaign will start here in South Australia at the beginning of next month. The advertising campaign in other States commenced last September and will continue into this year. So, in many respects the timing of some of our campaigns actually has been very helpful in piggybacking on the sort of work that is being done by the Federal Government in providing extra resources in this area.

I might say, too, that the honourable member does not seem to be very well informed about the effects of the pilots' dispute on tourism operations in South Australia, because if she were she would know that in most parts of this State the operators have—

**The Hon. Diana Laidlaw:** I am talking about international travel.

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** —benefited during the course of the pilots' dispute for a number of reasons. The sectors of the industry that were disadvantaged for a time were those sectors which catered for business travellers, and predominantly they were located in the central business district—the large hotels, convention centres, and the like. The extent to which they were affected is one of the things that is currently being measured, but when the official statistics come forward I think we will find that the result in South Australia is by no means as severe as it was in many other parts of the country.

During this past couple of months, I have made announcements which indicate my position on the question of where things will head during the course of this year. Stiff competition will occur amongst States in Australia in the marketing area, and we will have to make sure that the work we do is well targeted so that South Australia is able to maintain its market share. However, it is important to remember that South Australia—apart from Queensland—is the only other State in Australia that has actually shown continuous tourism growth during the past five years.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** Even during Expo year, when every other State in Australia except Queensland showed very poor results, South Australia showed growth. So, the state of the industry—

**The Hon. L.H. Davis:** It wasn't due to the stand at Expo.

**The Hon. BARBARA WIESE:** It had a fair bit to do with it as far as the increase in Queensland visitation was concerned.

**The Hon. L.H. Davis:** It was so bad they had to go and see for themselves. It was a joke.

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** If you measured the results from it, you would find that it was actually very good value for money. But the Hon. Mr Davis will never acknowledge that. We cannot spoil a good story with the facts, Mr President. What we do know is that tourism continues to grow in South Australia.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** Our budgets are continuing to grow as well, and I hope that we will be in a very healthy position during the course of this year to compete effectively in the market place with other States of Australia.

**MINISTERIAL STATEMENT: HENLEY AND  
GRANGE COUNCILS**

**The Hon. ANNE LEVY (Minister of Local Government):** I seek leave to make a statement.

Leave granted.

**The Hon. ANNE LEVY:** I advised the Council last week that I had held discussions with representatives of the cities of Woodville, West Torrens and Henley and Grange following the receipt of further advice from the Local Government Advisory Commission in relation to a possible alteration of council boundaries affecting those areas.

I notified the Council that I would be meeting again with the three councils and that a course of action would be resolved at that time. I hope some members might remember my saying that. The further meeting was organised to allow the council representatives to take the matter back to their elected colleagues and for the councils to be given an opportunity to consider their position. Before reporting on that meeting, and the course of action agreed between myself and the councils, let me briefly recap on the history of this matter.

In February 1988, Henley and Grange proposed a boundary change which would have seen parts of Woodville and West Torrens added to that council area. In making that proposal, the council sought to expand its area so that it could improve its financial position and incorporate into its area those suburbs which it believed had an immediate affinity with the three centres of West Beach, Henley and Grange.

Concerned about the loss of area and rate revenue which would result from that boundary change, Woodville and West Torrens put forward alternative proposals which would result in the Henley and Grange area being split between those two councils. It was argued that services could be maintained and costs reduced as a result of this alternative boundary change and further that Henley and Grange residents would enjoy rate reductions.

These three proposals were evaluated by the Local Government Advisory Commission and reports provided to me in July 1989. The commission reported in favour of the Woodville and West Torrens proposals involving the abolition of the existing Henley and Grange council area.

As the Council will be aware, at that time, protests from residents were in full voice in relation to the creation of the City of Flinders. Residents in Mitcham were adamant that they had not had sufficient input on that matter and that the boundary change did not enjoy popular support. The procedures used by the Local Government Advisory Commission were also called into question.

As a result, I asked the Local Government Advisory Commission to take a further look at its recommendations in the Henley and Grange area and specifically to provide me with further advice on whether affected residents had been adequately consulted and what level of community support their recommendations enjoyed. I was at the time concerned, and I remain concerned, that boundary change should only proceed where it enjoys an appropriate level of resident support and following full and proper local discussion.

I recently received that further advice requested from the Local Government Advisory Commission. The commission concludes that residents are aware of the proposal, but this cannot necessarily be taken to imply that they have been adequately consulted. The commission is further unable to identify the level of community support enjoyed by its recommendations. It advises me that it may be appropriate to release the reports and recommendations in relation to

the three proposals for further public comment and debate. The commission suggests this would further enhance public awareness of the proposals and provide further opportunities for informed debate based on the arguments contained in the reports. It suggests that, following further consultation, the commission could provide a further report to me.

In short, the commission is not in a position to confirm that its recommendations have sufficient community support to proceed, nor that proper consultation has occurred. The commission suggests that further public consultation is appropriate and that it is happy to play a role in providing further advice following any such consultation.

I informed the Mayors of the three councils of this advice last week and I sought their views on how the matter should proceed. I did so on the basis that the councils themselves initiated these proposals, as is required by legislation, and that any further consultation with residents needs to be conducted by those councils. This is consistent with the Government's position on boundary change—that initiatives must come from local government, and councils themselves need to demonstrate the benefit of any change and public support for change. This test is very clearly set out in the commission's well argued report 141 on Mitcham and Happy Valley.

At our meeting last week I agreed to a request from the council representatives that they be given time to discuss the matter in full council. Each of those councils has now met and the results of their meetings were reported to me this morning. As a consequence of today's discussions a course of action has now been agreed.

The Henley and Grange council is strongly opposed to any splitting of its area. That council believes its residents are also strongly opposed to a split. The Woodville and West Torrens councils, however, believe their proposals continue to have merit and that sufficient community support can be demonstrated or gained over a period of time. They are keen to provide information to the public and to arrange appropriate consultation within the affected areas. The commission's reports have now been made available to the councils, so that they now have the opportunity to consult affected residents, primarily those within the Henley and Grange area. For its part, Henley and Grange council has agreed to express its opposition to any change in a truthful manner.

The three councils have been asked to have discussions with the LGAC to determine appropriate procedures for further consultation and the most effective means of gauging public support or opposition to the change. In that context, a poll of electors needs to be considered. Whether a poll is conducted or not will be a matter for the councils to determine following discussions with the LGAC.

For my part, I make it perfectly clear that no change in Henley and Grange boundaries will occur without residents having every opportunity to be consulted and to express their views, and without an appropriate level of support for that change amongst those affected. I further make it plain that councils initiate boundary proposals and that the onus for engendering and demonstrating support for change rests with councils.

**HOMESTART**

**The Hon. L.H. DAVIS:** I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Housing and Construction, a question about Homestart.

Leave granted.

**The Hon. L.H. DAVIS:** On 5 September 1989 the Premier, Mr Bannon, announced a \$1 billion home loan program, which was designed to help home buyers who could not afford repayments on a conventional housing loan. The idea of the Homestart scheme was that it would allow lower repayments in the first years of home ownership and would also allow prospective buyers to borrow more than would otherwise be the case.

In the lead-up to the State election campaign, there were regular press releases by the then Minister of Housing and Construction (Hon. Terry Hemmings), who went to great pains to emphasise the popularity of the scheme. Indeed, in a news release dated 20 October 1989 Mr Hemmings announced:

The first 300 people to have registered under the State Government's Homestart loans scheme will be mailed their loan referrals today.

He then said:

... another 400 Homestart loan referrals will be mailed in November and 400 more in December. This means more than 1 000 Homestart loans will be available before Christmas.

Indeed, if Mr Hemmings could have done arithmetic he would have noted that 300, plus 400, plus 400 equals 1 100 Homestart loans, which he indicated would be available before Christmas. He continued:

The Government is now considering whether we can increase the number of loan settlements from 1 500 in Homestart's first year.

Of course, that was the financial year 1989-90. As of last Friday, 16 February, I understand that, while 8 000 families are registered for a Homestart loan, only 200 Homestart loans have been settled—just 200. Another 500 loans are going through the process of approval. So, in mid-February we have a situation where just 700 Homestart loans have either been settled or are in the course of being approved. That is a total of just 700—a wide variation from the figure quoted in October when the Minister claimed that 1 100 loans would be available before Christmas 1989. It is an extraordinary gap. I am not seeking to blame the administration of the scheme, Homestart Finance Limited, because, as far as I can see, it has been administered most satisfactorily. However, quite clearly the hype of Mr Hemmings and Premier Bannon, which we have seen associated with the Homesure promise (which has been exposed in no uncertain terms in recent days), is also appearing to be matched by the difference between the promise and performance with respect to the Homestart scheme.

My questions to the Minister representing the Minister of Housing and Construction are, first, can the Minister explain the reason for the difference between what was promised in late October 1989 with respect to the number of Homestart loan approvals that would be available before Christmas—namely 1 100—and the fact that here in mid-February 1990, now that the election is over, we see that in fact only 200 have been settled with another 500 in the pipeline, many of which will take at least six months to settle? Secondly, can the Minister guarantee this Chamber that at least 1 500 Homestart loans will be settled in 1989-90 as was originally promised, given that only 200 Homestart loans have been settled in the first six months of the scheme's operation?

**The Hon. BARBARA WIESE:** I will refer the honourable member's questions to my colleague in another place and bring back a reply.

#### PROTEIN SUPPLEMENTS

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister of Tourism, repre-

senting the Minister of Agriculture, a question about protein supplements for stock food.

Leave granted.

**The Hon. M.J. ELLIOTT:** There have been a couple of reports in the media about 5 000 cattle that died of botulism in Queensland feed lots following being fed chicken litter which apparently was believed to have contained a number of chicken carcasses. The feed is given to animals in feed lots as a protein supplement. Apparently the animals are brought up to size for sale in about 126 days by the giving of these protein supplements.

The Queensland outbreak of botulism has some parallels with a case that occurred in England where a disease known as bovine spongiform encephalopathy—otherwise known as the mad cow disease—affected a number of animals. It has been likened to bovine AIDS. It is caused by a virus believed to have originated as a disease of sheep, known as scrapie, and affects the cerebral cortex of cattle, reducing their ability to walk. At this stage, apparently scrapie is not in Australia, so we do not have a particular risk of BSE. The point is worth noting that such diseases sometimes have an incubation period of up to nine years, so animals could be infected but show no symptoms until after being slaughtered. Worse still, the viruses are not destroyed by cooking, so they have the capacity to be passed on to humans. Then there may be the question of whether or not they will cause a human disease: that is a very real possibility.

When humans eat meat, they largely eat herbivores, so these sorts of diseases are unlikely to pass to us from meat which is raised normally. These protein supplement methods are now used in feed lots not just for sheep, cattle and pigs—where the odd farmer goes out and shoots a few roos and throws them in as well after boiling them down—but also with chickens, where a great deal of chicken litter is fed back to chickens because it is high in protein. My questions to the Minister are:

1. Will the Minister bring to this Chamber a report on the practice of using chicken litter or protein supplements derived from animal sources as feed for animals in South Australia?

2. Will the Minister indicate whether or not the Government intends to regulate feeding practices in South Australia?

**The Hon. BARBARA WIESE:** I will refer the honourable member's questions to my colleague in another place and bring back a reply.

#### ELECTORAL HYPOCRISY

**The Hon. T. CROTHERS:** I understand that the Attorney-General has an answer to a question I asked on 8 February on the subject of electoral hypocrisy.

**The Hon. C.J. SUMNER:** Although not all the bills are in at this stage, the cost of the last State election was about \$3 million. A total of \$40 000 was provided for the Returning Officer for Custance at the last State election. This figure would not cover costs such as advertising and printing of ballot papers and other costs incurred on a State-wide basis. If a by-election was held in Custance (and that seems to be a possibility that is slipping rather rapidly at the moment), an estimated cost would be \$75 000.

