

SOUTH AUSTRALIA

PARLIAMENTARY DEBATES

(HANSARD)

**Fifth Session of the Forty-Seventh Parliament
(1993)**

Parliament, which adjourned on 6 May, was prorogued by proclamation dated 6 June. By Proclamation dated 6 June, it was summoned to meet on Tuesday 3 August, and the fifth session began on that date.

LEGISLATIVE COUNCIL

Tuesday 3 August 1993

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 12 noon.

OPENING OF PARLIAMENT

The Clerk (Mrs J.M. Davis) read the proclamation by Her Excellency the Governor (Dame Roma Mitchell) summoning Parliament.

GOVERNOR'S SPEECH

Her Excellency the Governor, having been announced by Black Rod, was received by the President at the bar of the Council Chamber and by him conducted to the Chair. The Speaker and members of the House of Assembly having entered the Chamber in obedience to her summons, Her Excellency read her opening speech as follows:

Honourable members of the Legislative Council and members of the House of Assembly:

I have called you together for the dispatch of business.

It is with regret that I record the deaths of a former Lieutenant Governor and former Members of Parliament since the previous address in this place.

Sir Condor Louis Laucke served the State and the nation with great distinction. He was an outstanding South Australian. He was a member of the House of Assembly from 1956 to 1965 and served as Government Whip before representing this State in the Senate between 1967 and 1981. He was President of the Senate for five years to 1981 and in 1979 was made a Knight Commander of the Order of St. Michael and St. George. Sir Condor served as Lieutenant Governor of South Australia from 1982 until 1992. I know that you will join me in expressing sympathy to Lady Laucke and other members of the family.

Richard Alexander Geddes was a member of the Legislative Council from 1965 to 1979 and is remembered particularly for his work as the Shadow Minister of Mines and Energy.

Berthold Herbert Teusner was a member of the House of Assembly from 1944 to 1970. He served in a number of positions including Government Whip, as a member of the Parliamentary Joint Committee on Subordinate Legislation, Chairman of Committees, Deputy Speaker and Speaker of the House of Assembly.

Hugh Richard Hudson served in the House of Assembly between 1965 and 1979. He held a variety of Cabinet portfolios including Education, Mines and Energy, Planning and Deputy Premier.

I would also extend sympathy to the relatives of these past members. All made noteworthy contributions to the conduct of Parliament and Government in this State.

In April this year my Government produced an economic statement, 'Meeting the Challenge', which set out an agenda for change and restructuring within South Australia.

The statement included a number of measures to stimulate the business climate, reform the public sector, and reduce State debt.

At the heart of the statement was a desire to have in place the necessary reforms and targets for growth to enable South Australia to take the best advantage of a post-recession economy.

Over the past year promising signs show the economy is on the road to recovery. For example, the State's unemployment rate has gradually declined and is now below the national average for the first time since surveys began in 1978.

The manufacturing sector has borne the brunt of restructuring, but also has developed new strengths. Manufacturing output continues to grow in South Australia and much of this growth is due to exports. For example, in the 11 months to

May 1993 South Australia's overseas exports were valued at \$3.4 billion, 8.6 per cent higher than a year earlier. This was the third highest improvement of any of the States. Over half this growth came from the manufacturing sector, particularly the automotive industry.

My Government is heartened by the response to 'Meeting the Challenge', and the belief that it is a crucial 'green light' to a new era of economic development in South Australia.

The statement directly addressed the widespread problems created by the need to inject substantial public funds into the State Bank, the ongoing concerns over unemployment, and the general poor economic performance felt nationally and internationally.

But recovery must continue to reflect a balanced view of our society, and particularly the need to uphold the social justice values which now influence every aspect of Government.

The three year economic plan aims to enhance business support programs, improve the overall economic climate, make the public sector more efficient, and stabilise public sector debt.

The three year debt management strategy detailed in the statement will see the recurrent deficit eliminated by 1995-96, significant reduction in interest payments, and a return to a balanced recurrent budget. This will also mean a real reduction in the level of State debt.

It is within this broad framework that my Government has set its legislative program for this session of Parliament—with new Bills and a range of policies all directed at achieving success under the 'Meeting the Challenge' agenda.

PROGRESS IN ECONOMIC DEVELOPMENT

The Economic Development Board is currently preparing a 'South Australian Economic Development Action Plan' with business, Government agencies and other interest groups. The Plan will be submitted to my Government for endorsement later this year.

Some initiatives, including the establishment of Enterprise Zones at Whyalla and on the MFP Australia sites, are already in place. The MFP will also benefit from the merging of the Technology Development Corporation's operations with the MFP. Work will soon commence leading to the model urban settlement that is planned as the national focus for the first MFP construction.

The South Australian Trade Office has opened in Jakarta, Indonesia, and \$8 million has been allocated for two new export schemes which complement current Austrade incentives.

It is a priority of my Government to achieve significant improvements at Adelaide International Airport. Efforts will be made to convince the Federal Government that this project deserves national financial support.

International trade through the Port of Adelaide rose during 1992-93, with a 26 per cent increase in cargo volumes and a 36 per cent increase in ships using the Adelaide Container Terminal. Following reductions in port charges and a change in container terminal management, my Government is confident trade through South Australian ports can be further increased.

A Bill this session will amend the Petroleum Act 1940 so that a natural gas pipeline extension can be made to Murray Bridge and the Riverland. The pipeline will be constructed and operated by the Pipelines Authority of South Australia, and funded by the South Australian Gas Company. This

\$10 million project is another example of the private and public sectors working together for the benefit of our State.

Extensive geophysical surveys continue over large areas of South Australia. Release of new data on formations known to host the Broken Hill and Olympic Dam base metal deposits is heralding a new era of exploration activity. Large mining companies have applied for exploration licences in the far north and the west in search of diamonds and base metals. Applications have nearly doubled as a direct outcome of the exploration initiative. If successful, new mining ventures have the potential to generate millions of dollars.

During this session of Parliament, my Government will continue to foster good relations with the Anangu Pitjantjatjara and Maralinga people to further geological work on Aboriginal lands. Letters between the Department of Mines and Energy and the Pitjantjatjara Council have already been exchanged permitting work crews to enter Aboriginal land.

'Meeting the Challenge' referred to two environment protection initiatives as part of the overall approach to encourage sustainable development.

The Environment Protection Bill 1993 this session sets South Australia at the forefront of environmental legislation, covering safeguards over land, air and water quality. The Environment Protection Authority will promote ecologically sustainable development and further foster the partnership between Government, business and the wider community over environmental issues.

Under the new Cleaner Industries Demonstration Scheme, funds will be provided to industries which demonstrate positive changes in tackling pollution and waste reduction.

My Government is introducing the new integrated planning system which will promote the State's social, economic and planning strategies. Following the passing of the Development Act and the Environment Resources and Development Court Act, associated regulations are being prepared. The whole system should come into effect towards the end of 1993.

PUBLIC SECTOR REFORM

Reforms continue across the public sector, involving the regrouping of agencies and a streamlining of services.

The 'Meeting the Challenge' statement included a new targeted separation package for 3 000 public sector employees to be achieved by 30 June 1994. The package is being offered on a voluntary basis to employees in a range of agencies and will result in significant and ongoing benefits as part of the total budget strategy.

My Government plans important legislation to merge the Electricity Trust of South Australia and the Engineering and Water Supply Department. The rationale behind the proposal is simple—both organisations carry out many similar activities and deliver essential services to the business and domestic sectors.

By a proper amalgamation, substantial savings will be achieved over the first ten years. This would have obvious advantages both in budget terms and in consolidating the already excellent standard of service delivered by both utilities.

Other large scale public sector agency amalgamations and portfolio coalitions continue. The Department of Primary Industries was formed last year, and work is proceeding with the creation of a Department of Housing and Urban Development, a Department of Education, Employment and Training and a Department of Justice. Other arrangements will be

announced soon. Necessary statutory amendments will be brought before Parliament.

MABO OUTCOME

My Government is taking steps to ensure that certainty is available to all South Australians following the High Court's decision on Mabo. Legislation this session will ensure the valid issue by the Crown of future grants and leases and deal with the principle of procedural fairness.

South Australia has played an active role in building the national approach to the Mabo issue, and intends to legislate as part of a complementary national approach as soon as agreement is finalised between the Federal and State Governments to this State's satisfaction.

THE PRIMARY INDUSTRY SECTOR

Improvements to the way in which my Government delivers services to the primary sector are no less substantial than those changes directed at urban economic development. The newly formed South Australian Research and Development Institute, for example, combines the research elements of the major primary industries. It will attract international investment, sponsor vital research, and export technology to the world market.

My Government's decision to seek joint venture partners in South Australia's timber industry is attracting considerable interest, with information agreements already in place with 16 companies.

Total spending under the Rural Adjustment Scheme for 1992-93 is expected to be about \$21 million, with the current year budget still the subject of negotiation with the Federal Government. Assistance under Rural Finance and Development, in total loans and grants, is supporting some \$450 million of farm debt—about 30 per cent of the total farm debt in South Australia. As well, grants under the Farm Financial Management Advice Program have been offered to about 900 farmers to assist in their long-term plans to remain on the land. Other schemes and projects have seen about \$22 million directed at further rural support.

South Australia continues its aggressive international marketing of our primary products, with agreements or high level contacts in markets in Turkey, Iran, Israel, the United Arab Emirates, Oman, Kuwait, Algeria, and China.

The legislative program includes Bills involving impounding of stray stock, the poultry meat industry, and the fishing industry.

Below average rainfall has delayed seeding of crops in most parts of the State with a similar impact on pasture growth. Until the onset of good soaking rains, the estimate for crop yield remains low. The mouse plague further added to concerns of farmers in the Murray Mallee, Yorke Peninsula, Eyre Peninsula and northern agricultural areas. My Government acted to introduce a strychnine poisoning program to help combat the plague.

EDUCATION, TRAINING AND CHILDREN'S SERVICES

The new Department of Education, Employment and Training is examining the provision of services through TAFE institutes, schools, pre-school and community child care centres.

The Education Review Unit will have completed the first round of reviews of all State schools by the end of 1993. This is a major strategy to ensure accountability and quality assurance in schools.

The Children's Services Office continues to provide a wide range of services to an estimated 60 000 young children and their families. These programs continue to expand to meet changing needs—particularly of Aboriginal children, children with disabilities and children in rural areas.

The significant increase in family day care, outside school hours care and long day care places in this State in the 1992-93 and 1993-94 financial years has been made possible by the joint Commonwealth/State Children's Services Development program 1992-1996. Further extensive growth in child care places will be achieved under this program in the 1994-95 and 1995-96 financial years.

The Vocational Education, Employment and Training Authority as set out in 'Meeting the Challenge' will be established as a board, accountable directly to the Minister of Education, Employment and Training. VEETA will be the tripartite State Training Agency to negotiate with the Australian National Training Authority and to foster greater industry involvement in planning and implementing vocational education and training.

Nineteen TAFE colleges in South Australia have been restructured into 10 Institutes of Vocational Education to deliver a wider range of TAFE courses in a diverse training environment.

The creation of the Helpmann Academy for the Visual and Performing Arts is considered to be the most effective way of providing a unifying theme for the State's activities in education for the arts. Naming the Academy in honour of an internationally acclaimed South Australian artist will give it instant recognition in the artistic world. The academy will play a major role in the planning, promotion and fund-raising for education and training in the visual and performing arts.

