HOUSE OF ASSEMBLY

Wednesday 30 October 1985

The SPEAKER (Hon. T.M. McRae) took the Chair at 2 p.m. and read prayers.

PETITION: CLEVE AREA SCHOOL

A petition signed by 58 residents of South Australia praying that the House support the retention of existing staffing levels at Cleve Area School was presented by Mr Blacker.

Petition received.

MINISTERIAL STATEMENT: HELICOPTER SERVICE

The Hon. D.J. HOPGOOD (Minister of Emergency Services): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: Last Thursday in this House the member for Murray asked a question in relation to the Westpac State Helicopter Service. Before turning to the honourable member's question, I should correct his terminology. The service is in fact known as the Westpac State Rescue Helicopter Service (and now merely the State rescue helicopter) in recognition of Westpac's sponsorship and support for the service. This fact is often unfortunately overlooked, but I believe that we here at last have an obligation to acknowledge Westpac's involvement and indeed the involvement of the other sponsor, Channel 10.

The honourable member has asked what action has been taken to ensure that the service is fully operational before the peak summer season. In his explanation, the honourable member referred to the withdrawal from use of the rescue hoist on the manufacturer's recommendation. The Chairman of the Westpac State Rescue Helicopter Service (Dr Michael Jelly) advised me in a minute dated 18 October 1985 of the malfunction of the equipment and the requirement to withdraw it from service. It is correct to say that the hoist is an important piece of equipment, particularly in the summer months, for the rescue of, for example, windsurfers who are caught by offshore winds.

However, problems have been experienced with this piece of equipment. On 16 October 1985, the hoist was being used for training purposes by the Police Special Task and Rescue Force when it was noticed that the hoist cable was not winding on to the drum assembly correctly. An immediate decision was made to cease the use of the equipment.

Coincidentally, on 17 October 1985, an alert service bulletin was received from Bell Helicopters, Texas, recalling the hoist for modification because of a problem with this function of the hoist. The hoist has been despatched to the United States for the necessary modifications. Advice is not available as to how long the hoist will be out of service. The Chairman of the Westpac State Rescue Helicopter Steering Committee has advised that an indication of time is being sought and all possible efforts are being made to expedite the work. The Chairman has also advised that in the interim alternative arrangements are being made to equip the helicopter with a rescue hoist for this forthcoming summer.

A hoist previously in use on the Westpac helicopter was damaged some time ago and arrangements are being made to have that hoist repaired. Subject to safety checks, the spare hoist will be installed for use on the Westpac helicopter for emergency use only. I point out that the manufacturer's alert service bulletin indicates that failure of the winding mechanism has not been associated with failure of the cable itself.

While it is regrettable that the Westpac State Rescue Helicopter is without a hoist it must be emphasised that there is a responsibility to comply with the manufacturer's recall in order to both ensure that the necessary modifications are completed and that no damage occurs which may render the hoist totally unserviceable. The Chairman has also advised me of a second equipment problem involving the hook device which is used in conjunction with the hoist. As members would realise, the hook device is an extremely important piece of equipment. Rescuers or victims who are suspended from the hoist are secured to the cable by the hook or catch device.

On two occasions, the first about two years ago and the later earlier this month, the hook has failed. Despite close examination by the parties involved including the police, no explanation for the failure can be offered. However, arrangements are being made to replace this item with a locally manufactured product. I understand that the replacement hook will be available for the forthcoming summer.

In his explanation of the question, the member for Murray made a number of statements which relate to the general safety of the helicopter. In particular he said that the machine is under-powered for its current use. To my knowledge, the helicopter can operate safely as it is currently being used. The helicopter which has been in use since the inception of the service five years ago, is a single engined machine and this obviously imposes limitations on its use. For example, it is not equipped to fly other than within visual flight rules and this reduces its operation in inclement weather, particularly at night. The lift capacity is also limited. However, I believe that the helicopter is safe when used within its limitations.

The incident to which the honourable member referred has not been brought to my attention. My officers have discussed the matter with the Chairman, who also, to his recollection, has no knowledge of the incident as described in *Hansard*. If the honourable member wishes to provide some detail on this point, I will make further enquiries.