#### ENDANGERED SPECIES

**The Hon. T. CROTHERS:** I seek leave to make a brief explanation before asking the Leader of the Government in this Chamber a question about endangered species.

Leave granted.

**The Hon. T. CROTHERS:** A report on page 17 of last Thursday's *Advertiser* from the Warrawong Sanctuary by the Director, Ms Proo Geddes, showed that she is having considerable success in the pulling back from the brink of extinction the eastern quoll which, as members here may know, was regarded as being extinct on the Australian mainland. This commendable report clearly shows the success thus far that Ms Geddes and the National Parks and Wildlife Service are having with some of their breeding programs with respect to preserving endangered Australian species.

This report, coupled with a report on page 1 of last Thursday's *Advertiser*, set me to thinking and induced me to frame the question that I now direct to the Leader. Does he know whether or not the National Parks and Wildlife Service is about to declare that all male Australians with the christian name of Austin will be declared an endangered species?

**The Hon. C.J. SUMNER:** I take it that the honourable member is referring to the demise of the Deputy Leader of the Liberal Party in the Australian Senate, Senator Austin Lewis, who certainly seems to have incurred the wrath of his current Leader, Mr Peacock. I am not quite sure why Mr Peacock decided to get into such a frenzy with Senator Lewis because it seemed to me that Senator Lewis was merely stating what would be obvious to any Australian, whether or not they have a great deal of experience in politics.

The reality is that, if Mr Peacock loses this election, he will lose the Liberal leadership. I suspect that if Mr Hawke loses the election, he may lose the leadership as well, so what Mr Lewis was saying seems to me not to have been particularly startling or revelatory, but it obviously concerned Mr Peacock sufficiently to sack the gentleman. That is a matter, of course, for the internal workings of the Liberal Party, but I suspect that in the final analysis the ultimate endangered species will, in fact, turn out to be Mr Peacock after the election.

**The PRESIDENT:** It has normally been the procedure that, if there is an answer to a question asked on a previous occasion, it is accepted as a separate question and answer on the occasion it is given. I would like to keep that procedure rather than have a snowballing of questions affecting Question Time.

#### WEST BEACH TRUST

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister of Local Government a question about Marineland and the West Beach Trust.

Leave granted.

**The Hon. J.F. STEFANI:** I refer to a memorandum dated 16 August 1989 forwarded to the Minister for Environment and Planning by the Manager of the Coastal Management Branch, Mr Rob Tucker. In that memorandum, Mr Tucker stated that officers of the Premier's Department believed that the West Beach Trust would be unwilling to agree to any suggestion that the trust could be financially involved in establishing a seawall to protect the proposed Zhen Yun development. This is notwithstanding provisions of the Coast Protection Act introduced by the Government in 1985 which impose upon the trust the same obligations as councils have for coast protection. Mr Tucker's memorandum further stated in relation to the attitude of the Premier's Department officers: 'They consider that to push this point would jeopardise negotiations on the development.' I ask the Minister:

1. Why was the West Beach Trust not prepared to accept its obligations in this matter?

2. Why was the trust prepared to jeopardise the proposed Zhen Yun development to push its point?

3. Has the bungling of this matter now produced a precedent in which other councils could seek total Government funding for the construction and maintenance of seawalls?

**The Hon. ANNE LEVY:** I have no notion whatsoever of the memo to which the honourable member is referring. I gather it was from someone within the Department of Environment and Planning.

**The Hon. J.F. Stefani:** That's what I said.

**The Hon. ANNE LEVY:** To the West Beach Trust?

**The Hon. J.F. Stefani:** To the Minister for Environment and Planning.

**The Hon. ANNE LEVY:** It was a memo from someone in Environment and Planning to the Minister for Environment and Planning referring to the West Beach Trust?

**The Hon. J.F. Stefani:** It was a memo forwarded to the Minister for Environment and Planning by the Manager of the Coastal Management Branch. That is what I said.

**The Hon. ANNE LEVY:** The Coastal Management Branch is part of the Department of Environment and Planning, so that is an internal memo within the Department of Environment and Planning from an officer there to the Minister in which reference is made both to the West Beach Trust and to the Premier's Department. I have no knowledge whatsoever of the matters to which this internal departmental memo refers. All I can do is ask the Minister for Environment and Planning.

**The Hon. Diana Laidlaw:** What about asking the West Beach Trust?

**The Hon. ANNE LEVY:** It is an internal memo.

**The Hon. Diana Laidlaw:** Referring to the West Beach Trust.

**The Hon. ANNE LEVY:** It refers to the West Beach Trust. I can certainly ask the West Beach Trust whether or not the matters referred to in that intradepartmental memo are accurate.

**The Hon. J.F. Stefani:** Are you saying that you have no knowledge of these memos whatsoever?

**The Hon. ANNE LEVY:** Memos which circulate from an officer of the Department of Environment and Planning to the Minister for Environment and Planning most certainly do not come across my desk.

**The Hon. J.F. Stefani:** You have no knowledge of it at all?

**The Hon. ANNE LEVY:** I have no knowledge whatsoever of this memo but I shall be happy to make inquiries both of the Minister for Environment and Planning and of the West Beach Trust as to the validity of the allegations made in that memo regarding the West Beach Trust.

**The Hon. J.F. STEFANI:** By way of supplementary question, as the Minister responsible for the West Beach Trust, did the Minister agree to the proposal put to her on 2 October 1989 by the Minister for Environment and Planning requesting that the information about the Government's bungling of negotiations for financing the construction and future maintenance costs of a seawall associated with the Zhen Yun development and the West Beach reserve—

**The PRESIDENT:** I see this not as a supplementary question but as another question.

**The Hon. J.F. Stefani:** It is not. It is very much associated with the minutes of which the Minister said she had no knowledge.

**The PRESIDENT:** It sounds to me like another question. The honourable member is entitled to another question, but

what he has asked does not sound like a supplementary question.

**The Hon. J.F. STEFANI:** Thank you for your direction, Mr President. I will then ask the question.

**The Hon. CAROLYN PICKLES:** On a point of order, the honourable member has asked one question. It is normal for only that question to be answered.

**The PRESIDENT:** If any other honourable member wishes to proceed I normally call on that member. However, I think for expediency, the honourable member may ask his question.

**The Hon. J.F. STEFANI:** I repeat the question: as the Minister responsible for the West Beach Trust, did the Minister agree to the proposal put to her on 2 October 1989 by the Minister for Environment and Planning requesting that the information about the Government's bungling of negotiations for financing the construction and future maintenance costs of a seawall associated with the Zhen Yun development and the West Beach reserve should be concealed from the West Beach Trust and, if so, why?

**The Hon. ANNE LEVY:** I am sorry; I do not understand that question although it has been repeated. I certainly have no memory whatsoever of any memo to me from the Minister for Environment and Planning which refers to bungling of any sort. I am quite happy to search the records to see what, if anything, I may have received from the Minister for Environment and Planning on 2 October 1989. I would be very surprised if I had received any memo whatsoever referring to bungling, but I will certainly report back to the Council tomorrow.

### PRISON WAGES

**The Hon. I. GILFILLAN:** My question is to the Attorney-General, representing the Minister of Correctional Services. Is he aware of criticisms levelled at his Department of Correctional Services by a Supreme Court judge, Justice Olsson, on 26 January 1990 in the prison wage case, as follows (and I quote from pages 16 and 17 of the judgment):

[the scheme] if valid, is clearly intended as a weapon which can be used against both the innocent and guilty alike either as a collective disciplinary measure or to enforce directions of management. It has the potential to work very considerable hardship on individuals in an arbitrary and most unfair manner and its exercise is not the subject of any form of review or appeal.

The new scheme is nothing short of a deliberate means of avoiding the operation of my order of 5 January 1990 and I am constrained to say that I share the concern of the prisoners. Even prisoners have some basic rights, which the statute sets out to protect, and there can be no doubt that what has been done, quite apart from any question of legality, is utterly offensive to the obvious spirit and intention of the legislation. I frankly cannot think of any action more calculated to foment ongoing unrest within the prisons in the future.

Moreover it places a very real weapon of oppression in the hands of management with no practical means of oversight of its implementation. In short, what has been attempted is unworthy of a responsible Government department.

On page 19, the judgment states:

The very *bona fides* of what has been attempted is in issue. It necessarily makes a practical mockery of the scheme envisaged by Parliament.

On page 20, it states:

The clear implication is that the Parliament contemplates that they [levels of payment] will be established at proper levels and then periodically be adjusted to reflect the changing value of money or other relevant considerations. It manifestly does not contemplate that the review will be utilised to reduce an entitlement to a nominal figure, certainly for the avowed purpose of achieving a collateral aim inconsistent with the scheme of the legislation.

If the Minister is so aware that these observations were made by Justice Olsson, is it true that at Yatala Labour Prison notice number 133 states that prisoners who are not employed will continue to receive 10c per day and that remand, sick, unfit or segregated prisoners will receive not an allowance as required by section 31 of the Correctional Services Act but goods only to the value of \$10.50 per week? How does the Minister justify such a scheme, given the clear terms of the judgment of the Supreme Court? Does the Minister disagree with the terms of the judgment of the Supreme Court?

**The Hon. C.J. SUMNER:** Certainly, the position as outlined by the judge was not the position taken by the Crown Solicitor, who argued the position on behalf of the Government. However, I will refer the honourable member's question to the Minister and bring back a reply.

### GREENHOUSE EFFECT

**The Hon. M.S. FELEPPA:** I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Agriculture in another place, a question about the greenhouse effect.

Leave granted.

**The Hon. M.S. FELEPPA:** An *Advertiser* article of 15 February 1990 states:

Global warming could boost farmers' profits.

This report has prompted me to ask my question today. Part of my explanation is that global warming due to the greenhouse effect is contemplated as doom and gloom. However, it is reported in the *Advertiser* of 15 February 1990 that it can also mean 'boom' in that it could favour Australian graziers by a substantial boost in profit because of the increased pasture growth leading to greater wool production. Dr John Donnelly of the CSIRO's Plant Division endorses this and is reported as follows:

... even now sheep farmers are not stocking their properties at an optimum economic rate.

The effect is that land is allowed to recover its growth related to the welfare of the land. That has not always been the case and it may not be the case with global warming. My questions are as follows:

1. With global warming, will it be the policy to restrain the extent of stocking the land so that the changing conditions of the land over a number of years can become well established before the benefit of global warming is reaped?

2. What restraints are proposed to be implemented now?

**The Hon. BARBARA WIESE:** I will refer the honourable member's question to my colleague in another place and bring back a reply.

### MARINELAND SEAWALL

**The Hon. M.B. CAMERON:** I seek leave to make a brief explanation before asking the Minister of Local Government a question about the seawall at Marineland.

Leave granted.

**The Hon. M.B. CAMERON:** I have in my possession a document containing minutes of an enclosure to the Minister of Local Government from the Minister for Environment and Planning about the seawall at Marineland. I seek leave to table a copy of this document.

**The PRESIDENT:** By way of clarification, is this from the papers that have already been tabled?

**The Hon. M.B. CAMERON:** No, it is not part of those papers, Mr President.

Leave granted.

**The Hon. M.B. CAMERON:** This document, which is directed to the Minister of Local Government and signed by Susan Lenehan, Minister for Environment and Planning, raises the question of a seawall which I understand has been raised also by my colleague the Hon. Mr Stefani. The document indicates that Zhen Yun will pay the full cost of the seawall if it is needed within the first 20 years and that the cost will be shared with the Government on a sliding scale if it is needed during the remaining 30 years of the lease. The document indicates:

It is important that a difference of opinion not be raised at this time—

this just happens to be the day before the last election was called—

as this could jeopardise the development. However, I am anxious to avoid establishing a precedent with possible costly implications for coast protection cost sharing between Government, the trust and local councils. The Coastal Protection Board and the trust will clearly need to come to an understanding at some stage about the trust's role in protection of its coastline. I see no difficulty in leaving this for resolution when the question next arises, though it might become necessary to address it earlier if the trust or councils try to use the Zhen Yun agreement as a precedent. The purpose of this minute is to keep you informed.