Another training goal, to place 400 young people in traineeships in the public sector, has been reached. My Government also has made a commitment to employ at least 100 of those who successfully completed the program.

RECREATION, SPORT AND RACING

The economic contribution of sport and recreation to the State is substantial, with some 10 per cent of employment related to the industry. Contribution from the racing industry to the South Australian economy is substantial. For example, in the year ending 30 June 1991, racing contributed \$175 million to the State's GDP, and provided employment for some 11 270 people, from jockeys, farriers, veterinarians and bookmakers, through to course administrators and casual TAB staff. The Racing Act Amendment Bill this session will amend the composition of the Racing Appeals Tribunal and enable bookmakers to field at sporting venues.

LAW AND ORDER

My Government plans a number of changes and improvements to laws covering the administration of justice. Amendments to the Criminal Law Consolidation Act will enable charges to be laid of child sexual abuse while avoiding the necessity of specifying the exact time and place of each incident. These amendments should deal with problems which arise over sexual abuse which is either in the past and/or repetitious.

New legislation will require police interviews with people suspected of committing the indictable offences to be recorded, either on audio tape or by video, where practicable.

Further amendments will be made to laws relating to insane offenders and to the law concerning alleged offenders considered unfit to stand trial.

My Government will continue its program of codification and modernisation of the criminal law with a Bill to abolish the distinction between felonies and misdemeanours.

SAFETY IN THE WORKPLACE

The Occupational Health and Safety Commission has two major projects further to address legislation covering safety in the workplace. New consolidated regulations will be more flexible, easier to understand and directed at improving health and safety standards.

The Commission is also taking a leading role in setting national standards covering such aspects as workplace hazardous substances, manual handling and certification of plant operators.

WorkCover continues to improve its financial position and in turn pass on those savings to South Australian industry, without compromising the high quality of core services enjoyed by South Australian employees. The latest independent overview of WorkCover shows the authority to be 99.7 per cent funded—a shortfall of \$2.2 million. This is a dramatic turnabout from the 1989-1990 results when the unfunded liability was almost \$150 million.

The Corporation has in turn been able to achieve another reduction in average levy rates to 2.86 per cent, with further improvements to the Bonus Scheme. Those improvements represent not just financial savings but the improved quality of workplace safety for South Australians.

HEALTH AND COMMUNITY CARE

The new five year Medicare Agreement came into effect on 1 July 1993. A significant aim of the agreement is to increase the public patient share of total hospital activity. Additional funding will address strategic capital planning, booking lists and area health management. The Medicare principles of universality, access, equity, efficiency and simplicity have been enshrined in Commonwealth legislation and will also be enshrined in new State legislation.

A select committee is examining the administrative arrangements for health services and identifying structural change. The results of the committee's deliberations are expected to have far ranging effects on the efficiency with which health services are provided in SA.

Development of a booking list policy has enhanced the management of lists and helped ease patient concerns. The continued improvement in booking list procedures has reduced the wait-list for surgical procedures by in excess of 250.

A Child Health Council is being established to provide direction on how to achieve improvements in child health. The 'Strategic Directions for Child Health in South Australia' document to be launched this year will provide a framework for the Council's activities.

During 1993-94 my Government will continue to support women's health initiatives. Funding for the National Women's Health Program has been extended for a further twelve months and will continue to support health services for women living in rural and remote areas of the State.

In order to raise awareness in the community about ways of preventing child abuse and family violence, and to pursue the goal of safety for all children, my Government will be participating in a National Community Education Campaign over the next three years.

An Aboriginal Men's Conference is planned as part of the International Year of the World's Indigenous People. This will look at domestic violence in the Aboriginal community.

A review of the Aboriginal Young Offenders Services will determine new directions aimed at reducing the number of recidivist offenders. My Government is also conducting a review of Aboriginal children under the Guardianship of the Minister to develop an Aboriginal reunification policy for preserving the reuniting Aboriginal families.

CARE FOR THE AGEING

Up to 230 000 older South Australians now have the opportunity to benefit from a new Seniors Card which provides benefits and discounts in a wide range of shops, restaurants, travel and other services. My Government, through the Office of the Commissioner for the Ageing, is working to ensure that the Card reaches all eligible people.

Currently, 43 councils provide older residents with basic home maintenance and security assessment services through the Home Assist Scheme. These services include minor house maintenance as well as more substantial tasks such as garden maintenance. The scheme has generated a high level of consumer satisfaction, but has also revealed significant levels of unmet demand. From late 1993 my Government will inject further funds for the Home Assist Scheme, in order to extend it to council areas not covered by present arrangements.

Statistical evidence shows that people over 60 are less likely than any other age group to become victims of crime. However, in recent years, the fear of crime in the older community has intensified, largely because of a series of widely-reported incidents of violence and robbery against older individuals.

My Government will extend existing community programs by boosting staff for the Police Department's Security Advice Unit and the Victims of Crime Service, and provide extra help to subsidise security hardware purchased by older people on low incomes.

In the area of Consumer Affairs, my Government will introduce Bills to amend the Retirement Villages Act to deal with the issue of guaranteed refunds for residents in certain circumstances. We will also amend the Residential Tenancies Act to include Housing Trust tenancies.

PUBLIC HOLIDAY CHANGES

In a further response to community calls for an alignment of public holidays, my Government will introduce a Bill to amend the Holidays Act 1910 so that Australia Day will in future be celebrated on 26 January, except when that day is a Saturday or Sunday. On those occasions the holiday will be celebrated on the following Monday. The Bill will also amend the Act so that the Proclamation Day holiday will in future be celebrated on the first working day after the Christmas Day holiday.

ART GALLERY EXTENSIONS

Work will begin shortly on substantial extensions to the Art Gallery of South Australia. My Government has decided

to construct Stage 3 at the same time as Stage 1, bringing the total cost of this project to \$16.5 million. The extensions will increase the size of the Art Gallery by 70 percent and will be completed in time for the 1996 Adelaide Festival of Arts.

THE WOMEN'S PLAN

A Women's Plan is being developed covering all areas of Government with the aim of addressing the needs of South Australian women in a positive way. The plan will provide a statement of goals and priorities over the next three to five years including women in the workplace, in education and training, in justice and law, in health, in public decision making and in the family context.

My Government has a target of achieving equal representation of women on Government Boards and Committees by the end of the Year 2000. Several hundred women have already registered their interest in participating. The status of women will be further highlighted as South Australia moves closer to marking the Centenary of women's suffrage in 1994, an historical milestone in world democracy.

SOCIAL DEVELOPMENT STRATEGY

My Government is working on a new Social Development Strategy which will set guidelines and determine policies regarding equity and Social Justice across the entire South Australian community.

In doing this my Government recognises that social policy must be fully integrated with the State's economic development strategy. The emphasis in social policy is to work with key community groups and organisations. The goal is to minimise the impact of unemployment, to build a cohesive State which recognises diverse communities and to provide opportunities for all South Australians. This will mean an even more careful approach to the delivery of education and skills training and a recognition that every citizen looks for a secure and rewarding place in our State's development. The strategy builds on the successful commitment by my Government to multiculturalism, a social and cultural sharing by people from all backgrounds. The new policy will be detailed by the Premier to Parliament in this session.

I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the people of this State.

The Governor retired from the Chamber, and the Speaker and members of the House of Assembly withdrew.

The President again took the Chair and read prayers.

NEW MEMBER

The PRESIDENT produced a letter from the Clerk of the assembly of members notifying that the assembly of members of both Houses of Parliament had elected Mrs Caroline Veronica Schaefer to fill the vacancy in the Legislative Council caused by the resignation of the Hon. R.J. Ritson.

The Hon. Caroline Veronica Schaefer, to whom the Oath of Allegiance was administered by the President, took her seat in the Legislative Council in place of the Hon. R.J. Ritson (resigned).

LAUCKE, HON. SIR CONDOR, DEATH

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

That the Legislative Council expresses its deep regret at the recent death of the Hon. Sir Condor Laucke, former Lieutenant Governor of South Australia, President of the Senate and member of the House of Assembly, and places on record its appreciation of his distinguished public service.

Sir Condor Laucke, who died on 30 July this year, served South Australia with great distinction from 1956 when first elected to the State Parliament as a member of the House of Assembly until last year when he retired as Lieutenant Governor. I will not detail Sir Condor's distinguished service to the South Australian and Australian Parliaments and other activities as they were outlined by Her Excellency in the speech with which she has just opened the Parliament.

Sir Condor, I am sure, was known to all members of Parliament and in particular he was known to those of us who have, as Ministers, formed part of the Executive Council over the last decade or so, when Sir Condor, on numerous occasions as Deputy to the Governor, presided over Executive Council. In that capacity I, and I know other Ministers, got to know him very well and came to appreciate his qualities.

Sir Condor was a gentleman in the best sense of the word. Unfailingly courteous in his dealings with people, he had a real concern to do the right thing by those with whom he was associated. He was interested in politics as a means of ensuring a better society and saw the conduct of politics as something that should occur by fair debate. I am sure many of today's parliamentary tactics, from whatever side, he would find abhorrent. In particular, he deplored the unjustified character assassination which pervades much of parliamentary debate today. It is not known, because until now I have chosen not to reveal it, but when the smear campaign against me was made public in 1988, Sir Condor was one of the first people to ring me and offer his support.

Such actions came naturally to Sir Condor. He was a distinguished South Australian whose attitudes to public life were an example to us all. At a personal level, I am particularly saddened by Sir Condor's death, as he had had a long association with my family. On behalf of members on both sides of the Council, I convey my sympathies to his widow, Lady Laucke, and family.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise on behalf of Liberal members in this Chamber to support the motion. As the Attorney-General has indicated, Sir Condor Laucke had a long and distinguished career of service to the community and also to the Liberal Party. In fact, his career of service traces back some 60 years, for in 1933 he began his political career of sorts as the secretary of the Greenock branch of the Liberal and Country League here in South Australia. So his history of service to the Liberal Party in part mirrors the long history of the LCL and the Liberal Party in South Australia because the Liberal and Country League was established only one year earlier in 1932.

Sir Condor's humility and desire for service were evident even from his maiden speech to the Parliament way back in 1956. Whilst I could quote from many sections of that speech, I have chosen the following as I think it is a good indication of Sir Condor the man and Sir Condor the member of Parliament:

I have always been aware, Sir, that the wider one searches for knowledge the more one realises how much there is to learn, and

one's limitations and, as I approach my work in this place, I do so fully conscious that I do not know everything about all subjects; that there are many and diverse views and that I am here to expand my knowledge and endeavour quickly to form mature judgments.

Mr President, I am sure we would all agree that the Parliament would be a much more productive place if perhaps all members tackled their tasks in that way. Back in 1982 Alex Kennedy wrote a profile in the *Advertiser* outlining the Laucke philosophy. That profile stated:

He says his philosophy will stand him in good stead, as indeed he says it always has, whatever his position. 'You should never get cynical, never get bitter. If you have a point of view be strong in fighting for it. But look forward not back; there's never any need to be nasty to anyone.'

As the Attorney-General indicated earlier, that was a fair reflection of Sir Condor's philosophy to life and to politics.