That is the Minister of Local Government. The memo continues:

The Premier's Department has asked that this matter not be taken up with the trust until after the Zhen Yun agreements have been finalised.

Today the Minister in another place was asked why last year she authorised the suppression of bungled negotiations for the financing of the seawall associated with the proposed Zhen Yun development. Her reply was this:

I have no knowledge of any such proposal, nor have I any knowledge of the question that the honourable member has raised.

That is the question of the seawall. She continued:

I am not aware of any seawall proposal and bungling. It is certainly not my responsibility as Minister for Environment and Planning to be involved in the financial negotiations.

I am certain that if anyone reads these documents, they will see that the Minister was deeply involved and was part of the negotiations. Therefore, my questions to the Minister of Local Government are as follows: does she recall the minute sent by the Hon. Susan Lenehan, the Minister for Environment and Planning, on the question of the seawall? If she does, why was this matter not made public at the time so that people in the community would be aware of it? Why was the matter held over until after the State election to ensure that there was no adverse publicity in relation to this matter? Does she not agree that the question of the Government's paying for the seawall will be used as an example by other organisations in relation to the coastal protection of this State?

**The Hon. ANNE LEVY:** As to the first question, 'Do I recall this minute?', I have no clear memory of it.

*Members interjecting:*

**The Hon. ANNE LEVY:** No, the one I have no memory of is the memo dated 2 October. This is a memo which you state is dated just before the election.

*Members interjecting:*

**The Hon. ANNE LEVY:** It is the memo of 2 October.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. ANNE LEVY:** As I understand it, the word 'bungling' does not occur. The Hon. Mr Stefani asked me a question about bungling. Certainly, I have no memory whatsoever of any memo relating to bungling. I think the Hon. Mr Cameron has just proved that the Hon. Mr Stefani tried to mislead us by saying that it referred to bungling.

*Members interjecting:*

**The PRESIDENT:** Order! The Council will come to order.

**The Hon. ANNE LEVY:** If the Minister for Environment and Planning has sent me a memo, whatever its date, I am sure I will have read it.

*Members interjecting:*

**The Hon. ANNE LEVY:** I have no problem whatsoever. The Hon. Mr Stefani referred to a memo about bungling. I certainly have no memory of a memo about bungling, and I answered to that effect. I have no memory of a memo about bungling. The Hon. Mr Cameron has now proceeded to detail the contents of the memo which have nothing to do with bungling, so it is not surprising that I could not remember the memo referred to by the Hon. Mr Stefani, because he said that it referred to bungling, but it does not.

*Members interjecting:*

**The PRESIDENT:** Order! The honourable Minister has the floor.

**The Hon. ANNE LEVY:** A memo sent to me for information is not one which it is my responsibility or duty to make public. Anything sent to me for information I receive as information, and it would be most improper of me to release material which has been sent to me for information. I receive information sent to me. I have taken the information. It is filed and it is available when required.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. ANNE LEVY:** It would have been quite irresponsible of me to make such a memo public. It was sent to me by the Minister for Environment and Planning for information, so I received it as information.

## LAND CLEARANCE

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister for Environment and Planning, a question about land clearance.

Leave granted.

**The Hon. M.J. ELLIOTT:** Last Friday, Senator Graham Richardson gave the Minister for Environment and Planning \$500 000 under the 'Save the Bush' program. A little less than two weeks ago I raised in this Council the clearance by the Woods and Forests Department of 150 hectares of predominantly native trees that had regenerated after a fire. I believe that the Minister for Environment and Planning is reported to have said that she was having an investigation made into the clearance. However, according to the *Advertiser* she said:

Local officers from the Department of Agriculture, Woods and Forests, and Engineering and Water Supply had all been aware of the project.

She is also reported to have said:

They don't believe there is a problem.

I have been contacted by officers from several of those departments, and they inform me that in fact there is grave concern and anger, and that it has really hit the fan. This means that from what is reported in the *Advertiser*, the Minister has misled the public. My questions are:

1. Has the Minister been misled by her public servants?
2. Will she set up an investigation where not her senior departmental officers but perhaps some of her own people go and talk to those at the battle front to ascertain the true situation in relation to the land near Fox Creek Road?

**The Hon. ANNE LEVY:** I will refer that question to my colleague in another place and bring back a reply.



### X-RATED VIDEOS

**The Hon. J.C. BURDETT:** I seek leave to make a brief explanation before asking the Attorney-General a question about X-rated videos.

Leave granted.

**The Hon. J.C. BURDETT:** On opening day I asked a question related to X-rated videos. The Attorney-General confirmed that he and his Government supported a ban on X-rated material in the Australian Capital Territory. Last Tuesday, when I spoke to a demonstration outside the ACT Assembly, where a Bill was to be introduced to ban X-rated videos, I quoted the Attorney-General as having said that most of the actions described by me were already not permitted legally in X-rated videos.

It is not possible during Question Time to debate what is or is not legally permissible under an X rating, but a perusal of the advertisements in any issue of *People*, *Truth* or many other publications would vindicate my description of what is in fact being advertised for mail order distribution from Canberra. For example, in *People* of 13 February 1990 there are 21 full pages of advertisements. There are numerous advertisements for videos depicting anal sex (for example, *Back Door Bonanza*), oral sex (for example, *Cum Sucking Babes*), lesbianism (for example, *Girls Who Dig Girls*), male homosexuality (for example, *Gay All Night Long*), and bondage (for example, *What is My Punishment*). That is very close to the list I gave on opening day, when the Attorney-General said:

At present X-rated videos are what might be called soft porn. Many of these are expressly referred to in the advertisements as 'hard core'. As these advertisements occur weekly in a number of magazines, will the Attorney-General ask his Federal counterpart to investigate whether they are in breach of the X category and the law with a view to initiating prosecutions?

**The Hon. C.J. SUMNER:** When the honourable member asked this question on the opening day of Parliament the distinction I tried to draw was between what is currently permitted in the X category of video that is currently able to be distributed in the Australian Capital Territory and the Northern Territory and what used to be considered as being in the X-rated category. There has always been a category of video that has been banned. However, within the old X-rated category there were acts of sexual violence which, since the change to the X-rated category, have been removed.

I do not have in front of me at the present time the exact ratings or the criteria for determining whether a video will be classified as 'X', but my recollection of the discussions is that the current X-rated is only to include consensual acts and non-violent acts between people. The list that the Hon. Mr Burdett read out on opening day, as I recollect it, would have contained some material which ought not to have been in the present X-rated category although it may well have been included in an X-rated category prior to, if my memory serves me correctly, 1984 or 1985.

The situation is that X-rated videos are being circulated in Australia from the ACT and the Northern Territory. The position is that all Governments in Australia except the ACT, the Northern Territory and the Commonwealth support the banning of the present X-rated videos. Today I have sent a letter to the Minister responsible, I think it was, in the ACT in response to a request from a member of the ACT Parliament indicating the South Australian Government's point of view, that is, in opposition to X-rated videos.

The current X-rated (that is, since 1984-85) is different to that which it was often thought was included in X-rated

videos prior to that date. I have seen some videos which contain some quite horrendous acts of sexual violence that in fact always were illegal in Australia, but the debate got very mixed as to what was in X-rated videos in 1984 and 1985.

*The Hon. J.C. Burdett interjecting:*

**The Hon. C.J. SUMNER:** My recollection is that bondage ought not be permitted within the X-rated category at the present time.

**The Hon. J.C. Burdett:** It is shown; that is why I am asking the question.

**The Hon. C.J. SUMNER:** Sure. I am trying to give the honourable member the history of the situation so that he is not confused about it. X-rated was generally considered not to have any limit at all, at least in the public perception; but at law X-rated did contain certain acts of sexual violence which presently are not permitted within the X category because the rules, even within the X category, were tightened up in about 1984 or 1985. As it turned out, the whole of the X category was in fact banned throughout Australia except in the Northern Territory, the ACT and the Commonwealth. But within those Territories where X-rated videos are distributed they are more restricted than was originally the case pre 1984-85. That is why, in responding to the honourable member's question on opening day, I said to him that some of the things he mentioned as being included in the X-rated category I considered ought not to be within the current classification guidelines for that category.

The honourable member has now asked me a specific question in relation to certain things, and the matter of bondage was raised. I will therefore obtain details of the guidelines which currently apply to X-rated material and provide him with an answer. I should point out for the honourable member's benefit that those particular guidelines have not been of great concern to me in recent times because they were changed in 1984-85, partly at my instigation, I might add. Because X-rated material has been banned in South Australia, we do not have a direct interest in those guidelines at present, in the sense that we do not permit the distribution of X-rated material in South Australia.

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### ADDRESS IN REPLY

Adjourned debate on motion for adoption.  
(Continued from 15 February. Page 196).

**The Hon. R.J. RITSON:** In speaking to this motion, I thank His Excellency for the speech with which he was pleased to open Parliament, and I reaffirm my loyalty to Her Majesty, Queen Elizabeth II, Queen of Australia, and to her representative in South Australia, His Excellency Sir Donald Dunstan. On the occasion of this Address in Reply I propose to deal with two matters. First, I wish to discuss the role of the Parliament, both as a legislature and as a body charged with calling to account the Government of the day, and then I shall take up the particular matter of a man I will call Mr M, who has fallen foul of the Administration of the day.

While I do not have to remind members—but for the sake of *Hansard* readers (both of them!)—I propose to begin by pointing out that there are three distinct branches of government: the legislative branch, the Parliament which makes—and all too infrequently unmakes—law; the admin-

istrative branch, the Public Service and the quangos, which, in theory, administer the law according to the will of Parliament; and the courts, which interpret law and decide disputes. One could add a fourth unofficial but necessary ingredient of good government; that is, a free press. In theory, at least the three branches are distinct and separate, except for the Ministry which bridges the Administration and the Parliament; that is so that the Administration may be questioned in public and under privilege and be held publicly accountable.

I recall it was Gladstone who said that it is not for Parliament to govern but that it is for Parliament to call to account those who do govern. As I reflect now on the past 10 years of my membership of this Parliament, I wonder just how well this Parliament has functioned. I believe that the Legislative Council at least has functioned well as a legislature, but only because it has had finely balanced numbers as a consequence of its extremely democratic electoral base. In the other place, Governments of the day have used numbers, often ruthlessly, to push Bills through on Party lines, and have been refractory to reasoned debate. On the other hand, in this place Bills have often been subject to improvement by amendment. Governments of various political colours have even used this Council to correct mistakes of their own, mistakes that have been made in hasty passage through the other place.

So, generally, as I say, the Council has functioned well as a legislature. But what of the accountability aspect? In my view, the checks and balances have faltered, if not failed. The tradition of Ministers serving the Parliament by answering questions about their administration with detailed accuracy is not now very much in evidence. If ever we have seen an evasive, bungling attempt to non-answer a question, it was in the Hon. Ms Levy's response to the question asked by my colleague the Hon. Mr Cameron. In practice, the Administration is the most powerful and the most secret of the three branches of government. It is unelected, largely unquestionable and unsackable.

**The Hon. C.J. Sumner:** You can't elect it.

**The Hon. R.J. RITSON:** Of course it is unelected. After many years without a change of Government I believe that Administrations generally become supremely confident in their own ability to exercise power, in their own ability to wield power granted to themselves, often by themselves in practice, either by their drafting Bills for their Ministers to bulldoze through Parliament or by drafting regulations which grant themselves powers—regulations which they then interpret in their own favour and often against the interests of the ordinary citizen.

Whilst members of Parliament are subject to a public register of interests, it is, in fact, the Administration which promotes its own members through a hierarchical career structure, which is often self-serving. It is the Administration which has the power to shape patterns of Government spending and which has the power to let contracts. It is the Administration which has power to filter or withhold information from the Parliament—and, apparently, we saw a filtered or withheld memo to Ms Levy this afternoon.

Of course, the problem in asking questions of the Administration through a Minister is that the Minister passes the reply on and it is often drafted by the very 'Sir Humphrey' who is being questioned. The question about Sir Humphrey, answered by Sir Humphrey, naturally justifies Sir Humphrey and is loyally regurgitated in Parliament by the Minister. In case the Hon. Mr Sumner is feeling that I am being too extreme, he might reflect upon a former Minister of Health in this place who, when asked a question, would immediately—instead of answering it—talk for about 20

minutes about something else entirely. The Attorney-General is in fact one of the better Ministers in terms of his respect for Parliament. It is obvious that the training he has had in law and in political science rubs off a little bit, and when Party politics require him to duck and weave I can see the discomfort it causes him, when measured against his own personal standards and loyalties to those disciplines that he has studied. However, for some other Ministers the ducking and weaving comes more naturally.

The non-answer to a question is matched only by an extremely lengthy answer to a question. Parliamentary procedures require Opposition members to be brief and relevant in their questions, but they do not require the Minister to answer a question in any particular way or to be brief, and from time to time Governments of all political Parties have used the lengthy non-answer to destroy the rest of Question Time.

This has resulted in a general feeling amongst Australians that they are over-governed; that they are, as it were, being steamrolled by a mass of government pressure that they can do nothing about. Reflexly, Australians express their grievances against the obvious Aunt Sally, that is, the member of Parliament. It is a reflex action that Australians regard big Parliament as big Government. But if one thinks about it, a reduction in the size and number of parliamentarians, or a reduction in the number of Ministries, does not reduce by one jot the number of regulations, the number of forms, the number of licences or the number of Government desks, biros, and computers that rule the people. All a reduction in Ministers or politicians means is that there are fewer people's representatives, beholden to the people through the ballot box, trying to call the Administration to account.

At this moment, all over Eastern Europe people are clamouring for genuine parliamentary democracy. They are people who have slaved under the yoke of a totally secure and unquestionable administration for years and years, and now they are demanding what we have here in the West—namely, an elected body capable of questioning the bureaucracy and of discovering the secrets of the bureaucracy and calling the bureaucracy to account.

Since the election last November, the Government no longer controls the Parliament absolutely and the question arises as to how this new Parliament should use its power. The members of the other place will have to discover this new power and use it responsibly, because in fact the power exists in the other place to bring the Government down. I have contemplated this and wondered what Parliament should be doing for the good of South Australia in its new form.

First, let me say what it should not be doing. It should not be looking for storms in teacups and adopting threatening postures in an attempt to force the Government to an early election. Some sections of the press have said that the Opposition should be doing this. I disagree with them. I think that people who argue that we should do that have not thought it through. They are looking for grist for their mill—after all, it is the sort of material that they are trained to report and sell to the public for money.

The responsible thing to do is to regard the power to bring a government down as something like the A-bomb: it is useful as long as you don't use it. This is despite the fact that I believe the Premier secretly would enjoy having an Opposition that repetitively sought little excuses to try to bring the Government down. He would enjoy it, because it would enable him to go to the Governor with a crisis situation, have a single-issue election, gain absolute control of the House, and then he would not have to worry about

Parliament anymore; he will not have to worry about the Independent—

**The Hon. C.J. Sumner:** Can't do that.

**The Hon. R.J. RITSON:** I think you will find that there are exceptional circumstances where you can do it.

**The Hon. C.J. Sumner:** Not before three years.

**The Hon. R.J. RITSON:** Not under any circumstances?

**The Hon. C.J. Sumner:** Not unless a motion of no confidence in the House succeeds.

**The Hon. R.J. RITSON:** I think we should not be looking to do that lightly. This Parliament should take this golden opportunity to function more as a Parliament and make the public administration more open, more known about by the public and more scrutinised. Indeed, the first thing that the Parliament should do is to pass the Hon. Mr Cameron's freedom of information legislation.

**The Hon. Diana Laidlaw:** It should have done that four years ago.

**The Hon. R.J. RITSON:** Yes. Now in the other place they might eventually do it. That is the first and most obvious task of a responsible Parliament that finds itself in this situation. The other thing the Parliament should do is scrutinise legislation very carefully, in the other place as well as here, to make sure that skeleton Bills are not rushed through, granting to the Administration great gobs of discretionary power in an unnecessary way. I think we will see—and I hope that this is the case—in the other place now a genuine Committee stage examination of Bills and a cooperation of parliamentarians to ensure that unnecessary regulatory powers are not given and that more policy is placed in the principal Acts.

Something else that members in another place may discover is the role of the select committee. They may discover the value of a select committee which is not dominated by the Government, not dominated by a Minister and a technical assistant from the Minister's department, but which is more truly an independent select committee. This would be an experience that members of the House of Assembly have seldom had.

We know about it in this place and, in spite of the thousand pages of documents tabled today, I hope that we will see a proper examination of the Marineland fiasco. As those members who watch episodes of *'Yes, Minister'* will realise, we are interested in the one page that the Government did not table. It is a standard technique to load Ministers' bags with lots of documents to keep the Minister busy reading and signing, and to prevent his reading what one did not put in the bag. Obviously, Miss Levy did not get the memo about the seawall in her bag.

Another matter that must be addressed by the Parliament is the role of subordinate legislation and the disallowance provisions, because subordinate legislation now has the force of law the moment that it is introduced. Parliament cannot selectively disallow part of a regulation and it cannot amend: it is faced with the option of disallowing entirely, or allowing entirely, a set of regulations. This means that, as every good Sir Humphrey will know, some desirable and important regulations can incorporate the contentious part and, in effect, the Administration can say to the Parliament, 'Right, we've got you. If you disallow them just because of the contentious part, you will be vastly unpopular because you have disallowed the good part, also. In any case, the day you disallow them, we will introduce the same set of regulations on the same day and they will come back into force of law. We will keep recycling these forever.'

**The Hon. C.J. Sumner:** That doesn't happen very often.

**The Hon. R.J. RITSON:** The fact that it can happen means that the system is wrong. On one occasion we stood

up to the system in relation to a matter like that and the city had no parking regulations for a while. However, I think there is a need for Parliament to be able to amend and selectively disallow parts of regulations. This problem would be overcome if, rather than acquiring the force of law on the first day, the regulations did not have the force of law until the 14 days had elapsed. There is a golden opportunity for a new Parliament to look at its powers of calling to account those who do govern and to do this responsibly over the next term of office of the Bannan Administration, so that a few shafts of light are let into the most secret, darkest and powerful branch of Government.

I now want to turn to the case of Mr M, because Mr M is a man who got run over by the administrative machinery and can do nothing about it. This matter concerns some allegations of child sexual abuse, and I will tell the story because it shows how a person can be treated and cannot do anything about it. The story began on 16 September 1985. Mr M is a married man in his first—a stable—marriage. Before marriage, the lady (who is now his wife) had two children. One of the children, whom I shall call child A, was fostered, by consent and with the assistance of the Department for Community Welfare, to the grandparents. The couple, upon marriage, cared for child B. On 16 September 1985 the DCW wrote the following letter:

Dear Mrs M,

This office is soon to have a review of [child A's] situation as the department is contributing towards the care of [child A] at her grandparents home. Generally, the department will review [her] situation once a year and I need to talk with you briefly to get your ideas about how you see [child A's] placement.

Then followed the time at which the officer would visit. In fact, the purpose of the visit was to gain access to child B. The purpose of the letter was to provide a smokescreen and to deceive the family into giving access to the home to talk about child B. The visit occurred before the letter arrived. The welfare worker arrived unannounced, because the department had allowed only three days between the dictating of the letter and the time of the visit, so in the morning of 19 September Mrs M was confronted by an officer, who proceeded to ask oblique and strange questions about child B. Mrs M did not know what it was all about.

The letter arrived that afternoon after the officer had made the visit. The husband came home, read the letter and, a short time later, was informed by his sister-in-law, who had been visiting Mrs M at the time of the visit, that there had been some inquiries of other members of the family about alleged sexual abuse of child B by Mr M. I have talked at length with Mr M and I have no doubt that he is innocent. There are implications that the department generally does not believe that any accused person is innocent but, in any case, one has to imagine a man who gets home from work, finds this letter, establishes that something quite different has occurred and that there are allegations of sexual abuse, made by the visitor not to the family but, rather, to other family members, who then have to relay it direct to the parents concerned.

Mr M was, I suppose naturally, disturbed by this, so he went to the Ombudsman, who spoke to the department, which wrote a letter of apology. It explained that there was 'a purposeful omission', but that it was well meant, 'as the worker wanted an opportunity to raise concerns' about child B and, upon reflection, the department now believed that it should have stated the truth, and an apology was rendered. The Ombudsman then wrote to Mr M and stated:

... a letter of apology has now been sent, and, accordingly, I consider this is a satisfactory resolution of your complaint.

So did Mr M—he let the matter rest and a few years passed. Then Mr M, in the course of his employment, was trans-

ferred to a country town and that required the enrolment of the child in the school. Upon enrolling the child in the school, he was informed by the teacher that there had been a letter from DCW to the school requesting that it observe carefully the behaviour of the child, but it would not say why. The school showed Mr M the letter from DCW, but it would not allow him to have a copy of it. He could not get a copy of the letter, so again he was deeply disturbed. Had new allegations been made, or had the department decided it would continuously watch him for the rest of his life? Had the department accessed school enrolment records? Had the department accessed Public Service postings which were involved in his transfer to the country town? He did not know. However, he knew someone—Big Brother—must be watching him. So, he went to his former member of Parliament, Mr Lynn Arnold, who did a lot for him: Mr Arnold tried very hard.

*The Hon. Barbara Wiese interjecting:*

**The Hon. R.J. RITSON:** Yes, he is. A lot of members on both sides of the Chamber are good local members, and I do not think one should avoid giving credit where credit is due. Mr Arnold wrote to the Equal Opportunity Board, which quite rightly pointed out in its reply that this matter was not within its jurisdiction. It very helpfully pointed out the Government's privacy policies and practices, and suggested that Mr M might take advantage of those and be able to access his file if he asked in the right way.

I might point out that Mr M believes that the allegations are probably malicious but, without knowing their source, he cannot be sure. In 1989, on Mr M's behalf, Mr Arnold wrote to the Deputy Premier (Dr Hopgood) and asked, in particular, 'What action does DCW take to prosecute those guilty of giving false and mischievous reports?' The Deputy Premier correctly replied that reports that are merely false but made in good faith are indeed protected, and that they should be, otherwise one would be penalising people whom one expects normally to report reasonable suspicion of child abuse. But, he did not deal with the question, 'What action, if any, does DCW take to discover whether reports may be malicious?'

**The Hon. C.J. Sumner:** Do members of Parliament check their sources before they ask questions in Parliament?

**The Hon. R.J. RITSON:** That is not relevant to this point.

**The Hon. C.J. Sumner:** It is; it is the same point.

**The Hon. R.J. RITSON:** Forgive my distraction, Mr President. The problem for Mr M is that he knows there is a report making these allegations; he knows that they are false; and he believes that they are malicious. I doubt whether the powers of prosecuting people making malicious allegations will ever be exercised because, to investigate them, one needs to know the source of the allegations, and the department will not tell him the source. The only people who know it are officers of the department, and they have no interest in investigating whether or not the allegations are malicious. I do not think we will ever see a prosecution under that heading, even though undoubtedly malicious allegations are made from time to time. The Attorney-General knows what it is like to live under the shadow of bald allegations, and it is unpleasant.