Whilst everyone agrees that Sir Condor was indeed a genuine nice guy, a true gentleman, as the Attorney indicated, members in this Chamber ought not be deceived, because Sir Condor proved to be politically adept when it came to counting the political numbers. When he won the LCL preselection back in 1956 he beat a quality field, which, as I only found out last night, included a young school teacher by the name of Roger Goldsworthy. When he lost Barossa in 1965 he soon again won LCL preselection to the Senate, and on a number of occasions in subsequent years was to top the Senate ticket for the LCL at subsequent elections. Finally, he beat hot competition to win the Senate Presidency by defeating an early favourite for that position, a fellow senator from South Australia, Senator Harold Young.

In concluding, I want to quote a story that was conveyed to me only in the past two weeks that perhaps shows another side of Sir Condor. As Lieutenant Governor, Sir Condor occasionally had to be driven home to the Barossa in the Governor's Rolls Royce. During one particular sedate and stately drive through the countryside Sir Condor's driver was astonished to hear a quiet question from Sir Condor: 'I wonder how fast she'll go?' I am advised that that was perhaps the only time the Governor's Rolls Royce was tested at 160 kilometres per hour, to the obvious delight of Sir Condor.

Sir Condor's life has been an outstanding example of service to his family, to the community and to the Liberal Party. On behalf of Liberal members in this Chamber, I support the motion and express my condolences to Lady Laucke and her family.

The Hon. K.T. GRIFFIN: I wish to add to the remarks made by the Attorney-General and by the Leader of the Opposition about Sir Condor Laucke. My association with him really started much earlier than that of some other members, that is, before I became State President of the Liberal Party. He was certainly very active at the Federal parliamentary level. However, in all the time that he was an active member of the Liberal Party and a Liberal member in the Federal Parliament—and I presume also in the State Parliament—his politics to a very large extent became secondary to the expression of a number of other interests and qualities. Certainly, whilst he was President of the Senate I think all members of all political persuasions acknowledged quite readily that he was very fair, that he treated all members equally and that he never pushed the Party political membership to the detriment of the Senate. He had a very strong view about the importance of the Senate and the need for the Parliament to maintain its independence of the Executive arm

of Government, and for the Senate, too, to reflect different emphases from those of the House of Representatives.

I also was a member of the Government that recommended Sir Condor to be appointed as Lieutenant Governor. I can recollect that at the time we were looking for someone who might reflect the ethos of South Australia in the best sense. Sir Condor Laucke readily came to mind. He was a successful business person; he was very much community minded, extraordinarily fair, very straightforward, charming and, as my colleague the Hon. Mr Lucas has said, a gentleman in every respect. However, in every way he was scrupulous to ensure that, after appointment as Lieutenant Governor, Party politics thereafter played no part in his public activities. Even during private discussions he was very cautious about partisan political views being expressed.

I want to record my sympathy, to extend my condolences to the family of Sir Condor Laucke and to recognise that in his passing we have lost a very great South Australian and a very great Australian.

The Hon. DIANA LAIDLAW: Very briefly I would like to add my tribute to Sir Condor. I will not repeat his political history and his commitment to service to this State and to the nation because that has been well covered by the honourable Attorney and my colleagues. However, I want to mention a different side of Sir Condor, because I knew him first as a fellow lover of the Barossa area, of fine food and, in particular, of South Australian wine. Sir Condor and I have on many occasions in the Barossa and elsewhere in this State shared a fine bottle of wine, fine food and good company.

I shall miss that company a great deal in the future. He was a tremendous ambassador to the Barossa. I know that he and his family gained tremendous joy in recent years in seeing the South Australian wine industry gain tremendous success and bring much credit to this State in the export of our wines overseas. Also there was the pleasure that he gained from the tremendous success of Orlando and Penfolds in recent years and in the last few weeks as well. He will be missed by me and my family as a friend as well as a political colleague from the past. I extend my sympathy to Lady Laucke and her family.

Motion carried by members standing in their places in silence.

HUDSON, HON. HUGH, DEATH

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

That the Legislative Council expresses its deep regret at the recent death of the Hon. Hugh Hudson, former Minister of the Crown and member of the House of Assembly, and places on record its appreciation of his distinguished public service.

Hugh Hudson's premature death on 11 May this year saddened all those who knew him and was a great loss to Australian public life. At the age of 62 he still had much to offer our community. In South Australia he is best remembered for his service as a member of the House of Assembly from 1965 to 1979. During that period he served in this Parliament in a number of roles.

He was a member of the House of Assembly seat of Glenelg from 6 March 1965 to 29 May 1970 and then a member of the House of Assembly seat of Brighton from 30 May 1970 until 14 September 1979. He was a member of the Land Settlement Committee and the Industries Development Committee, and then in 1968 he began a ministerial career first as Minister of Housing and Minister of Social

Welfare in the Dunstan Government, and then in the Dunstan Government, which was returned to office on 2 June 1970, he was Minister of Education. Subsequently, he also held the portfolio of Minister of Fisheries. In 1975, he became Minister of Mines and Energy, Minister of Housing and Special Minister of State for Monarto and Redcliff, and subsequently he took up the portfolio of the Minister of Planning.

He was Deputy Premier following the retirement of Premier Dunstan and the formation of the Corcoran Government. He was Minister of Economic Development, Minister of Tourism, and Minister of Mines and Energy, as well as Deputy Premier in that Government, which lasted from 15 March 1979 to 18 September 1979.

He was born in Wollongong in New South Wales on 12 December 1930 and came to South Australia as a lecturer in economics at the Adelaide University. Hugh Hudson entered Parliament from that academic career. He was preselected for the marginal seat of Glenelg in 1965 which was part of a strategy then to ensure that Labor candidates who reflected the changing nature of Australian society were preselected, and he was one of a number of members preselected at that time who were elected when Labor came to power in 1965, after more than 30 years of Liberal Government.

He held that seat as a marginal seat as it was and the subsequent seat of Brighton until the landslide Liberal win in 1979, which not even his personal popularity could withstand. He had some tough fights, in particular in 1975, when the Federal Labor Government in particular was not popular, but he with a number of other popular marginal seat members held onto their seats and ensured the return of the Labor Government in 1975.

He ended his period in the Parliament as Deputy Premier and indeed I believe he could have been Premier had other circumstances pertained. From what I know of the situation when Don Dunstan resigned in early 1979, there were only two contenders for the Premiership, Hugh Hudson and Des Corcoran. Initially Des Corcoran was reluctant to take the position because of his health, but changed his mind at the last minute and took the Premiership, leaving Hugh Hudson to be Deputy Premier. There was some controversy about that, of course, but it seems as though what I have outlined to the Council did in fact occur. But Hugh Hudson went on to serve South Australia with distinction in the position of Deputy Premier.

I knew him well and of course served with him. My first contact with him was as a university undergraduate when I assisted in campaigning in the seat of Glenelg in 1965, the election when he was first elected. In Parliament, from 1975 when I was elected until 1979, I knew him as a Minister. I was a backbencher, but I later served in a Ministry with him for some four and a half months. So, I bring personal feelings to his death.

He was one of the best intellects that this Parliament has seen. He had analytical qualities that were of inestimable benefit to the Dunstan Government in particular. His grasp of detail was exceptionally good—some said too good because all of it found its way into speeches and answers to questions from time to time.

Hugh Hudson was very much of the school that believed that you cannot redistribute wealth that you do not have. He strongly supported economic development and had little sympathy for the extremes of the green movement. In this sense he was a Labor person in the traditional mould. He

supported the nuclear power industry as essential for continuing economic development and towards the end of his career was at odds to some extent with mainstream opinion within the Labor Party on that issue.

In early 1979, with the support of some Liberal members in this place, the Hon. Don Laidlaw, the Hon. Jessie Cooper and the Hon. Mr Geddes, he took action to protect South Australia's interests in the Cooper Basin against threatened attempts at takeover by the then Bond interests. That legislation would probably not be considered fashionable today as we see moves increasingly towards national free markets. It involved a restriction on shareholdings and probably, as I said, would not be considered fashionable today. Nevertheless, it is legislation which is still in place and which I believe highlights Hugh Hudson's commitment to South Australia's development and the importance of the control of our energy resources in the context of State development. Hugh Hudson had strong views on equity and fairness in Australian society which he believed could only be achieved by strong economic growth.

From time to time, like most of us, he had some strong words to say about the media. I suspect that his views on the media would only be confirmed by the obituary that appeared recently in the *Advertiser* following his death which contained the following statement:

Mr Hudson was a leading member of the Left faction.

Members interjecting:

The Hon. C.J. SUMNER: For those who did not know the Hon. Mr Hudson, I think that, as the Hon. Mr Lucas has said, he would turn in his grave at that little bit of misreporting from our daily newspaper. Because I knew and worked closely with Hugh Hudson over many years, I was particularly saddened by what was, undoubtedly, his premature death at the relatively early age of 62. All members who knew him respected him for his capacity for work and for his intellectual qualities, and I am sure that we can all agree to acknowledge his contribution to South Australia and to convey our condolences to his widow and children.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise on behalf of Liberal members to support the motion. In so doing I want, first, to refer to a political profile of Hugh Hudson in the *Australian* of May 1979 which notes, amongst other things, that his golf handicap had gone out from six to 11 because of too much ministerial work. Under the heading 'Golf and gas. . . Minister Hugh Hudson shows he has drive aplenty', with an impressive caricature, the following statement was made by a senior Government official:

'The trouble with Hugh' one senior Government official (who does not work for him) said 'is that he's too smart for most of the Cabinet. They don't really understand what he's doing, or the reasons for what he says.'

As the Attorney-General has indicated, Hugh Hudson had an impressive academic career prior to entering the Parliament when he was elected in 1965, defeating sitting member Sir Baden Pattinson. The Attorney-General referred to some very tough fights during the years. My colleague the Hon. Mr Griffin indicated that he had a very tough fight in 1970 when he was the candidate.

A reading of Hugh Hudson's maiden speech and his clippings indicate a number of examples where his views in a number of areas were perhaps somewhat ahead of his time. Indeed, the Attorney has referred to one or two of those in his contribution.

In his maiden speech in the Parliament in 1965 Mr Hudson argued strongly for the amalgamation of the State Bank and the Savings Bank of South Australia. In 1977 he argued for the abandonment of the mentality of the quarter acre block and called for high density planning in Adelaide. In 1977 he argued for a sharp increase in Australia's migration program for the economic benefits that it would bring to Australia.

Finally, if I could be permitted a slightly partisan view, a very perceptive article in 1987 was headed 'Hudson: Banana republic looming'. He beat the current Prime Minister by two or three years.

Hugh Hudson was also involved in a number of controversies, as I guess are all Ministers and members with any length of career in this place. The controversy to which the press clippings refer at some length concerns the appointment in 1974 of a royal commission into the suspension of a 17 year old girl from Woodville High School. It is interesting to look at the clippings of this royal commission to see some of the key players. The student involved was Jacquelynn Willcox, of whom I am sure most members would be aware; counsel for the student was Robyn Layton; and the principal involved was a Mr R. Goldsworthy—Ruben Goldsworthy, not Roger Goldsworthy. Given the substance of royal commissions in the 1980s and the 1990s that were seen not only in South Australia but in other States as well, it is a little difficult with hindsight to comprehend the circumstances that brought about a royal commission into the suspension of a 17 year old student from a high school.