**The Hon. C.J. Sumner:** It's not public for most people.

**The Hon. R.J. RITSON:** The Attorney rightly seeks his remedy, refers himself and gets a hearing, but to be accused and never heard is a very difficult thing to live with. By way of interjection, he says that for most people it is not public, and certainly the more public it is, the more distressing it is. For the ordinary man, it is semi public. It is semi public when a school gets a letter from the department

and he is called up and shown the letter. He does not know when the next incident will occur. He does not know the status of his file. Do they still suspect him? There is nothing for him to come to grips with.

The Hon. Lynn Arnold, in pursuing the matter further for his constituent, in whom he obviously believed implicitly, sent a message by word of mouth through his secretary to his constituent to the effect that, following upon investigations, the allegations appeared unfounded. However, when Mr M accessed his file, it was full of allegations against him. The source of the informants were blacked out and there was nothing to indicate that they were in fact unfounded, as Mr Arnold's secretary had said by word of mouth. So, he has an assurance by word of mouth but nothing in writing.

**The Hon. C.J. Sumner:** When did he access his file?

**The Hon. R.J. RITSON:** From memory, it was mid to late last year. The Hon. Lynn Arnold also wrote to the Attorney-General. The Attorney replied in a somewhat general, bland way, pointing out the privacy policies and the confidentiality which surrounds the files.

**The Hon. C.J. Sumner:** What date was that letter?

**The Hon. R.J. RITSON:** It was 4 January 1990. The Attorney probably does not remember the case because he is a very busy man. I could read the letter if he wanted me to. He pointed to other jurisdictions and other privacy legislation and said that he was not aware of any jurisdiction anywhere which required the destruction of the files. The constituent wanted the files either destroyed or the word of mouth comment that the allegations were unfounded put in writing in the file, but he could get neither done. All the Attorney did was to explain there was nothing in the privacy policies of the Government which would require such a thing to happen.

Mr President, this saddens me because it permanently scars someone when such an allegation is made. It gives him no such remedy. The constituent cannot refer himself to the NCA to have the matter cleared up, and he is waiting for the next 'gotcha'.

**The Hon. C.J. Sumner:** You shouldn't be flippant.

**The Hon. R.J. RITSON:** I am quite serious about this. It is just another example of an administration which opens the batting—I could say by telling a lie, but in my view a lie implies a moral turpitude, a morally evil motive, and I accept the explanation of the letter of apology that the telling of the untruth was sincerely motivated and not maliciously motivated—with a deliberate untruth, and the man goes through the rest of his life knowing that that file sits there, that people read it, that Adelaide is a small place, and that schoolteachers raise eyebrows when they get letters from the DCW suggesting they watch this child. He has no idea when it will end and he has been run over by the bureaucracy.

The Attorney ought to consider this problem and the very diligent efforts made by the Hon. Lynn Arnold to give some remedy to this person. He is not the sort of person who would look for blood. As I say, in the first instance, his response to the simple letter of apology was to immediately let the matter rest, and it was not until the letter to the school incident that he realised he was still under a cloud.

**The Hon. C.J. Sumner:** Have you referred it to the select committee?

**The Hon. R.J. RITSON:** The select committee does not exist, but I have suggested to him that, if the motion is successful, he may wish to talk to the select committee and give more details because there must be some way of protecting such people and of seeking out and detecting the malicious allegations that I believe increasingly occur.

Marriage and re-marriage is an emotional business particularly where there are children to people other than the partners in the marriage. I do not believe that there has never ever been a malicious allegation in this regard but I do believe that there will never be a prosecution as long as the department sees itself as having no duty to inquire whether an allegation is malicious, no duty to record the facts that an allegation is without foundation, and no duty to advise the accused person of the source of the allegation.

That just leaves the man crushed and bowed before the juggernaut of the administrative instrument of the State, which brings me back to my starting point: I feel that this Parliament is duty bound to use its tight numbers in both Houses not to overturn the Government of the day, not to frustrate the major policies that the people voted for when they put Bannon back, but to ensure, wherever they can, that people are not bulldozed by the juggernaut of the administrative machine. I support the motion.

**The Hon. J.F. STEFANI:** I support the motion and, in so doing, I thank His Excellency the Governor for his address when opening this session of Parliament.

My contribution in this Address in Reply will focus on some of the issues, concerns and grievances which relate to the performance and administration of the Bannon Labor Government.

I want to focus on the way in which this Government has created false perceptions. I will give examples of the broken promises which have become a way in which the Labor Government has conned the voters of South Australia. I want to speak about the smart deals and creative accounting adopted by a Government department and the way in which secrecy and deviousness are used as a cover-up for errors and bad management decisions taken by Government departments with the full approval and knowledge of at least two Government Ministers. But, first, let me mention the election result, which has been the talking point of many members of the South Australian community.

It must be of little comfort for the Premier to reflect on his election success—a success to power which was achieved by manipulating a system that has given the Labor Party, with a minority 48 per cent of the preferred vote, the opportunity to occupy the Treasury benches for another term and to govern South Australia with the assistance of the two Independent Labor Members. I am pleased to note that the Premier has given an undertaking to review the present mechanism for electoral redistribution to provide a more equitable election system. The Liberal Party will be making strong representations to achieve a system which will reflect more fairly the voting intentions of all South Australians.

I now wish to refer to the way in which the social technicians of the Labor Party create false perceptions to capture the imagination and votes of some of the people in our community. I refer to a written message which accompanied the Labor Party's ethnic affairs election policy document, and which was signed by the Premier, Mr John Bannon. The letter, in part, states:

The State Government has been responsible for a number of ground-breaking initiatives in ethnic affairs. Now it wishes to translate multiculturalism to benefit all South Australians. This means that all members of the community will be given the opportunity to participate in the full range of social, cultural and economic activity, working to create a greater South Australia.

The letter continues by saying:

In seeking to develop this partnership, my Government will provide a legislative, legal, economic, social and cultural framework to deliver this commitment.

The facts are that the ground-breaking initiatives which were taken by the Labor Government have been to take advantage of the benefits created by the hard work of the migrant community which settled in South Australia, even before the Premier was born. It is because they are Australians that they have made and are making their contributions to the social, cultural and economic development of our State. To justify information that the Labor Government is now wishing to translate multiculturalism to benefit all South Australians is a nonsense. It implies that the diversity of our population which existed before the Premier was born did not benefit all South Australians.

The fact that the Labor Government is seeking to develop a partnership is clearly an admission that during its 20 years of rule it has only paid lip service to the needs of a diverse South Australian community and is telling the public that it is now seeking to form a partnership with the migrant people. Let me remind the Premier that migrants are already full partners, without the need for his Government to provide a legislative, legal, economic, social and cultural framework to develop a partnership, because the majority of the migrant pioneers, as well as those migrants who are now living in South Australia, are in fact Australian Citizens and therefore are already and automatically full partners in what we have accomplished and what we will achieve as a State in the future.

**The Hon. R.J. Ritson:** They do not want condescension, do they?

**The Hon. J.F. STEFANI:** That is exactly right. To simply infer that only his Government is now willing to accept us as partners is a clear indication and indictment of the marginalisation and indifference which exists in Government departments towards Australians of non-English speaking background and which has obviously been apparent and has remained and will continue to remain unchanged during the 20 years of Labor administration. The suggestion by the Premier for the need to form a partnership after 20 years of Labor Government is an admission of failure on his part and is nothing more than a con trick and an insult for the hard work, goodwill, tolerance and tremendous contributions which have been made by our migrant forebears.

I now turn my attention to the promises made by the Labor Party during the election campaigns. In 1982 the ALP promised the people of South Australia that it would not reintroduce succession duties and that it would not introduce new taxes nor increase existing rates during Labor's term in office. Mr Bannon promised to set up an independent inquiry into State revenue collections, and any changes to the taxation structure would come after a report from that inquiry. This was the Premier's promise in 1982. It was a deliberate and dishonest promise, for there has been no tax inquiry. Like his Homesure program, we have seen the preparedness of the Bannon Labor Government to break its election promises, which were used to gain vital votes to ensure its re-election.

Meanwhile, as a result of Mr Bannon's broken promises, thousands of families are missing out on mortgage relief assistance and thousands of businesses and individuals are paying a new tax, the financial institutions duty, as well as the massive increases in water and sewerage rates, land tax rates, petrol, electricity, gas and liquor consumption. In fact, there has been no inquiry. When will the Bannon Government hold the promised inquiry which was promised in 1982? Not until next year, we are told, and only because thousands of taxpayers have demonstrated and slammed the Labor Government for ripping them off through a land tax system what will send hundreds of small businesses to the wall!

I now refer to the recent publicity regarding the South Australian Housing Trust and its 1988-89 financial report. The trust had declared an amount of \$5.786 million as income from the sale of its property situated in Angas Street, Adelaide. This item of extraordinary income was not qualified, and certainly was not fully detailed to provide Parliament with an earlier opportunity to question and assess the structure of the transaction and the eventual risk which the trust was taking with the sale and redevelopment of a public property.

The facts as they appear remain unaltered. The trust has declared an amount of \$5.786 million as income which it had not received and which had not properly qualified. In addition, the trust has failed to disclose all details of the transaction, so that the public of South Australia and other parties involved would not become aware of the anticipated profit to be realised on the sale of the property.

As Trikon, the developer involved in this transaction, is now in liquidation, it will be highly unlikely that the South Australian Housing Trust will be able to enforce its sale agreement for the original price of \$16.5 million because the only security held by the trust is a \$40 000 cash option fee and a bank guarantee for \$860 000 which is to be exercised on the redevelopment commencement date, or 1 July 1990, whichever occurs first.

From my understanding of the transaction, if the trust is waiting to receive a further bank guarantee for \$16.46 million from Trikon, on the redevelopment commencement date or 1 July 1990, whichever occurs first, it will be waiting for a long time. The trust is therefore left with the only option, and must reserve the entry for the overstated income which it declared in its 1989-90 financial and statutory reports.

I now refer to the greatest scandal of all time, the great Marineland fiasco, and expose a series of events involving extraordinary incompetence between the Department of Environment and Planning, the Department of Local Government and the Premier's Department, and involving two Government Ministers and senior officers from the Premier's Department in the deliberate and malicious cover-up of a number of incredible Government bungles and bad management decisions which were taken and secretly approved by the Minister for Environment and Planning with the knowledge of the Minister of Local Government, and kept secret from the West Beach Trust at the request of the Premier's Department, only days before the calling of last year's State election.

The secret arrangements reached between the two Government Ministers and the Premier's Department required that the West Beach Trust must not be informed of the decisions taken by the Government until after the Zhen Yun agreements had been finalised. The documents exchanged between the two Ministers clearly indicate that the West Beach Trust was not to be advised or involved. They also clearly indicate that the Premier's Department had incorrectly assumed in its earlier negotiations with Zhen Yun that the State Government would be entirely responsible for certain costs involving the construction and maintenance of a seawall at the West Beach Reserve.

Mr Ninio, Special Projects Officer at the Premier's Department, had advised the Minister for Environment and Planning that any attempt to recover these future costs (which in my view in years to come will run into hundreds of millions of dollars) by including them in the Zhen Yun agreement would be counter-productive and could jeopardise the development. Ms Lenehan approved the action to accept all costs on Saturday 28 October 1989. The day after, Sunday 29 October 1989, Mr Bannon announced the State

election and the Premier's Department was advised by phone about the Minister's approval on 8 November 1989. This is all documented, yet we have the Minister denying ever seeing any of these documents. I am absolutely ashamed, because none of the documents are included in the documents that are being tabled, either.

**An honourable member:** A cover-up.

**The Hon. J.F. STEFANI:** This is a great cover-up. Earlier last year, the Premier, Mr Bannon, told the public of South Australia that the agreements for the Marineland Hotel had been signed and that work on the project was due to start in November 1989. I am sure that prior to the election the last thing the Premier wanted was the leaking of this sensitive information which would cast a slur on his image and that of his Administration. The Marineland scandal has become the greatest fiasco of all time, and it is now becoming the biggest and most scandalous cover-up of the Bannon Administration. I suggest to the Council that the Minister cannot deny that he is covering things up, because the documents to which I refer are not included in these files. They have been checked and the documents are not included.