The first meeting of any length and substance that I can recollect having with Hugh Hudson was in the mid-1970s, about 1976, when we crossed swords in the first electoral commission hearings in relation to the redistribution of electoral boundaries in South Australia. Psephology, the study of electoral matters, trends and systems, was another great passion of Hugh Hudson. In line with Hugh Hudson on that occasion were other number crunchers within the Labor Party such as Geoff Virgo and Senator Chris Schacht, as he is now, but the driving force behind the Labor Party's submissions on redistributions in the 1970s was Hugh Hudson.

I think the quality of the submissions that the Labor Party presented to Electoral Commission hearings in those years were testimony to the ability that Hugh Hudson, in particular, had in this very difficult and specialised area.

I must confess that in recent years I had only occasional contact with him but he lobbied me on occasions in areas as diverse as education policy, wearing his Commonwealth hat as he did for a number of years.

With regard to the complicated and controversial water rating issue, Mr Hudson had a couple of meetings with me. Then there was one in relation to which I was not quite sure what hat he was wearing at the time, whether it was personal, professional, paid or otherwise. However, it was an attempt to put a particular point of view to me on fixed odds betting which was being debated in the Parliament at that time. Again he showed some analytical skills and some degree of personal interest in relation to the racing industry and fixed odds betting.

Together with the Attorney-General I admired the considerable intellect that Hugh Hudson had in all that he tackled and also his sense of humour which on most occasions was coupled with an enormous belly laugh that sometimes gave him enough time to consider the next parry in any debate that he might have been having at a particular time.

I would like to conclude with two brief stories. One is just a personal reflection. The honourable Attorney referred to the landslide of 1979 that swept Hugh Hudson from the Parliament. I was sitting in the Liberal Party headquarters prior to the 1979 election and, when the information came through to us that Hugh Hudson, with eight days to go, was out door-knocking in Brighton, I believed then that it looked like the Government was in a considerable amount of trouble and that indeed Hugh Hudson, a number cruncher of some capacity within the Labor Party, was obviously getting the same information from their market research as we had been getting in that lead-up to the 1979 campaign.

The final story is one which John Olsen relayed to me some years ago and which I would like to share with members. In the early 1980's, when the Bannon Government was in power and John Olsen was the Leader of the Opposition, the Bannon Government appointed Hugh Hudson as the Chair of the South Australian Pipelines Authority. John Olsen, as Leader of the Opposition, was approached by a member of the media who will go unnamed and who said something along the lines, 'Well, I am sure you will be wanting to comment on this: jobs for the boys. Hudson given \$X thousand a year, and so on, and we would like to do an interview with you.' John Olsen's response to that particular radio journalist was that he would not be a party to that story, that he admired the capacity and the ability of Hugh Hudson in this particular area, and that he was not prepared to be a part of that story in relation to Hugh Hudson. I share that story with members because I think it is a fair indication that, although Hugh Hudson was indeed a political opponent of the Liberal Party, he was an opponent who was respected by his political opposites for his capacity in a number of areas.

On behalf of Liberal members in this Chamber I support the motion and extend condolences from members of the Liberal Party to Mr Hudson's family.

The Hon. ANNE LEVY (Minister for the Arts and Cultural Heritage): I wish to add a few remarks in tribute to Hugh Hudson whom I knew for very many years, even during the time prior to his entering this Parliament when we were both members of staff of the University of Adelaide.

Other members have spoken of his contributions in this Parliament, but I reiterate the towering intellect that he doubtlessly had, which was respected not only by members on both sides of the Council but throughout the community. There is no doubt that he could on occasions be abrasive. He could also be extremely kind and considerate to friends, colleagues and constituents; and, as mentioned by the Hon. Mr Lucas, his great belly laugh could be heard throughout the building and was well known by all members in this place.

Other members have commented on his prowess at golf and his interest in racing. What has not been mentioned is that he was probably one of the only members of this Parliament to have represented South Australia at a national level in a particular sport. I refer to his prowess as a champion bridge player. He was a member of the South Australian bridge team, which competed in national competitions on several occasions. I can recall swapping bridge yarns with him in the bar. There were occasional attempts to set up a parliamentary bridge team, but at that time we never managed to find a fourth.

There is one comment of his I would like recorded. He obviously entered Parliament a number of years before I did, but when having discussions with him prior to entering

Parliament and discussing our common experiences at the University of Adelaide he once made the comment to me that in fact after university politics real politics was a dream. I have often quoted that remark to friends who are members of the academic staff at different universities.

I extend my sympathy to his widow and family and record my appreciation of him as a wonderful human being.

Motion carried by members standing in their places in silence.

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

That, as a mark of respect for their memory, the sitting of the Council be suspended until the ringing of the bells.

Motion carried.

[Sitting suspended from 1.34 to 2.50 p.m.]

NEW MEMBER

The PRESIDENT laid on the table the minutes of the assembly of members of both Houses held this day to fill the vacancy in the Legislative Council caused by the resignation of the Hon. R.J. Ritson.

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

That the minutes be printed.

Motion carried.

AUDITOR-GENERAL'S REPORT

The PRESIDENT laid on the table the final report of the Auditor-General on an investigation into the State Bank of South Australia pursuant to section 25 of the State Bank of South Australia Act 1983 which in accordance of the resolution of this Council on 6 May 1993 was authorised to be published and distributed.

SOCIAL DEVELOPMENT COMMITTEE

The PRESIDENT laid upon the table the second report of the Social Development Committee in relation to ministerial responses to the report of the Social Development Committee on the social implications of population change in South Australia which was authorised to be printed and published pursuant to section 17(7)(b) of the Parliamentary Committees Act 1991.

PAPERS TABLED

The following papers were laid on the table:

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

- Summary Offences Act 1943—
- Returns for Road Block Establishment and Disaster Area Declarations, 20/1/93 to 19/4/93
- Supreme Court Act 1935—
- Report of the Judges of the Supreme Court of South Australia, 1992
- Actuarial Report on the South Australian Superannuation Scheme, 1991-92
- Friendly Societies Act 1991—
- General Laws—Mutual Community Friendly Society
- Rules of Court—
- District Court—
- District Court Act 1991—Caseflow Management
- Magistrates Court—
- Magistrates Court Act—Appeals from Registrar of Firearms Decisions
- Supreme Court—
- Supreme Court Act 1935—
- Corporations—Corporations Law

- Caseflow Management—ADR
- Caseflow Management Amendments
- Industrial Relations Act (SA) 1972—
- Rules—Procedural Changes—
- Federal Service
- General
- Regulations under the following Acts—
- Associations Incorporation Act 1985—
- Various Boilers and Pressure Vessels Act 1968—
- Administrative Control
- Fees
- Business Names Act 1963—Fees
- Classification of Publications Act 1974—Exemption
- Co-operatives Act 1983—Fees
- Correctional Services Act 1982—Admittance Times—
- Northfield Complex
- Courts Administration Act 1993—Contract Liability—
- Participating Courts
- Criminal Law (Sentencing) Act 1988—Court Fees
- Dangerous Substances Act 1979—
- Director, Department of Lands
- Fees
- Debits Tax Act 1990—Federal Institutions Duty—
- Exemptions
- District Court Act 1991—Court and Transcript Fees
- Electoral Act 1985—Procedure and Forms
- Explosives Act 1936—
- Administrative Control
- Fees
- Financial Institutions Duty Act 1983—
- Benefit Exemptions
- Offshore Banking Units/Treasury Products
- Firearms Act 1977—Fees
- Gaming Machines Act 1992—Exemptions to Exhibit
- Government Management and Employment Act 1985—Various
- Lifts and Cranes Act 1985—
- Administrative Control
- Fees
- Lottery and Gaming Act 1936—Granting of Major Lotteries
- Magistrates Court Act 1991—Court and Transcript Fees
- Members of Parliament (Register of Interests) Act 1983—Amended Returns Forms
- Mines and Works Inspection Act 1920—Fees and Charges
- Mining Act 1971—Fees and Charges
- Occupational Health, Safety and Welfare Act 1986—
- Commercial Safety—Administrative Control
- Construction Safety—Administrative Control Fees
- Fees (Amendment)
- Industrial Safety—Administrative Control
- Registration of Employers—Fees
- Safe Handling of Pesticides—Administrative Control
- Sheriff's Act 1978—Court Fees
- Summary Offences Act 1953—Traffic Expiation Fees
- Superannuation Act 1988—State Scheme—
- Bordertown Hospital
- Kingston Soldiers' Hospital
- Superannuation (Benefit Scheme) Act 1992—
- Exemption of 3%—Kingston and Bordertown
- Supreme Court Act 1935—
- Court and Transcript Fees
- Court Fees—Probate
- Workers Rehabilitation and Compensation Act 1986—
- Agencies of the Crown
- Claims and Registration—Review Officers
- General—Recovery Rights/Exempt Employers
- Reviews and Appeals—Schedules/Prescribed Forms

By the Minister for the Arts and Cultural Heritage (Hon. Anne Levy)—

- Report on the Administration of the Planning Act by the South Australian Planning Commission and the Advisory Committee on Planning
- Riverland Cultural Trust—Report 1991-92

Murray-Darling Basin Commission—Report 1992
 Senior Secondary Assessment Board of South Australia
 Act 1992—Report—Amended Appendix VIII
 University of South Australia—Review, 1992
 Planning Act 1982—Crown Development Report—Land
 Division at Craighburn, Blackwood
 Public Parks Act 1943—Reports on disposal of land at 16
 Killicoat Street, Unley; 10, 12-14 and 18-20 Fern
 Avenue, Fullarton and 139 Leicester Street, Parkside
 Racing Act 1976—Rules—
 Bookmakers Licensing Board—On-Course Telephone
 Betting
 Harness Racing—
 Board Membership Numbers
 Handicapping—Local and Interstate Horses Wet
 Weather Meetings
 South Australian Greyhound Racing Board—
 Amendments
 Totalisator Betting
 Regulations under the following Acts—
 Beverage Container Act 1975—Glass Containers—
 Exemptions
 Botanic Gardens and State Herbarium Act 1978—
 General
 Vehicles
 Building Act 1971—Various
 City of Adelaide Development Control Act 1976—
 Heritage Items—Variations and Register
 Clean Air Act 1984—
 Burning of Refuse—Campbelltown
 Burning of Refuse on Domestic Premises
 Local Government Act 1934—Local Government
 Superannuation Board—Northern Territory
 Membership
 Local Government Finance Authority Act 1983—
 Prescribed Body—Ardrossan and Districts and
 Central Eyre Peninsula Hospitals Inc.
 Planning Act 1982—Development Control—Heritage
 Policy Areas
 South Australian Local Government Grants
 Commission Act 1992—Outback Areas Trust
 Valuation of Land Act 1971—Fees
 Corporation By-laws—
 Corporation of City of Glenelg—
 No.20—Moveable Signboards
 City of Happy Valley—
 No.1—Permits and Penalties
 No.2—Council Land
 No.3—Caravans and Camping
 No.4—Inflammable Undergrowth
 No.6—Bees
 No.7—Dogs
 No.8—Animals and Birds
 City of Kensington and Norwood—
 No.1—Repeal of By-laws
 No.2—Bees
 No.3—Height of Fences, Hedges and Hoardings
 No.4—Traffic
 No.5—Suspension and Prohibition of Traffic on
 Streets and Roads
 No.6—Keeping of Dogs
 No.7—Streets and Footways
 No.8—Tents
 No.9—Controlling, Licensing, Inspecting and
 Regulating Lodging Houses
 No.10—Keeping of Animals
 No.11—Keeping of Poultry
 No.12—Street Traders
 No.13—Inflammable Undergrowth
 City of Mitcham—
 No.1—Permits and Penalties
 No.10—Moveable Signs
 District Council By-laws—
 Beachport—
 No.5—Dogs
 East Torrens—
 No.3—Bees
 Hallett—
 No.1—Permits and Penalties

No.2—Streets and Roads
 No.3—Animals and Birds
 No.4—Bees
 Mallala—
 No.2—Streets and Public Places
 Millicent—
 No.10—Foreshore
 Stirling—
 No.38—Animals and Birds

By the Minister of Consumer Affairs (Hon. Anne Levy)—

Regulations under the following Acts—
 Births, Deaths and Marriages Registration Act 1966—
 Fees and Charges
 Builders Licensing Act 1986—Fees and Charges
 Commercial and Private Agents Act 1986—Fees and
 Charges
 Commercial Tribunal Act 1982—
 Constitution
 Fees and Charges
 Consumer Credit Act 1972—Fees and Charges
 Consumer Transactions Act 1972—Fees and Charges
 Cremation Act 1891—Fees and Charges
 Fair Trading Act 1987—Fees and Charges
 Fees Regulation Act 1927—Places of Public
 Entertainment—Fees and Charges
 Goods Securities Act 1986—Fees and Charges
 Land Agents, Brokers and Valuers Act 1973—Fees
 and Charges
 Landlord and Tenant Act 1936—Commercial
 Tenancies—Fees and Charges
 Liquor Licensing Act 1985—Dry Areas—
 Brighton Beach
 West Lakes Shore and Semaphore Park
 Places of Public Entertainment Act 1913—Fees and
 Charges
 Second-hand Motor Vehicles Act 1983—Fees and
 Charges
 Trade Measurements Act 1971—Fees and Charges
 Travel Agents Act 1986—Fees and Charges

MABO

The Hon. C.J. SUMNER (Attorney-General): I seek leave to table a ministerial statement by the Premier, Hon. Lynn Arnold, being given in the House of Assembly today on Mabo.

Leave granted.

QUESTION TIME

CABINET SOLIDARITY

The Hon. R.J. LUCAS: I seek leave to make an explanation prior to asking the Attorney-General a question on the subject of Cabinet solidarity.

Leave granted.

The Hon. R.J. LUCAS: The Premier told the Parliament on 20 October 1992 that the Minister of Primary Industries had agreed to abide by the principle of Cabinet solidarity and not to make public statements about issues outside his portfolio responsibilities. In the 1993 Cabinet handbook issued under his signature, the Premier elaborates on this principle by stating:

It is inappropriate for Ministers to accept invitations to speak or to make comment publicly on matters outside their portfolio area without the prior approval of the Premier.

On 5 May the Attorney-General, in tabling the Cabinet handbook in this Chamber, stated:

As I previously advised the Council, the Cabinet handbook has been based on existing South Australian procedures and guidelines, but it also includes the best elements of the

Commonwealth, Queensland and Victorian Governments and the West Australian Royal Commission into Commercial Activities of Government.

In summary, the new handbook outlines in clear terms the principles on which Cabinet is to operate.

This week the Minister of Primary Industries publicly indicated his strong personal support for fixed four year terms for State Parliament. This view is directly opposed to the Labor Government's policy on this issue and to statements made by the Attorney-General as the responsible Minister for this issue. This is a clear breach of the principle of Cabinet solidarity as articulated by the Premier. I have been informed that the Minister is aware of this but that he believes the Premier will not be game enough to do anything about it.

Members interjecting:

The Hon. R.I. LUCAS: He has the Premier over a barrel. My questions to the Attorney-General are:

1. Can the Attorney-General confirm that the established Government policy is to oppose fixed four year terms for State Parliament?

2. Has the Minister of Primary Industries been given special permission not to comply with the guidelines outlined in the Cabinet handbook and, if not, what action will be taken against the Minister for this clear breach of those guidelines?

The Hon. C.J. SUMNER: Clearly, no action will be taken.

The Hon. R.I. Lucas: You're not game to.

The Hon. C.J. SUMNER: There is absolutely no cause for any action.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order! Before we get under way, let us get the rules straight. The question has been asked; the Minister is entitled to answer it. The honourable Attorney-General.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: Obviously, this is not a case where any action would be taken. As I understand it, both the Minister of Health, Family and Community Services and the Minister of Primary Industries expressed their point of view on this topic of fixed four year terms as a personal opinion and, furthermore, they have expressed those opinions on previous occasions. In fact, the Hon. Mr Lucas, who is a keen student of parliamentary debates, would no doubt recall, in particular, that the Minister of Health, Family and Community Services has for a long time supported fixed four year terms.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: Okay, there are two of them. I believe that the Minister of Primary Industries has expressed that point of view also.

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The Hon. C.J. SUMNER: Well, I don't know.

The Hon. R.I. Lucas: He hasn't.

The Hon. C.J. SUMNER: You tell me that he hasn't; that's fine. All I know is that the two Independent members of Cabinet have a view on this. The Hon. Mr Evans certainly has a view on the topic that pre-dates his entry into a coalition with the Labor Party. I think I am on the record also as supporting four year fixed terms as far back as 1983 or 1984, as I recall.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: However, we had a debate within the Labor Party during our platform conventions on this topic and my view did not prevail. The view that prevailed is the one that is in the current law.

The Hon. Peter Dunn: You haven't said it publicly, though.

The Hon. C.J. SUMNER: I think I said it publicly. So, there is no major problem with this matter.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: People cannot deny their past. If they have taken views on issues in the past, those views stand unless they change them. Of course, what they cannot do is vote against Cabinet solidarity or actively advocate a position that is contrary to a position taken by Cabinet. The Labor Party policy on this matter when it was developed in, I think, 1983 or 1984 is for the current law, which is a three year fixed term with a discretion within the Government to call an election in the last year of the establishment of the four year term. That Bill was extensively debated in this Council when it was introduced in, I think, 1985, and members opposite, including the Hon. Mr Lucas and the Hon. Mr Griffin, supported the Bill—

Members interjecting:

The PRESIDENT: Order! The Council will come to order. If members give the Attorney-General a chance he will answer the question. The honourable Attorney-General.

The Hon. C.J. SUMNER: It sounds as though they have all had a long lunch, Mr President.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: So, that is the position. Those Ministers—certainly the Minister of Health, Family and Community Services—have expressed views on this topic on previous occasions. They were merely restating that position. However, they also said in their statements, if I read them correctly, that they would be bound by any Government policy on the matter as determined by Cabinet. Whether the Cabinet will re-examine this issue in the light of the Hon. Mr Gilfillan's statements, I cannot say.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: No, I am not saying anything.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: I said: whether they will, I cannot say. That is all I am saying—nothing more or less.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. Lucas: What is your policy?

The Hon. C.J. SUMNER: The policy, which has not been changed, is that which was expressed in the Bill.

The Hon. R.I. Lucas: What's that?

The Hon. C.J. SUMNER: You were here when it was passed.

Members interjecting:

The PRESIDENT: Order! The Council will come to order. If we are going to start off the session in this vein I do not think we will get very far. I ask members to respect the questions and the answers given. The honourable Attorney.

The Hon. C.J. SUMNER: I have already outlined what the Act does in broad terms. There is no point of conflict as far as these two Independent members are concerned. They expressed a point of view and they also said that they would be bound by the Government policy in relation to the matter.

The Hon. R.I. LUCAS: I ask a supplementary question. In the light of the Attorney-General's attempted answer, how does he explain the requirement in the Cabinet handbook for Ministers not to comment publicly on matters outside their portfolio area without the prior approval of the Premier? Is the Attorney-General stating that, if the Independent Minister of Primary Industries has expressed any view which predates his joining the Coalition Government and Cabinet and which is contrary to Labor Government policy, he is entitled to publicly advocate those views which he is on the public record as having expressed and which might be contrary to the current Government's position on whatever issue that it might happen to be?

Members interjecting:

The PRESIDENT: Order! The honourable Attorney-General.

Members interjecting:

The PRESIDENT: Order! How many Attorneys-General do we have?

The Hon. C.J. SUMNER: I am not sure that what the Minister of Health, Family and Community Services and the Minister of Primary Industries have said on this matter can be taken as publicly advocating a position.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: In the *Advertiser*. It is getting worse. It is one thing for it to be in the *Advertiser*; it is another thing for it to be in the *Sunday Mail*. One cannot deny the views one has on topics before one enters Cabinet. All sorts of views are held on all sorts of issues, but the important point is that when a person becomes a member of Cabinet they are bound by Cabinet solidarity. If the Cabinet makes a decision on a topic, they are bound to accept that decision. If for some reason or other they cannot accept it because they disagree with it or because of a matter of conscience or whatever, clearly their only course is to resign from Cabinet, but that is not the position in this situation. The two Ministers to whom I have referred were asked about a matter upon which I believe they had expressed views on previous occasions in the context of the Hon. Mr Gilfillan's having made a public statement about it, and they commented on it in that light.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: They said two things, as they did in the past: that they personally supported a fixed four year term, and they also said, on the other hand, that they would be bound by Cabinet solidarity in relation to the matter.

The Hon. T. Crothers interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: That does not mean that Cabinet Ministers are entitled to express views on whatever topic they like different from those determined by Cabinet. However, I can assure the honourable member, despite what he might like to think is happening, that it has not created any difficulties within the Government on this occasion and I do not expect it to.

BENEFICIAL FINANCE

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

Leave granted.

The Hon. K.T. GRIFFIN: Two former executives of Beneficial Finance Corporation left suddenly on 3 August 1990, exactly three years ago, soon after its then Chairman, Mr David Simmons, became aware of certain loans by Beneficial Finance Corporation to those executives.

The second Auditor-General's report recommended that the two, Mr John Baker, the former Managing Director of Beneficial Finance, and Mr Erich Reichert, the company's second most senior executive, be the subject of further investigation for illegal or improper conduct. That arises out of loans of \$100 000 each which they obtained from Beneficial Finance to invest in a failed Victorian property development.

On 7 August 1990, four days later, the former Premier, Mr Bannon, in answer to Liberal Party questions in the House of Assembly, said that Baker and Reichert had left because of a difference of opinion with Beneficial's board over the direction of the company. The Royal Commissioner found that this answer was given by Mr Bannon knowing it to be untrue.

There is also evidence that a former Executive Assistant to Mr Bannon, namely, Mr Geoff Anderson, and the former Economics Adviser to Mr Bannon and now to the Premier, Mr Arnold, Mr Ray Garrard, had been told prior to the dismissal of Baker and Reichert that illegal loans were involved.

On 14 August 1990 the Attorney-General in the Legislative Council defended State Bank and Beneficial Finance Corporation, accusing the Hon. Mr Gilfillan who had asked questions about State Bank and Beneficial Finance of picking on those two entities. The Attorney-General also said in defence of State Bank and Beneficial Finance:

It is not a matter of the State Bank or Beneficial Finance standing out as being institutions that have been badly managed.

My questions are:

1. At or about the time of the dismissal of the two executives of Beneficial Finance Corporation, was the Attorney-General advised of the true reasons for these dismissals?

2. Was his advice or that of the Crown Solicitor sought in relation to those dismissals and the best way to deal with them?

3. Was the issue of their dismissal the subject of conversation or briefing between the former Premier, Mr Bannon, or his officers and the Attorney-General either before or after the dismissals occurred?