I am pleased that my colleague the Hon. Trevor Griffin has moved for the establishment of a select committee into the Marineland affair and that such motion has received the support of the Australian Democrats. Perhaps the select committee may be able to uncover all the other documents not tabled today by the Minister of Industry, Trade and Technology.

I had intended addressing a range of other issues concerning the pollution of our coastal waters, the problems in our prisons, the redevelopment of the process of award restructuring, particularly as it affects the recognition of overseas qualifications, safety issues in the workplace and the proposed amendments to WorkCover legislation. I intend to pursue the debate on these matters at another time. I support the motion.

**The Hon. J.C. IRWIN:** I thank His Excellency for his address in opening the first session of this forty-seventh Parliament. I again pledge my loyalty to the Queen and have pleasure in supporting the motion before us. Before I go to His Excellency's speech, which I will use as a starting point, may I congratulate you, Mr President, for the continuing role that you play as our President. I believe that you have demonstrated to me over four years and more so since being elected to the position of President that you are well prepared to be the custodian of the rules, regulations and traditions of this place.

You have strong bipartisan support for the efforts that you make on our behalf and, indeed, on behalf of the many former members who have contributed to the evolution and practices of this place. Just as this Council has moved through various phases, from being an appointed body at its beginning to its election of members by property franchise and to proportional representation based on adult franchise, we will go on evolving for the better. That is certainly my hope and, I would think, the hope of all members.

That will not happen until any proposed opening up of the rules or procedures is seen and demonstrated to be better than our present procedures. Still photography in this place is only but one small point. The traditional separation of the Houses is quite a different matter altogether. If you like, we are collectively a classic case of being conservative. Some members will not like that description, but 'conservative' does not mean anti-progress or anti-reflection of the majority view.

However, it does mean that change is not made for change's sake. Most of the really meaningful changes that have taken place in South Australia have resulted from changing the minds of conservative thinking people from across the political spectrum. The good things that have happened recently in South Australia and Australia have largely come about from the ALP Government's moving to the conservative middle ground, rather than the academic changes that were tried in the brief Whitlam years and the longer-term Dunstan years. I make no bones about my observation that the moral and social fabric of this State has not recovered from those Dunstan years and is still suffering from it. Indeed, in some instances it is suffering badly. Paragraph 7 of His Excellency's speech states:

At that election [1989] my Government put forward an agenda which emphasised four key points. First, recognition of the role of families, as the basic core of our community. Government initiatives and policies will be directed towards ensuring that the needs of families are met, their aspirations recognised, and their problems dealt with in the most appropriate way.

Hear, hear! There is bipartisan local and Federal support for those sentiments, even though the present Hawke Federal Government spent considerable time and effort trying to knock the Coalition's 'Future Directions' policy which squarely homed in on the family.

The recently published research identifying the family as the most violent unit in our society, if true—and we need much more public input and debate to test it—is a sad and tragic indictment of the directions we are taking; and, in most cases, the directions are firmly endorsed and helped along by Government legislation and policy, some unwittingly, but mostly by design, with consequences very poorly thought out.

This criticism is aimed at Governments of all persuasions which, in the past, have allowed this situation to occur. The 'noisy wheel' syndrome of minority groups has dominated Government decision-making over the past 20 years, and certainly in the 20 years following the Second World War. We are constantly asked to throw money at problems; we are constantly badgered to make popular decisions rather than the correct decisions. The stupid, blatantly socialist decision of free bus travel, without any qualification, for all school children is a good example of a wrong decision that will ultimately add to the harm that has already been done. It adds a new, irresponsible direction and dimension to the politics of free handouts and a misplaced policy setting priorities.

Is this the sort of thing that petrol excise and land tax are helping to fund? What sort of irresponsible auction will we see unfold in the next five weeks as the Federal election campaign hots up? What do the people now expect this present Opposition in South Australia to produce at the next State election? Do they expect us to announce free travel for everyone on STA buses, thereby doubling the loss that that organisation makes to over \$200 million a year?

Is it stupid for the Liberal Party to contemplate offering a free car to everyone in South Australia? That would help the motor building industry, there would be many pluses to it, but it is certainly something that I would not be a part of. I am glad the Opposition in South Australia did not try to match that ridiculous pledge given by the Government, which it is now trying to qualify somewhat.

**The Hon. T.G. Roberts:** What sort of car?

**The Hon. J.C. IRWIN:** It would be a South Australian-built car—probably built in Millicent to get a bit of decentralisation going. Governments consistently fail and refuse to fix up problems at the problem source—I and some other members in this Chamber are constantly pointing that out.

Rather, they take the easy way out and put bandaids on the boils that are breaking out.

No Government will strengthen the family by allowing its members, young or old, to be constantly bombarded by anti-family propaganda, for example, as can be seen on television and in films. The family will be far better strengthened by leaving it alone and giving it the maximum of freedom, both financially and morally, to make its own decisions, backed up, of course, by a strong education system and a strong system of encouraging the family. Families know what is best for them. Governments continually demonstrate to me and many others that they do not know what is best for the individual or the family.

I congratulate the Government on its close election win on 24 November. I congratulate my colleagues in this place and the new members in the House of Assembly, including the new member for Bright (Wayne Matthew), on their re-election. I had a particular interest in the electorate of Bright; I was fortunate to be the campaign manager in that electorate. The five new Liberal Party members are excellent prospects and will bring to the Parliament, together with the Government's new members, a new vitality which is always welcome.

There are still many marginal seats in South Australia and that will mean a lot of hard work and community contact for new members—and no-one would disagree that community contact by members of Parliament is a good thing. The more we are forced to do that the more we might listen to what the electors say. Those involved in the 1985 and 1989 elections—and I am sure my colleague the Hon. John Burdett, who piloted a new member in his electorate during the last election, would have found the same thing—would have noted the dramatic change in election techniques, especially in relation to electronic gadgets such as faxes, photocopiers, beepers, mobile telephones and computers. They are mainly beyond my comprehension, but I learnt to make use of them.

I think that the people in marginal seats were better and more quickly informed than has been the case in any other election in which I have been involved. One should spare a thought for electors in non-marginal seats, especially in country seats. They hardly knew there was a forthcoming election and were almost completely isolated and passed over in the election process. Many of us, after deep thought, would think that, in the election process, that is quite wrong. A computer can very quickly and reasonably accurately identify the swinging voters and then the Government and Opposition candidates can aim their propaganda at those voters. An election can be won or lost on the whim of as few as 200 electors in every marginal seat.

I am alarmed and perturbed by this trend, and I call it the 'crying baby' syndrome: if one wants to stop a baby crying, ask it what it wants, and then give it exactly what it wants. In such circumstances one may win in the short-term, but in the long run that baby grows up to be an elector, with an inbuilt mentality attuned to handouts, and then we create a monster.

I congratulate former Leader, John Olsen, and his leadership group for their excellent campaigning. I do not think anyone begrudges John Olsen that accolade. If the adage is true that Governments lose elections and Oppositions do not win them, then John and his team went very close to rewriting the rule book. I wish John Olsen good luck if and when he gets to the Senate. I have enjoyed working with him over a number of years and have no hesitation in saying that if he had been fortunate enough to be the Premier he would have made a very good Premier for this State.

I congratulate the new Liberal Leader, Dale Baker, on his election. I have no doubt that he will give a hard, decisive edge to the Liberals' thrust in the months and years ahead. Of course, it is our challenge, as an Opposition, to keep the pre-1989 election momentum going through the next few years.

I also congratulate the Commonwealth Games participants, especially the medal winners. To those Government Ministers and members who are unashamedly elitist when it comes to medals and such things as the Institute of Sport, which is unashamedly elitist, I say that they should be consistent and broaden their horizons by applying the same standards, which I applaud, and attitudes to all other policy areas of Government. Aiming for excellence is nothing to be ashamed of, as it drags everyone up, rather than the drab sameness of everyone being equal, which drags everyone down to the lowest common denominator. I wonder whether some Government members have the wit to know how hypocritical and inconsistent they are.

His Excellency's speech covered a number of points. Paragraph 13 states:

An export advisory council, comprising senior representatives from industry, trade unions and Government is to advise my Government on policies to increase exports from South Australia. A key role of the council will be to encourage an export culture within industry, the work force and the community.

I believe that the Opposition had an excellent policy at this last election regarding rural development and rural export. I am homing in on the rural export section only because I have a particular interest in it. However, in these remarks, I embrace all the exporting potential of South Australia. I hope that any export advisory council that is set up is dominated not by bureaucrats but by achievers; that is, people from industry who have actually been involved in manufacturing products and selling them overseas. It is vital that the council be made up of the right people. That does not leave out the rural sector, because it has an enormous amount to contribute. I believe there is an enormous untapped potential in the primary and secondary areas and it should not be ignored.

The Opposition will be watching with interest to see if any real gains are made by the Government for the export sector. One has a feeling, on past performances, that it is all window dressing and a mere flow of words. I would like to quote from an article written by Julian Cribb in the latest edition of the *Australian Rural Times* which followed the National Outlook Conference which usually takes place in Canberra at the end of January. He says:

If one obstacle can thwart Australia's drive to participate in one of the most exciting decades for real expansion and world trade, it will be our incapacity to manage our domestic economic affairs. That was the bottom line from the National Outlook Conference.

Everywhere, there was awareness and recognition of great promise: the growing markets of Asia, a unified Europe and the Eastern bloc, a potential for expanding production and for export of a wide range of products, from meat, wheat, fruit, fish and flowers.

World economic growth will continue to hold up, and prospects of a successful GATT round are improving. But hanging over all the optimistic prophecies like an ancient curse is the killer trio of Australia's high interest rates, high inflation and high dollar value. An equally destructive fury lurking in the wings is our still high levels of protectionism, of inefficient industries and the paralytically slow pace of reform in ports, transport and services. While individuals of some companies and even industries may be lean and hungry, the bulk of the population and economy remains flabby and complacent, content to award itself ever greater pay increases, while working less hard to obtain them.

This was the message hammered home by the Australian Bureau of Agriculture and Resource Economics Chief, Dr Brian Fisher. He is an independent person and certainly not one who sides with one sector or another. The article states:

'Just how well the whole community sector does in competition in these markets (Asia, the EEC and Eastern Europe) depends to a large degree on our domestic policies and performance.' Fisher, in a remarkably candid address, took time out to debunk a couple of myths cherished among politicians and even certain Ministers.

I would say this refers to Federal Ministers. It continues:

'I frequently hear calls for steps to be taken to broaden the base of the Australian economy by encouraging further processing of primary commodities before export and the expansion of the manufacturing industries,' he said.

Some would have governments selectively target certain industries for assistance with a view to developing a new manufacturing base. But Australia has a unique set of resource endowments which give it a comparative advantage in some fields but not in others.

We didn't become the leading wool exporter in the world because we were good shepherds but, rather, because we were blessed with the right mix of land, climate and inputs at the right price. A country that props up one industry at the expense of others will be poor in the long run as a result. The provision of subsidies and incentives to one industry represents a tax on another. Australia's commodity sector is smaller than it would otherwise be because of protection provided by the manufacturing sector. This has wasted opportunities for growth.

Faced with the imminent necessity of having themselves elected or re-elected, Australian politicians are less than eager to bite bullets or confront the unpleasant task of advising protected sectors that the tea is to be withdrawn.

As the Industries Assistance Commission has pointed out, a complete overhaul of protection and work practices would net the economy [that is, the Australian economy] an extra \$16 billion, besides creating 35 000 new jobs. Even more importantly it would boost output from mining by nearly 3 per cent and food production by 4 per cent a year. At the same time, it would place the farm, food and resource sector in a far more favourable position to capitalise on expanding opportunities on world markets, with a greater ability to compete against other would-be suppliers. The benefits of such a development, as Dr Fisher points out, now flow directly into Australian living standards.