The Hon. C.J. SUMNER: First of all, the allegations relate to illegal loans, as I understand it and from what the honourable member has said, but it is quite clear that what has been said is that there needs to be further investigation of those matters. So, until those inquiries are carried out I am not going to comment on the illegality or otherwise of the actions of Mr Baker or Mr Reichert. I think that would be quite wrong. If there is no illegality involved, then of course the honourable member's questions are based on a wrong premise, and I do not intend to respond to them for that reason.

But in any event I am not able to answer these questions. These matters occurred some three years ago. It seems to me hardly to the point at this stage to rake over old coals relating to this matter unless further investigations show illegality, in which case I presume that the appropriate authorities will take action to deal with that.

The Hon. K.T. GRIFFIN: I would like to ask a supplementary question. Will the Attorney-General acknowledge that the essence of the question involved not the matter of legality or illegality of the loans but rather the true reasons for the dismissals of Mr Baker and Mr Reichert? I therefore repeat the question: at or about the time of the dismissal, whether or not the loans were illegal or legal, was he, either himself or through the Crown Solicitor, involved in advice in relation to the dismissals of Mr Reichert and Mr Baker and the best way to deal with those?

The Hon. C.J. SUMNER: I will not acknowledge what the honourable member has said in his supplementary question because quite clearly whether or not illegality was involved is a fundamental premise to the question that the honourable member asked. I have said in relation to the questions that I cannot answer those questions off the cuff. I certainly do not recall being involved in providing any advice in relation to them, and there may be no reason why I would be involved in dealing with those matters. I cannot say whether the Crown Solicitor provided advice in relation to them but in any event, as I said, I do not know what turns on these particular questions dealing with matters as they do that occurred some three years or so ago.

ADELAIDE FESTIVAL

The Hon. DIANA LAIDLAW: I seek leave to make an explanation prior to addressing a question to the Minister of Arts and Cultural Heritage about the Adelaide Festival.

Leave granted.

The Hon. DIANA LAIDLAW: The Adelaide Festival, established some 25 years ago, is now known to be fighting for survival. Following the 1992 Festival funding reserves were reduced to a mere \$12 000 and now a shortfall of funds for the 1994 Festival has forced the cancellation of major theatre events from Japan and Vietnam. In order to avoid the cancellation of even more events the Festival board is now considering a range of options, including guarantees against loss for further actions and that this was a process employed successfully for the staging of Womad in Adelaide earlier this year.

However, concern has been expressed to me by representatives of the arts community in recent days that the board may be constrained in pursuing some survival options because of its ongoing and bitter battle with the Minister over her insistence that Mr Stephen Spence, Secretary of the Adelaide branch of the Arts and Media Alliance, be appointed as the Government's representative on the board. Therefore, I ask the Minister:

1. Will she give a guarantee to the Parliament and to the arts industry in South Australia that any future negotiations with the board of Governors to resolve the Festival's funding crisis will not be prejudiced by the board's refusal to accept her nomination of Mr Stephen Spence to the board?

2. Also, in order to ensure that the Festival organisers are no longer further distracted from the critical task of raising corporate finances, will she drop her obsession to appoint Mr Spence to the board in favour of an appointment that would

help the board to generate vital corporate dollars and to develop a longer term national perspective?

The Hon. ANNE LEVY: Mr President, what an amazing mishmash of nonsense. It is absolutely incredible.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: In relation to Festival funding, I was informed some time ago that the Festival was considering postponing confirmation of three particular productions for the 1994 Festival as they at that stage felt they had a shortfall of about \$100 000. I point out that Government funding to the Festival is \$2.5 million, compared to which \$100 000 is a very small amount. It is less than 4 per cent of the total Government funding and, as Government funding contributes I think about 30 per cent of the total cost of putting on a Festival, the \$100 000 being discussed is a minute proportion of the total budget for the Adelaide Festival.

I point out that the Government funding of \$2.5 million is a considerable increase over funding for previous Festivals. It is a real increase. I remind members that this increase has been granted in times of particular financial stringency; nevertheless, the Festival has been granted an increase of 13 per cent over the funding for 1992. That illustrates very clearly, Mr President, the importance that the Government places on the Adelaide Festival and its absolute commitment to ensuring that the Festival is a success.

This is surely well demonstrated by the considerable real increase in funding that has been granted for the 1994 Festival. There has been talk of the increase in funding from the Adelaide City Council. I am sure that increase is welcome indeed, but we should realise that, even with the increased contribution from the Adelaide City Council, it is not much more than 10 per cent of what the State Government provides. The contribution from the State Government is undoubtedly the major contribution received by the Adelaide Festival of Arts. It is of quite a different order of magnitude from funding received from any individual sponsor or from the Adelaide City Council.

So let there be no suggestion that the Government does not support the Adelaide Festival. The Government has demonstrated very loudly and clearly its complete commitment to the success of the Festival. Its financial contribution shows this.

The Hon. Diana Laidlaw: Answer the question.

The Hon. ANNE LEVY: This is very relevant indeed. The question referred to negotiations regarding funding. As far as I am aware, there are no negotiations regarding funding which the Festival is undertaking with the Government. The Festival may well be undertaking negotiations with other organisations, other bodies, other individuals—and I certainly wish it luck in doing so—but there are no negotiations going on with the Government over funding. As I indicated, Mr President, we completed those negotiations some time ago and announced our considerable increase in funding for the Festival. To suggest that negotiations, which are not taking place, might be in some way related to a Government nominee on the board is complete nonsense.

The honourable member did make some comment about the Festival looking for guarantees against loss. I understand that this has been suggested and I remind members that this was done in earlier Festivals: it would not be something novel for this Festival. It was done for the early Festivals in the 1960s—I do not know whether it continued into the 1970s. For many years the Adelaide Festival, or the Festival of Arts

as it was then called, had a system whereby ordinary individuals, organisations and companies undertook guarantees against loss by the Festival. If the Festival is thinking of renewing that system, which it had employed in previous times, I would certainly be interested to see what response it gets now. As I recall, there was an excellent response from the citizens of South Australia when the Festival adopted that procedure many years ago.

I remind members that the question of Mr Spence's membership of the board was never raised by me in this place. It was raised by members of the Opposition. I commented at the time that, while it was well to discuss things in general terms, I felt it was perhaps not very considerate to start naming individuals. However, the honourable member certainly seems to prefer to name individuals rather than discuss—

The Hon. Diana Laidlaw: It was your choice.

The Hon. ANNE LEVY: No, it was not my choice to name individuals in this Parliament.

The PRESIDENT: Order!

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: It was certainly not me who raised any particular name in the Parliament. As I indicated previously (as Parliament has not sat for some months the honourable member may not remember what has occurred in this respect), the board has amended its constitution. I would stress that the board of the Adelaide Festival is not a statutory authority. It is an independent organisation which is incorporated under the Associations Incorporations Act. It informed me late last year that it had amended its constitution so that as from September of next year the Government will be able to have not one but two nominees as members of the board.

Currently the board has provision for 18 members, of whom, as I say, one is a Government nominee. As from September next year the size of the board will be reduced—I think it is to 12 members, or it might be 14—of whom two will be Government nominees. At that time the board wrote to me. I have offered to show the letter to the honourable member; she has never requested to see the letter, so I presume she believes what I say when I indicate, as I did previously, that it had written to me indicating that in the meantime, prior to the general meeting occurring in September 1994, the board would be prepared to co-opt a second Government nominee. That was what its letter said, in response to which I proposed a nominee. Since then the board has been having conversations with me; there has been correspondence and—

The Hon. Diana Laidlaw: Will you show me that correspondence?

The PRESIDENT: Order!

The Hon. ANNE LEVY: I would be very happy to show the honourable member the correspondence. This is the first time she has ever asked me about it—and by way of interjection. She has never written to me requesting the correspondence; she has never taken the slightest interest in the correspondence until that interjection—but I am perfectly happy to show her the correspondence, and she can notice the delays in response on the part of the Festival to any letter from me—

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY:—and the short space of time between my receiving a letter and responding to it. I have had several meetings with representatives of the board to discuss this matter.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: I am still having further meetings with representatives of the board, Mr President, and discussions are continuing.

The Hon. DIANA LAIDLAW: I have a supplementary question. Is the Minister prepared to drop her obsession with the appointment of Mr Spence in favour of an appointment that would help the Festival generate corporate dollars and develop a much needed national perspective? That is what the board is seeking.

The Hon. ANNE LEVY: If the board wishes someone of a particular characteristic on the board, it is perfectly free to co-opt them at any time. It has that power. It does not need a nomination from me to attract someone with particular qualifications or interests? They have powers of co-option; they can co-opt anyone they wish at any time they wish.

CREDIT CARDS

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question about annual charges for credit cards.

Leave granted.

The Hon. CAROLYN PICKLES: In an article in the *Advertiser* of 2 August 1993—

Members interjecting:

The Hon. CAROLYN PICKLES: It is in the *Advertiser*.

The Hon. ANNE LEVY: But that doesn't mean it is right.

The Hon. CAROLYN PICKLES: No, but I think this one probably is.

Members interjecting:

The PRESIDENT: Order!

The Hon. CAROLYN PICKLES: In that article, Mr Malcolm Newell writes about annual fees for credit cards and he states:

In coming months there are going to be some heated rows about credit card charges. Card issuers can now charge an annual fee if they reduce the interest charged on outstanding balances. Already the State Bank is offering 12.25 per cent for paying a \$48 a year membership fee with no free days.

Mr Newell points out that there is very little gain for the consumer with this charge. He states:

On a card with an average balance of \$1 000, and depending on the previous juggling of interest free days, you would save around \$17 a year.

I have noted that the Minister has warned consumers to do their sums carefully. I am sure that many people will be very confused with these new changes. Will the Minister outline the changes and the pitfalls for the unwary consumer?

The Hon. ANNE LEVY: I thank the honourable member for her question and, despite the quip by way of interjection, the article by Mr Newell is very accurate, factual and very—

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY:—carefully thought out, which is not something one can say for all articles in the *Advertiser*. However, on this particular matter I agree with the honourable member—this is a very serious matter indeed. As from last Sunday it is possible for financial institutions right around Australia to charge up-front fees for credit cards. This was agreed at the meeting of Ministers of Consumer Affairs in May this year and the other States all had to take specific action to permit the charging of up-front fees for credit cards,

which was done in all other States to come into effect last Sunday—1 August.

As indicated by the honourable member, the State Bank has, prior to this, introduced a card with an up-front fee, which has a considerably lower interest rate than that which it charges on the card with no fee. Another difference, of course, is that on this new card there is no interest-free period, unlike the bank's standard card.

Now that the prohibition on up-front fees has been lifted right around Australia we can certainly expect in the near future that many of the banks and other financial institutions may bring in a card with an up-front fee. I was certainly delighted to see that the State Bank left it as optional for its customers as to whether they chose the card with the up-front fee and the low interest rate or whether they stayed with the card without fee but with a much higher interest rate. I hope that other institutions will follow the bank's example and give consumers the choice as to which type of card is best suited for their purposes. However, I certainly urge all members of the public to consider such a decision very carefully and to evaluate which type of card is of greatest benefit to them.

The Consumers Association has indicated that for people who habitually carry a fairly large debt on their credit card it may be of advantage to them to pay the up-front fee and have a lower interest rate. However, for people whose debt on their credit card account is not generally very large it could be to their financial disadvantage. I would certainly suggest that all consumers consider very carefully whether or not it would be to their advantage and, in particular, to check on things like whether or not the new card still has an interest-free period, because it can make a considerable difference if there is no interest-free period, and to read very carefully the small print, because many conditions which may be new can be found in the small print and people need to evaluate very carefully whether the new cards—which are likely to be brought in in the near future and probably subjected to a fair degree of hype in their advertising—are appropriate for their particular needs.

I point out that in the United Kingdom, when up-front fees for credit cards were introduced, it was found that for every £10 fee there was a reduction in interest rates of about 4 per cent. This corresponds in Australian terms to about a 2 per cent fall in interest rates for every \$10 that may be charged in an up-front fee. The card introduced by the State Bank did not fulfil those qualifications. The drop of 7.5 per cent in interest rate was accompanied by a credit card fee of \$48 per annum, which is a considerably greater fee than that which applied in the United Kingdom or that which has been recommended by the Consumers Association guide in Australia.

It remains to be seen, of course, what cards the other financial institutions introduce. However, we can probably expect to have a great variety of credit cards with different up-front fees and different interest rate falls being available on the market very soon. I think all the Ministers of Consumer Affairs around Australia would endorse the comment that consumers should read the fine print and consider the matter very carefully before grabbing what may on the face of it appear more attractive an option than it actually is when all matters are taken into consideration.

SEPARATION PACKAGES

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister representing the

Minister of Education, Employment and Training a question about voluntary separation packages for teachers.

Leave granted.

The Hon. M.J. ELLIOTT: A number of concerns have arisen over the application of voluntary separation packages with teachers in our schools, and two of those are illustrated by a recent case where a teacher of year 12 chemistry in a country high school has taken a voluntary separation package only some 13 weeks before the final examinations in that subject. As I understand it, the parents and the students hold this particular teacher in high regard and are rather bemused by what is happening; firstly, that students who are perhaps at one of their most critical stages of their education are going to face a change of teacher, a change in methodology, a very clear interruption to the progress of their subject with a new teacher having to be found (which is sometimes difficult in country areas) to takeover and to pick up the SACE, which is very complex and, secondly, that a teacher who should be so highly regarded by parents and students should in the first place even be offered an incentive to leave the Education Department. In the words of one senior departmental officer:

We are losing the teachers we least want to lose. The ones who are most employable outside the department are the ones who are taking the voluntary separation packages.

I ask two questions of the Minister: first, will the Minister give an assurance that no further voluntary separation packages will be granted which would take effect during the school year? Secondly, will the Minister take steps to ensure that voluntary separation packages do not continue as a mechanism which facilitates some of the best teachers in South Australia leaving the department?

The Hon. ANNE LEVY: I will refer those questions to my colleague in another place and bring back replies.

SWIMMING POOLS

In reply to **Hon. J.C. IRWIN** (3 March).

The Hon. ANNE LEVY: The Minister of Housing, Urban Development and Local Government Relations has provided the following response:

1. Cabinet has now approved the release of a draft white paper on swimming pool fencing for public consultation, prior to making a final decision on this issue. The draft paper is currently being printed and will be made available as soon as possible.
2. The Minister will use his best endeavours to have legislation ready following the public consultation process and consideration of submissions.
3. The Minister believes that the whole revised standard AS1926 is likely to be available in May 1993.
4. There is legal disagreement over whether the Building Regulations override the Swimming Pools (Safety) Act in relation to new pools which require building approval. The situation is being clarified for the future by an amendment to the Swimming Pools (Safety) Act contained in the Statutes Repeal and Amendment (Development) Bill and, in the interim, by an amendment to the building regulations. The object of these amendments is to make it clear that the building regulations apply to new pools which are building work.

RETIREMENT VILLAGES

In reply to **Hon. K.T. GRIFFIN** (30 April).

The Hon. ANNE LEVY: A miscellaneous amendment Bill for the Retirement Villages Act 1987 is currently being drafted by Parliamentary Counsel. The Bill will address a number of issues identified by the Retirement Villages Advisory Committee which has representatives from industry, resident groups and Government and is chaired by the Commissioner for Consumer Affairs.

It is anticipated that the proposed Bill will go much of the way to resolving current difficulties with respect to such contractual matters as the uncertainty in the refund of premiums. It will clarify

the ongoing obligations of administrators and the role of residents' committees and will ensure greater accountability by administrators.

It is proposed that the Bill will establish a flexible scheme for the refund of premiums in circumstances of need or hardship.

It is further proposed to amend existing sections of the Retirement Villages Act 1987 to afford residents greater disclosure of the financial methods employed in retirement villages, ensuring proper accountability of the owners and managers.

The Retirement Villages Advisory Committee participated in and unanimously agreed to all the changes which will form the basis of the Bill and there are no outstanding issues that need to be resolved.

The Commissioner for Consumer Affairs, who is responsible for the administration of the Retirement Villages Act 1987 will continue to monitor developments in the retirement villages industry and to conciliate complaints. She will advise and consult with me on the need for or desirability of further legislation.

TEA TREE GULLY LANDFILL

In reply to **Hon. M.J. ELLIOTT** (31 March).

The Hon. ANNE LEVY: The Minister of Environment and Land Management has advised, concerning the issue of landfill rehabilitation, that the City of Tea Tree Gully's Smart Road landfill closed on 12 October 1987. A final inspection was carried out by Waste Management Commission staff on 19 October 1987 to ensure that there was an adequate depth of soil covering the rubbish.

Council gave an undertaking to rehabilitate the site within two years of closure.

Implementation of the undertaking has been delayed due to subsidence problems and financial constraints. Although the delay has resulted in reduced amenity for adjoining residents, no environmental problems are being experienced.

The City of Tea Tree Gully has resolved to develop the Smart Road site as a city wide recreation area. In 1992 council received a consultant's report 'Recreation and Sport Plan for Tea Tree Gully' which investigated possible facilities to be developed within the city. Once this report is adopted by council a concept development plan will be approved, subject to site conditions and public need.

The council intends to hold community consultations prior to the approval of the concept development plan to establish public priorities for the site.

The Minister has further advised regarding the matter of landfill gas management that for the past several years a landfill gas extraction system on the Smart Road landfill has been supplying the adjoining Falzon Brickworks with gas for its kilns.

In 1992 council contracted Falzon Landfill Gas Pty Ltd to install additional wells, piping and monitoring bores to control all landfill gas from the landfill. Council is provided with a record of all monitoring results on a regular basis and these show zero gas levels at the site boundary.

Hallett Brick Landfill Pty Ltd who operate the adjoining landfill site have also installed a comprehensive landfill gas recovery system.

The Waste Management Commission will continue to monitor the situation to ensure that public and environmental concerns continue to be addressed by Council.

LANDCARE

In reply to **Hon. PETER DUNN** (24 March).

The Hon. ANNE LEVY: The Minister of Environment and Land Management has provided the following response:

1. Overall, 61 per cent of Landcare groups that applied for funds were successful in obtaining grants in 1992-93. Projects are assessed by a panel largely comprised of community people and the majority of projects that met the criteria of the program were funded.

2. The network of 12 regionally based Landcare officers in the Department of Primary Industries, as well as contact officers in Greening Australia, the Department of Environment and Land Management, the Engineering and Water Supply Department and other Primary Industries officers provided assistance to Landcare groups in the development of project activities and funding applications.

3. The level of effort by Landcare officers and contact officers has been exceptional. A recent independent review, by J. Rush and Associates, of the Landcare program indicated that 75 per cent of the groups identified that they would be reluctant to consider forming a group if they did not have the commitment of Landcare officers. Applications are currently being sought for funding for 1993-94 and

Landcare staff are in almost constant contact with community groups assisting them to prepare their funding applications.

4. All funds available for South Australia were allocated in 1992-93. Approximately \$1.8 million was allocated to 164 Landcare projects.

HOUSING TRUST WAITING LISTS

In reply to **Hon. J.C. BURDETT** (21 April).

The Hon. ANNE LEVY: The Minister of Housing, Urban Development and Local Government Relations has provided the following response:

1. The waiting list for Housing Trust accommodation comprised 42 787 applicants as at June 1992.

2. There are 117 Housing Trust staff living in Housing Trust accommodation. This represents .18 per cent of Housing Trust stock. As a public housing authority, the only eligibility criterion applying to South Australians seeking Housing Trust accommodation is that they do not own other property. Housing Trust staff who are transferred to country locations are generally eligible for Government Employee Housing, but trust housing has occasionally been used for this purpose. There are currently nine country staff occupying trust housing as a condition of employment. This represents .014 per cent of all stock.

3. One Housing Trust staff member earning more than \$55 000 is a trust tenant.

EAST END MARKET

In reply to **Hon. J.F. STEFANI** (17 February).

The Hon. ANNE LEVY: The Minister of Housing, Urban Development and Local Government Relations has provided the following response:

1. The Government's decision to acquire the site and establish a Steering Committee reflected the area's strategic significance to the city and the need to prevent *ad hoc* and unsuitable development, while ensuring maximum community input.

It was considered a perfect opportunity to develop an integrated plan for the whole area which reflected the character of Adelaide and the vision for the future of our city expressed in the planning review process. The development to flow from it will see the East End further enhanced as an asset not only for the people of Adelaide but also our visitors.

The Adelaide Fruit and Produce Exchange site is an integral part of Adelaide's heritage and its future. The Government took decisive action to ensure the site had an opportunity to realise its full potential and once again become a vibrant part of the city.

In purely administrative terms the Minister of Public Works was the logical choice for the nominal landowner.

2. The transfer of the East End site from 'The East End Market Company Limited' to the 'Minister of Public Works' was affected by two transactions, one in respect of the Stag Hotel and the other in respect of the balance of the site. No stamp duty was payable in respect of these transactions because conveyance to the Crown, whether on sale or otherwise, is exempt from stamp duty (refer exemption 13b set out in the 'General Exemptions from all Stamp Duties' in the Stamp Duties Act).

3. The question presumes that Government could have directed the bank to on-sell the property and the company. The decision by Government to purchase the former Adelaide Fruit and Produce Exchange properties was taken in May 1992, prior to the Deed of Amendment to the Treasurer's Indemnity Agreement with the State Bank under which control of the non-performing assets of the bank was transferred to the account and direction of the Treasurer.

It was agreed that the corporate entity should not be sold as any transfer of shares would require indemnities/warranties from the vendor to the purchaser to protect against the likelihood of future events occurring based on any past trading activity of the entity. These would be extensive and similarly be required if the Government subsequently on-sold the company to a third party.

LEGISLATIVE COUNCIL VACANCY

The Hon. L.H. DAVIS: I seek leave to make an explanation before asking the Attorney-General, as Leader of the Government in the Council, a question about a Legislative Council vacancy.

Leave granted.

The Hon. L.H. DAVIS: There has been public confirmation that Mr Colin McKee, a Labor member in another place, who currently will be seatless after the next election, has been promised the first Labor Party vacancy in the Legislative Council. There had apparently also been earlier desperate efforts to persuade the Independent Labor Minister, Mr Terry Groom, to take a position in the Legislative Council, but he has apparently preferred to stay and fight the endorsed Labor candidate for Napier, Annette Hurley. There have been persistent and well-sourced rumours—

Members interjecting:

The PRESIDENT: Order!