'In practice, living standards will improve the quickest in an economic environment where the international price signals are transparent to all decision-makers right across our commodity sector,' he said.

Unfortunately, the process of artificial inflation of living standards seems destined to persist for some time.

This is a message for the Australian electors. It continues:

As long as Australia continues to insulate large parts of its industry and work force against economic reality, the farm, food and resource sector will continue to pay an unfair tax for it. Its potential to dig Australia out of the mire of debt and insolvency will remain unfulfilled.

I believe that State Governments have a real part to play in achieving progress for Australia and its States. The sentiments that have been expressed in the article that I just quoted say again, in a different way, almost everything that I have said earlier. It is independent reinforcement of a constant theme: advice to governments that is too often ignored, as we sink further and further into the mire of mediocrity.

I believe that points 45 to 48 of His Excellency's speech are of critical importance to this State. I will comment briefly, following my involvement on the energy select committee, together with other members of this place, which reported just prior to the election. Point 45 states:

Planning for the long-term provision of the State's energy needs is becoming an increasingly complex process. My Government recognises the need to further develop an integrated response to such issues as ensuring the State's gas supply, controlling energy prices so that they remain competitive with other States, and responding to calls for action to limit greenhouse gas emissions.

Point 46 states:

To open this issue to full public debate, a comprehensive State Energy Plan Green Paper will be released. The document will canvass the many issues confronting the State's energy sector and propose strategies to deal with these issues.

The select committee supported the Green Paper concept. To strengthen this point, I shall quote the following passage from the Energy Select Committee report:



The current energy planning arrangements of South Australia should be required to give priority to developing a comprehensive long-term energy plan of, say, 30 years. Furthermore, the plan should retain sufficient flexibility to be capable of taking advantage of technological development which offers particular benefits to South Australia.

The select committee would not have come up with that sort of advice in its report on the energy needs had we considered (and had advice to this effect) that there was a proper system *apropos* the long-term planning of South Australia's energy needs. This is not something that has just popped up from nowhere. I would like to think that the work of the select committee, over a couple of years, together with advice from the private sector, helped move the Government towards the production of this Green Paper idea.

As a member of that committee I certainly support it. One only hopes that those who have the responsibility for drafting the paper have the courage to lay everything out, and those with the responsibility for taking the steps after the paper has had wide debate have the courage to make some good and hard decisions, because my limited experience in this field indicates that some good, hard and courageous decisions have to be made, and need to be made fairly quickly, when the truth is known about the growth of electricity sales in this State and the lack of proper planning to deal with that.

That planning process started some years ago but, unfortunately, in the opinion of half the committee, got off on the wrong track. Decisions have to be made in the interests of people and industry of this State and not in the interests of preserving the Government—only time will tell. Paragraph 47 of His Excellency's speech states:

In March this year the interconnection between the South Australian, New South Wales, and Victorian electricity systems will be officially opened. The project is one of the most complex ever undertaken by ETSA and was completed on schedule last December at a cost of \$200 million. The interconnection will allow the transfer of electricity to or from the Eastern States at appropriate times, and should result in significant savings in generation costs to South Australia.

It is all very well to keep telling the public that the capital costs of interconnection are about \$200 million—that is the only figure they hear but they have never been told about some other calculations that can be inferred. I have been advised that no tariff structure is implicit in the interconnection agreement by itself. The price of energy is to be negotiated on a daily—or shorter period—basis between the system operators, the State Electricity Commission of Victoria and ETSA. It is difficult at this stage to estimate the energy price for opportunity energy. Nonetheless it is clear that if 1 500 GWh of power is purchased by ETSA each year, it is likely to cost South Australia \$75 to \$100 million per year for electricity purchased from the SECV, excluding the contribution of the capital cost of the line, and a sum of money of that order will be injected into the power generating facilities in Victoria's remote Latrobe Valley.

Over the normal 30 year life that may be expected for a new South Australian power station, that represents the sum of between \$2.25 billion and \$3 billion, in 1989 dollar terms, that South Australian consumers will pay in cash to the SECV and its workforce in the Latrobe Valley. This amount of money would build about 3 000 MW of power station based on South Australia's coal. As a matter of productivity in the electricity industry, it has been estimated that about 1.2 GWh of electricity is sold per employee per year. On that basis 1 500 GWh of electricity represents 1 250 employees and effectively, these jobs are transferred from South Australia to Victoria. I do not hear much of a squeak from the unions about protecting jobs in South Australia. Maybe they do not know about this fully enough yet.

South Australia now has the most expensive electricity in Australia, in line perhaps with Western Australia and there seems to be no doubt that Victoria's price for electricity is rising. An interesting situation will arise with South Australia needing power from Victoria because it has failed to do its own proper planning, and Victoria can supply surplus power at the same high price as could be envisaged. Victoria's most expensive power will be during the day and South Australia's most likely need for opportunity power will also be during the day—at peak times. It will hardly be needed in the middle of the night. I believe this interconnection is a major blunder in planning and use of South Australian taxpayers' money and will be seen to be so in future when the facts are better known.

Further, it was planned to cover up the decisions, or lack of decisions, regarding South Australia's future power needs made some time ago. Perhaps the shocking quality of South Australian Government controlled coal means we have to have the interconnection transferring the environmental problems, that we would undoubtedly have here to Victoria. As a matter of interest, I remember, from select committee deliberations, that about \$30 million has been spent by South Australia trying to burn its rubbish coal and that has not been achieved properly yet. Paragraph 48 of the Governor's speech states:

My Government has made considerable progress in ensuring the rate of increase of electricity and gas prices has kept below the consumer price index.

Paragraph 49 states:

Tariffs are also being restructured in order to ensure that they more closely reflect the cost of supply. In particular, cross-subsidies between consumer groups are being reduced.

As I said previously, South Australian electricity costs are at a crisis point and nothing so far indicated by the Government will make for cheaper and more competitive electricity prices for private or business clients. What a bleak future is in store for those who are here, and we cannot offer cheap electricity prices to attract new industry to this State. Here again, we see the Government moving towards a user pays system, which is roundly rejected in many other areas, especially that of the State Transport Authority.

I count myself fortunate to be chosen by my Leader to have Opposition responsibility for emergency services and local government. I take up the challenge and give an assurance that I will do the job to the very best of my ability. I pay brief tribute to the Hon. Bruce Eastick, who for many years had Opposition responsibility for emergency services and local government. Bruce started in local government and was, I think, eventually elected mayor of Gawler. He moved into Parliament and, for a considerable number of years, had an abiding interest in local government and many other matters. I pay tribute to his knowledge and to the way, I am sure, he imparts that knowledge fairly between the Government and the Opposition. I know that the Government holds him in high regard, as I do, and I thank him for the help he has been and will continue to be to me.

I have considerable experience with local government, but obviously I still have a lot to learn. There is also much to learn and understand about emergency services, which embrace the area of police, Country Fire Services and the Metropolitan Fire Service. To a very great extent, the areas covered by my responsibility interact with each other and all have a bearing on local urban and rural communities. By and large, local government is interested in and affected by the policing of its community and its fire services and other emergency service components. I suppose that could be said for every portfolio area of State Government but, undoubtedly, some portfolio areas are more focused than others on local government. As an example I mention land

tax, which has as its base capital valuation—the same base local government has for its only major revenue raising area of rates.

There is no doubt that land tax is a major problem which must be addressed by this Government. The Opposition made very clear at the last State election that the problem must be addressed. The textbooks and academe tell us that capital value is an ability to pay. I put it now, as I have done often in recent years, that capital value is one thing, but cash flow is another. One can certainly realise capital value by selling an asset, but it is rather stupid to sell it when it is one's income earning area. The rural sector, in times of long running commodity price downturn and ever increasing input costs (usually no fault of its own), coupled with high interest rates manipulated by Governments rather than the proper marketplace, found that whatever the value of the property, they were broke, or nearly broke.

The same thing is being experienced by small business in quite frightening proportions, of which we are all aware. The Government rake-off or rip-off in every dollar of income while family work units are trying to make a living has no relationship to an ability to pay on the capital value. I have said before and I repeat now that local government is very responsible in the way in which it uses its capital valuation, but this Government is very irresponsible in the way in which it uses it.

Local government uses its valuation to provide relativities in relation to activities within its boundaries, ascertains its service and income needs, and applies a rate in the dollar to the valuation. It knows what it needs to spend and raise, and it raises enough to satisfy those needs but that is not the case with this State Government—it just seems to have to satisfy a bottomless pit. An article in this evening's *News* headed 'Condous plea on land tax' contains the following quote from the Premier:

Considering the council's rates are based on land valuations, like land tax, we have something in common.

They certainly have something in common, but the Government uses that commonality in a quite different way from the way in which local government uses it. At least local government knows what it will spend on local government needs. There is no identification of what the money raised from land tax will be used for, except some vague listing of education, health, Public Service needs, etc. Despite fiddling at the edges with rates in the dollar applied to the valuation, the land tax rake-off continues to rise well above inflation rates, and that is all based on the magical capital valuation.

If the Government does not modify its needs from this source, and does not stop muscling in on the, after all, limited source of local government revenue, local government will have no option but to ask for other taxing powers, or even to look closer at the United Kingdom's recently introduced example of a poll taxing scheme. Local government always has, and always will have, an abiding interest in urban and rural roads—roads that have a major State-wide interest and usage, and roads that could be termed local, as they are used only by local people to and from their properties or towns.

As with the land tax example, revenue raised from various taxes, charges and excises on vehicles and fuel by Federal and State Governments has reached scandalous proportions. Much attention will be focused on this issue over the next five weeks during the Federal election campaign and that campaigning will be done by local government, by associations around the country such as the Royal Automobile Association, and many other people. I am sure that the general public would not deny the Government some rev-

enue from fuel excise or even some of that revenue finding its way to other areas of Government expenditure needs but, when that is being done at the obvious expense of the State and Commonwealth road system, the public has every reason to be angry indeed—as it is. This back-door method of raising taxation has been well and truly exposed. Local government has every right to expect better things from Government, and will not rest until a far higher proportion of fuel tax finds its way into building better major and minor roads.

After seven years of State and Federal Governments acting in tandem, the people will not be conned any further. In five weeks time the coalition Government will deliver a better roads deal for local governments, and the next Liberal State Government will add to that by at least keeping our 1989 State election promise of lifting the State's contribution to roads.

Obviously, planning and environment are other areas of concern for local government. The State does have, and should have, an overriding and overall responsibility for planning, but local communities looked after by local government have a special and major role to play in those decisions. After all, they are in the best position to make local planning decisions to suit their local needs and to mirror their local residents' desires.

I have an observation relating to my old council area, which started its very expensive and elongated supplementary development plan procedure in about 1981. To my knowledge, nearly nine years later it still has not achieved a final SDP. What a nonsense! What is going on? I read yesterday in the local paper that the matter has finally got to the Subordinate Legislation Committee, so it is progressing, but it has taken nine years to get an SDP through. How many other local government areas are in the same boat? I will work with my colleagues with shadow responsibility and all my other colleagues with special interest and qualifications to ensure that Government decisions, no matter what they are, do not adversely affect local governments representing urban and rural communities.

In a speech such as this, which has been and will be in general terms, I am reluctant to single out one council for comment. However, the Adelaide City Council has been very much in the news in recent times. It is the doyen of councils in South Australia and a leading council in Australia with an undoubted international reputation and tradition. I use this example because other councils in South Australia undoubtedly look to it for leadership. I will not go into the background of its most recent public problem, other than to say that I have a very deep suspicion that the project to refurbish the Town Hall has been used to hold this council to ransom, just as other building sites around Adelaide have been similarly used. Council matters arising from building problems should be aired by me because the experience should be noted by other councils in South Australia.