The Hon. L.H. DAVIS:—that an attempt has been made to persuade a sitting Labor Legislative Councillor to retire not at the next election but immediately after it to enable Mr McKee to take a position in the Legislative Council. Will the Attorney-General advise which Legislative Councillor is retiring after the next State election to provide a seat for Mr Colin McKee as promised?

The Hon. C.J. SUMNER: I cannot advise the honourable member on that topic.

LOCAL GOVERNMENT MEETINGS

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister representing the Minister for Local Government Relations a question about council meetings.

Leave granted.

The Hon. J.C. IRWIN: There were media reports last week that at least one council in South Australia was employing a practice of forming working parties and *ad hoc* committees, allegedly in order to avoid certain sections of the Local Government Act which give public access to council meetings, council committees and advisory committees—unless, of course, the provisions of section 62 of the Act are used, by which a council or a committee can exclude members of the public. My questions are:

1. Is the Minister aware that there is a council or councils who are deliberately holding certain meetings in such a way as to preclude members of the public?

2. Will the Minister seek to have this practice stopped?

3. Does any meeting of a council committee, especially an advisory committee containing persons who are not councillors, have to comply with section 61(1)bb and section 62 of the Local Government Act? These sections relate to notice of meeting and agenda being on public display some three days before these meetings and before committee meetings are held in public?

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

STATE BANK

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Attorney-General, representing the Treasurer, a question about the State Bank.

Leave granted.

The Hon. J.F. STEFANI: In 1990, a financing package was developed by the State Bank for the construction of the State Bank tower. The structure encompassed at least two off-balance sheet companies, named Bulwark and Ollago, with a syndicate of banks providing the finance. A complex tax minimisation lease arrangement was devised as a scheme for this project. The initial assumptions underlying the structure

were such that the lease rental payable to the partnership for construction finance would be matched by the rentals receivable from the tenants. Clearly, at the time when the financial arrangements were first proposed, the obligations assumed were seen as manageable and not overly onerous. Since that time, the bank's financial obligations have increased significantly in terms of meeting the lease payments and the residual compensatory payment.

Concerns have been expressed by the Auditor-General in his first report as to the financial ramifications which have resulted in substantial additional costs to the bank, and he asserts that the total costs cannot be ascertained until 1996. Given that the original construction costs to build the State Bank tower exceeded the budgeted costs by more than \$41 million, my questions are:

1. Will the Treasurer advise the total cost for the construction of the State Bank building?

2. What are the costs that have been incurred by the State Bank to provide rent subsidies and/or other tenant incentives to take up lease space in the building?

3. What are the total costs accumulated and losses incurred by Bulwark and Ollago companies to 30 June 1993?

4. What are the estimated losses which are likely to be incurred by the State Bank up until now and between now and 1996?

5. What amount of provisioning, if any, has been set aside by the bank to cover the guarantees under the funding package which will ultimately require the State Bank to provide funding to repay the external financiers?

The Hon. C.J. SUMNER: I will take those questions on notice and refer them to the Minister and bring back a reply.

KANGAROO MEAT

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister representing the Minister of Primary Industries a question about a kangaroo butt levy.

Leave granted.

The Hon. PETER DUNN: I am not a Queenslander, but the term 'butt' is a definitive term for the lower half of a kangaroo carcass after it has been harvested. A 40¢ levy has been put on kangaroo butts, and it has been imposed by the Federal Department of Primary Industries. Kangaroo meat has been available and consumed in South Australia for a number of years and has caused a specific clientele and demand to develop.

Just recently, in fact only in the past six months, the Eastern States have allowed the consumption and sale of kangaroo meat. Because of the longstanding use of kangaroo meat in South Australia and Western Australia, we have a well developed harvesting, slaughtering and chilling industry employing approximately 100 people. Because of the excess breeding of kangaroos in this State on the pastoral country, particularly the Western Grey, the Red and the Euro, harvesting is essential to keep the numbers under control. The imposition of 40¢ per butt can only make the industry which has now developed in South Australia and which is exporting interstate less competitive, with likely losses of employment. My questions are:

1. Has the Minister been consulted by the Federal Primary Industries Minister as to the effect of the 40¢ impost on each of the kangaroo carcasses?

2. If so, what was the State Minister's response?

3. Will the Minister lobby the Federal Minister to have the 40¢ per carcass removed from South Australia when harvesting kangaroos?

The Hon. ANNE LEVY: On behalf of the Minister of Transport Development, I will undertake to see that those questions are referred to the appropriate Minister in the other place and that a reply is brought back.

GLENSIDE HOSPITAL

The Hon. BERNICE PFITZNER: I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question on the topic of the discharging of patients with mental disabilities from Glenside Hospital.

Leave granted.

The Hon. BERNICE PFITZNER: It has been raised with me that there is a hidden agenda that the medical staff, and a certain medical officer, have been given the task of 'clearing beds' at Glenside Hospital. This task is seen as a cost cutting procedure, it is reported. To highlight this problem, a person called Ron was admitted 12 months ago to Glenside, South Birches Ward. It was difficult getting him admitted and finally he was admitted by the Guardianship Board under what are called 'Financial Orders' and 'Accommodation Orders'. He had fared well at Glenside for the past 12 months but approximately two weeks ago the Medical Tribunal decided that this person, with a mental disability, an alcoholic and with signs of cerebral palsy, should be discharged. It was reported, by a church group who befriended him, that he was never able to live independently without danger to himself. No appropriate arrangements were made on discharge for possible supervision of his accommodation or financial situation. Within a week of discharge, he was found dead. My questions to the Minister are:

1. Is there a hidden process requiring the clearing of beds due to shortage of staff at Glenside?

2. Can the Minister look into this particular case as the decision to discharge this particular patient appears to be a severe error of judgment?

3. What are the criteria for discharge of mentally disabled patients?

4. What is the procedure, once the decision is made, to discharge the patient?

5. What support systems are in place following the discharge of a patient and are they adequate?

The Hon. ANNE LEVY: On behalf of the Minister of Transport Development, I will have those questions referred to the Minister in another place and see that a reply is brought back.

ARTS AND CULTURAL HERITAGE

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister for the Arts and Cultural Heritage a question about the Department for the Arts and Cultural Heritage.

Leave granted.

The Hon. DIANA LAIDLAW: During the parliamentary break, people in the arts sector have taken an increasing interest in the fact that the Minister of Business and Regional Development and the Minister of Tourism, the Hon. Mike Rann, has been taking an increasing interest, in turn, in all matters dealing with the arts, from museum development to the staging of festivals. This interest seems to coincide with

the Government's decision to establish 12 super portfolios. There is some concern about this move because South Australia was the first State to establish a discrete Department of the Arts, and it is a move that other States have since followed, and the Federal Government itself decided to do so following the most recent Federal election where for the first time there is a separate Department for the Arts with its own Minister and with Cabinet status.

Also, there is, of course, some interest in developing closer ties between the people in the arts and cultural heritage community, and with economic development and tourism, but as the Minister should appreciate, the arts have a much wider role in our community beyond that of economic development and tourism, and those roles include the creative endeavour, education and an important social function.

So, I ask the Minister, as part of the Government's plan to create 12 super ministries, can she confirm whether or not she has been involved in discussions to absorb, amalgamate, coalesce or transfer the Department of the Arts and Cultural Heritage to the Hon. Mike Rann as Minister of Business and Regional Development and Minister of Tourism? Does she support such proposals, and if so, why? If not, what is she doing to persuade her Cabinet colleagues that such a move would not be in the best interests of the arts industry in South Australia?

The Hon. ANNE LEVY: It is certainly true that tourism, I am very glad to say, has realised that the arts exist in South Australia and that the arts play an extremely important role through cultural tourism projects in benefiting the economy of South Australia. I acknowledge completely that this is not the only function of the arts, of course. But from the point of view of the South Australian economy, cultural tourism is very important, and I am very glad that Tourism South Australia and the Minister of Tourism is most aware of this. I am surprised that the honourable member appears to be questioning this or feeling that it is not in South Australia's best interests.

I would have thought it was very much to our interest for cultural tourism to develop, and for the Minister of Tourism and his officers to appreciate the benefits which cultural tourism can bring to South Australia and to support cultural tourism projects. I am delighted that this is occurring, and I am staggered that the honourable member opposite queries the benefit of this. I would have thought it was just so obvious that everyone would accept that it was highly desirable. South Australia is known for its arts. It is one of our best distinguishing characteristics elsewhere in Australia. For tourism, we need to build on the strengths that we have, and that to me certainly means developing cultural tourism as part of our economic development program and continuing to develop the arts as a most important part of our economy, quite apart from the very valuable other benefits which the arts bring to all South Australians.

With regard to any proposals for public sector reform, I think particular alignments are a matter for the Premier and are certainly being discussed and considered by the Minister for Public Sector Reform, and it would seem to me most appropriate that I should refer the remainder of the honourable member's question to the Minister responsible.

**JOINT COMMITTEE ON PARLIAMENTARY
PRIVILEGE**

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

That the members of this Council appointed to the committee have power to act thereon during the present session.

Motion carried.

**SELECT COMMITTEE ON THE EXTENT OF
GAMBLING ADDICTION AND EFFECTS OF
GAMING MACHINES**

The Hon. T. CROTHERS: I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

**SELECT COMMITTEE ON THE
REDEVELOPMENT OF THE MARINELAND
COMPLEX AND RELATED MATTERS**

The Hon. ANNE LEVY (Minister for the Arts and Cultural Heritage): I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

**SELECT COMMITTEE ON THE
CIRCUMSTANCES RELATED TO THE STIRLING
COUNCIL PERTAINING TO AND ARISING FROM
THE ASH WEDNESDAY 1980 BUSHFIRES AND
RELATED MATTERS**

The Hon. ANNE LEVY (Minister for the Arts and Cultural Heritage): I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

**SELECT COMMITTEE ON THE PENAL SYSTEM
IN SOUTH AUSTRALIA**

The Hon. I. GILFILLAN: I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

**SELECT COMMITTEE ON COUNTRY RAIL
SERVICES IN SOUTH AUSTRALIA**

The Hon. G. WEATHERILL: I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

**SELECT COMMITTEE ON THE CONTROL AND
ILLEGAL USE OF DRUGS OF DEPENDENCE**

The Hon. CAROLYN PICKLES: I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

**SELECT COMMITTEE ON REVIEW OF CERTAIN
STATUTORY AUTHORITIES**

The Hon. T.G. ROBERTS: I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 20 October 1993.

Motion carried.

SESSIONAL COMMITTEES

Sessional committees were appointed as follows:

Standing Orders: The President and the Hons K.T. Griffin, R.I. Lucas, R.R. Roberts and C.J. Sumner.

Library: For this session, a committee not appointed.

Printing: The Hons Peter Dunn, M.S. Feleppa, J.C. Irwin, R.R. Roberts and T.G. Roberts.

ADDRESS IN REPLY

The PRESIDENT having laid on the table a copy of the Governor's speech, the Hon. C.J. Sumner (Attorney-General) moved:

That a committee consisting of the Hons R.I. Lucas, Carolyn Pickles, M.S. Feleppa, Caroline Schaefer and C.J. Sumner be appointed to prepare a draft Address in Reply to the speech delivered this day by Her Excellency the Governor and to report on the next day of sitting.

Motion carried.

ADJOURNMENT

At 4.11 p.m. the Council adjourned until Wednesday 4 August at 2.15 p.m.