Last year I criticised Adelaide City Council and other councils for the habit that they had cultivated of producing secret council agendas. In some cases these agendas went so far as to be coded so that only the council members, if they had the code book, knew how to read what was on their agenda. They would have had a terrible problem had they lost the code. I hope that that practice has now ceased. My problem with this is that electors of a council area have every right to know what agenda items their elected representatives are discussing at the time of any meeting. This gives a democratic right for electors to lobby their councillors prior to debate and decisions on any matter. The Act protects the confidentiality of discussions in closed sessions

but does not and should not preclude electors from knowing at least the topic of the debate.

To some extent, last year's criticisms flow on to the present situation but in a different form. I have been appalled to be advised and to read in the press that many councillors, including aldermen, in the Adelaide City Council do not know what is going on at the Town Hall. It is my strongly held view that they should know what is happening and that they should know what is going on most of the time. The Act allows for and encourages delegation. Simply, the council sets policy and the staff carries it out. That does not exclude the elected members from being kept informed by verbal and written reports from knowing what action has been taken on their behalf. After all, clearly the buck stops with them, the elected members. If they do not know, they should demand to know.

The Lord Mayor and Chief Executive Officer may well have been in a bind over the building problem—I do not know, but I will be interested to see what comes out of their review if they have one. I assume that they were in a bind. I could understand that, but they do not preside over a private company which daily has to put up with and resolve similar problems. They preside over a public outfit where the people, through their elected members, have a right to know what is happening with their rate dollars. They are the shareholders.

That same criticism applies to this State Government and its so-called accountability. It has been pointed out more than once by the Auditor-General in his annual report. My political comment is that already there is far too much giving in to union pressure by employers to such an extent that it has made a mockery of the five famous accords so far (and probably the sixth, which is to be released tomorrow). Recently we have seen publicised the builders' wages of approximately \$440 per week that have swollen to about \$1 400 per week when rapacious demands have been met by employers because not to have done so would have meant a far worse financial fate. The South Australian and Australian economy will eventually pay for that. It is already paying for it, and it is locked into the problems facing Australia now. I put it to you that only a change of Federal Government will unlock those problems or start to unlock them.

Further, I take the opportunity to again warn elected members that, having been given entrepreneurial power under the recently changed Local Government Act, they as representatives have greatly increased responsibilities, and these tie up with what I have already said. They include a much stronger reason for elected members to declare an interest, have it recorded and leave the room while the debate proceeds. I say 'stronger' for two reasons: first, the range of possible projects of a private enterprise nature may be tried by a council and, secondly, there has to be no smell whatsoever of inside running on possible projects. Again, I have fortuitously read today's *City Messenger* article headed, 'Council losses are a worry', and read of the debate going on with the buying up of properties by the Adelaide City Council that are not returning good money for it.

It must also be said that councils and councillors will not be immune from taking individual and collective responsibility for their actions, just as company directors must. We have recently been warned about the possibility in law of company directors being held personally responsible for company decisions that have gone wrong. The Opposition has very strong views on councils competing with their own business community, and it is on their head if a venture fails. All this was said at length in the debate on the last major change to the Local Government Act, but I just

wanted to reinforce it. It is simply not good enough in today's climate for elected members to go to meetings and return home without reading everything or understanding everything that they should. As I said, the buck stops squarely with the elected members.

I am astonished frequently by decisions of this Government and its Ministers adversely affecting and trampling all over local government. One does not have to go back too far to recall the CFS debate with its complex ramifications for local government, involving two-thirds of the funding and most of the responsibility for local government, but very little of the planning. Let us not forget the pastoral legislation, and its huge revenue raising potential, all in the name of land care, with its ramifications spreading this philosophy to every other leased land in the State. This will be another encroachment on the capital revenue raising system, only this one will be based on income. It will involve more inspections, more snooping by Government officers, and more Big Brother. Ultimately, local government will suffer another erosion of that limited taxing base. Let us not forget the St John ambulance and the demise of volunteers inflicted on us by this Government.

In the case of the Stirling council and the Eurilla property in the Hills, how on earth can the Minister of Planning inflict a judicial inquiry on to a council decision without one public squeak from the Minister of Local Government? I refer also to the Minister's plan to question council decisions right across the board by ordering judicial reviews: heaven help us if that is the case. If the Minister of Local Government will not squeak on behalf of local government and fairness, I will! The Minister of Planning thinks that she has a divine right to inflict her opinion on everyone and everything. One has only to remember the Burnside council issue late last year and the continuing debacle associated with the Marineland project. Local government has to cop it sweet and is made to look incompetent and foolish.

I will be keeping a close eye on contemporary issues affecting local government which have been simmering away for some time now. The Stirling bushfire financial problem has not yet been settled. Time is running out because, after 30 March, Stirling council picks up the full tab for the interest on \$15 million. A proper and fair compromise has to be found without a crushing financial burden falling on Stirling and its ratepayers.

The councils' boundaries saga drags on and on. The Opposition is delighted that the Government in the end made the right decision in relation to Mitcham, and it was 'right' because that is what the people wanted. Let that be the start for all other proposals before the Local Government Advisory Commission, including Henley and Grange.

However, let us not forget the Georgetown or other small communities affected by the Local Government Advisory Commission's decisions. They do not have the people power or the marginal seat power to influence Governments. That is grossly unfair and should be addressed by any committee of review decision which is fair dinkum and seeks to find some fair solution.

The Opposition will be waiting with interest for the interim and final report of the review committee, even given that this committee was set up as part of the pre-election manoeuvring to protect the Government. The Government was caught out and seen to be illogical and inconsistent by any measure of objectivity by the handling of the Flinders and Henley and Grange debates. Let us hope that, following a thorough public debate, the changes to flow from the review committee recommendations will make for better decisions regarding rationalisation of local government so that in the

end what is best for local government and, above all, the people, will emerge.

So far as the Minister's press statement of today is concerned, I make a brief comment that, with Mitcham and Henley and Grange taken out of the game prior to the State election and despite the absence of any advice from the committee of review which was promised by the Minister prior to anything being made public by the commission, the Opposition believes a constructive course of action is emerging in relation to Henley and Grange. The three councils will consult with the commission regarding an adequate testing of the community's attitude to the now public advice of the commission, and that advice was that Henley and Grange should be split up between Woodville and West Torrens. If a poll in the Henley and Grange area is conducted it will at least be conducted on the basis of everyone knowing what the recommendations from the commission are. The Opposition has already been calling for that for some time. Mitcham had that knowledge, but it was fighting from behind when it found out because when it found out what its fate was going to be the proclamation had already been signed. The Opposition has constantly called for the people to have a say in the proposals affecting them and know what the Local Government Advisory Commission recommends before any proclamation is signed and sealed.

I have said previously that local government is the best form of government. Its councillors and staff are close to the people and they are in the best position to reflect the decision-making and the collective wishes of the people and encompass the minority view and the majority view. I can see no earthly reason now why State Governments insist on making local government a mirror image of itself. I have always held the view that, within certain legislative guidelines, local government should be left alone to do its own thing. Local government does not exist to put hurdles in the way. Rather, it exists to carry out the wishes of its people. It exists to find ways of doing things rather than finding ways of stopping things being done.

Community spirit is a great thing and something to be encouraged. Local government can and does encourage pride in its community. If a community wants a facility it will build and pay for that facility. Most important of all, because of the pride and work with which the facility is built, the people, young and old, will respect it. That point is very important, and I found that through bitter experience. If the Government plonks something in the community it is soon vandalised. If the community wants and pays for the facility itself, the people will not vandalise it. It is rather a magical thing. I suggest that it ought to flow further through the whole South Australian community.

**The Hon. Diana Laidlaw:** It certainly works with housing estates in Victoria.

**The Hon. J.C. IRWIN:** Those with experience would know that it is a very basic thing. In the end, does it matter if one community, even a neighbouring area, grows in a different direction from another? Does it matter if one local government area excels in a particular area more than another? I will always believe that it is healthy for communities to decide their own pace and their own priorities, and not have them imposed upon by others.

Federal and State Government decisions have a far greater impact on local government than decisions of local government. They cause unemployment and welfare problems—not local government which is expected to pick up the pieces. Party politics do not play a major role in local government, and I hope they never will. That is the great advantage of local government, because their decisions are not the result of one party dominating another and one

philosophical direction dominating another. Decisions are made, by and large, on a conscience basis on every issue where in most cases good and logical arguments win the day, and where one can be persuaded to change one's mind by better argument. Let local government in this State never lose that great advantage that it has over the Party system, with all its pitfalls and discipline.

I look forward to working with people in local government, councils and the Local Government Association. I also look forward to working with the Local Government Department on matters arising that need attention. I certainly would not approach that department or its senior officers without the blessing of the Minister. I am sure there will be many occasions where problems can be sorted out without their being made public here. My commitment is to visit as many local government regional meetings here and in the country as I possibly can and to visit individual councils at their invitation, obviously qualifying where I can do that. I have told local government that I have an open door and an open phone policy.

I have a considerable amount of work to do so far as emergency services are concerned. I will take the same approach to that as I have to the Local Government Association, as I have enunciated today. I have reasonably good contact with the CFS around the State arising from the recent CFS legislation and the consultations that I have had. We have had quite a mild summer this year without major bushfire disasters. So, I expect that in one way the system arising from the new legislation has not been fully bedded down or tested yet. However, I am alarmed at some information coming back to me mainly about volunteers and non-trained members with private units attending local fires near their own properties. I am also aware of the situation that has been given recent publicity regarding a fire near Palmer, where the police allegedly stopped private units from proceeding to a fire. The units of a local council Chairman was one such case. I sincerely hope that this reported incident, and others that have been brought to my attention, are isolated incidents and not likely to happen again.

I note the continued interest of local government in sorting out the CFS funding issue and will seek discussions in order to resolve this matter as soon as possible. Both the Government, the Opposition and the Democrats have indicated that something should be done. It is only a matter of finding out how it can be done and having the will to do it. It is a matter of putting all those together.

I hope after this session ends at Easter to plan a round of consultation with the Commissioner of Police, the Chief Executive Officers of the CFS and MFS and many other people in the organisations associated with the emergency services area so that I can better understand their area of responsibility. Of course, I will only do this, as I have said before, with the permission of the Ministers involved. As I said earlier, I am looking forward to the challenge, the learning involved and the responsibility of putting the Opposition's view. I hope I can be constructive and can, with knowledge, debate the issues so that the outcomes will be for the benefit of the people in this State. I support the motion.

**The Hon. J.C. BURDETT** secured the adjournment of the debate.

#### MAGISTRATES ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 13 February. Page 52.)

**The Hon. K.T. GRIFFIN:** Under the Magistrates Act the Chief Justice may direct a magistrate to perform special duties. The Act also allows for the appointment of supervising magistrates, but there is no provision for the appointment of assistant supervising magistrates in a substantive position. As I understand it, the Chief Magistrate and the Chief Justice as well as the Government believe there is a need for a supervising magistrate and assistant supervising magistrate in the Adelaide Magistrates Courts so that the workload of listing and other administrative matters can be more equitably shared and the court run more efficiently.

The Bill allows for the appointment of an assistant supervising magistrate. That will be a substantive appointment, for which the Remuneration Tribunal will be requested to fix the appropriate level of salary. The amendment allows for the appointment of assistant supervising magistrates other than at the Adelaide Magistrates Court, but the Attorney-General has indicated that it is not envisaged that any

provision in the legislation would be invoked to make such an appointment in other courts at this stage.

Of course, there is a concern that any substantive position will further increase the cost of administration of the courts. On the other hand, if a magistrate is given additional responsibilities beyond those which one would ordinarily require of a magistrate, it is probably reasonable that they be appropriately remunerated and, therefore, one cannot raise any argument of substance against the proposal. The Opposition is prepared to support the Bill to enable assistant supervising magistrates to be appointed in the magistrates jurisdiction.

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

#### ADJOURNMENT

At 5.25 p.m. the Council adjourned until Wednesday 21 February at 2.15 p.m.