Finally, I address myself to the statements that the Government has received a number of warnings as to the operational safety of the service. The service is safe within the limits imposed on operations by the power of the present aircraft. A more powerful aircraft would allow for wider scope in operation. I have had discussions with the Chairman about a proposal to upgrade and the Government will be monitoring developments both in relation to the adequacy of the existing service and the replacement of the faulty equipment.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Mines and Energy (Hon. R.G. Payne):

Pursuant to Statute—

Australian Mineral Development Laboratories Annual Report, 1985.

By the Minister of Community Welfare (Hon. G.J. Crafter):

Pursuant to Statute—

Commissioner for the Ageing, Report, 1984-85.

QUESTION TIME

SOUTH AFRICAN SANCTIONS

Mr OLSEN: Is it the Government's intention to ban majority owned South African companies from supplying

tenders and contracts to the State Government, withdraw all assistance to South Australian companies which deal with South Africa and refuse to make Government funds available to promote exports of South Australian goods to South Africa? The actions I have outlined in my question are those that the Victorian Government has announced in response to the Prime Minister's call for cooperation by the States in sanctions against South Africa. They parallel the Federal Government's action on sanctions. As the Premier has said that he backs the Federal Government's stand, I ask him if it is his intention to lay down the same specific guidelines as the Victorian Government.

The Hon. J.C. BANNON: In response to media queries today I have already answered this question and I am quite happy to respond to the honourable member in the House. First, let me say that my Government abhors apartheid and the policies of the South African Government. We fully support the international action that is being taken to assist in the change of those policies within that unhappy country. In that context it is interesting that the former Liberal Prime Minister Mr Fraser has been assigned the task to represent Australia on the special Commonwealth task force to look into this matter. It has been very interesting to observe the very muted response of his former colleagues. I would be interested to know what the Leader of the Opposition's attitude is to that appointment.

Secondly, as far as South African goods are concerned, some months ago I requested that we examine our State supply procedures to see if, first, we were in a position to identify the origin of goods or supplies and, secondly, were there any from South Africa. The response I received was that in most instances we were certainly able to identify them, because the country of origin was stated. As you know, we have a preference policy in relation to goods from outside the country. We have a limited internal preference against those States that apply preference to us and that means that there is some identification. I was advised that there were no such supplies.

Certainly that position will be monitored, because I do not think that the Government should be purchasing from South Africa. Thirdly, in relation to the Prime Minister's call, I understand that the Prime Minister has written to all the States. I say 'I understand' because I cannot recall—and I have not had a chance to check since the issue was raised publicly yesterday—whether in fact such a communication has been received by the Government. It may have been, but I do not recall it or its detail. However, the Government certainly will ascertain the nature of that communication.

As a general rule, as a matter of policy, in the foreign affairs area my Government is prepared to support the Federal Government in its attitude. I do not think it is proper for the States (unless there are some very compelling reasons) not to depart from the sort of international posture that the Federal Government demands. In a way, it is the reverse of the situation with to a number of other foreign policy matters that are constantly raised in relation to what is the attitude of the State Government. Sometimes our attitude is irrelevant and at other times it has relevance. However, in all cases we must have regard to the Federal Government.

In relation to the situation of so-called sanctions announced by Premier Cain, I am not quite sure to what extent the Victorian Government has power over, or will be able to enforce, such a plan of action. It may well be possible, but I am also very conscious of the comment made by my colleague from New South Wales, Mr Wran, that implications of any action as far as Australian export is concerned, in terms of jobs, ought to be looked at closely. But if, as a matter of foreign policy or international responsibility, jobs are displaced, there must be some mechanism to ensure that they can be replaced in some way. That is obviously an important question. I do not know what the implications are for South Australia at this stage, but that is my position: in broad terms we support the Federal Government; we abhor aparthied, and we do not believe that we should be using South African sourced material in our Government's activities.

SIR JOHN MOORE

The Hon. J.D. WRIGHT: Will the Premier convey to Sir John Moore, retiring President of the Arbitration Commission, the commendation of the South Australian people for the magnificent job that he has done as Deputy President and President of the commission, with particular reference to the maintenance of the arbitration and conciliation system itself which on many occasions has been under threat of dismantlement? Further, will the Premier convey our best wishes to Sir John for a long and fruitful retirement?

Members who have followed what I have been saying over the past 20 years would have come to the conclusion by now that I am a very strong supporter of the conciliation and arbitration system, mostly of course putting the emphasis on conciliation, as well as on arbitration, because I believe they are both necessary. That system has been under attack for many years in this nation by both the extreme left and the extreme right in our community. I believe that the emergence of Sir John Moore some 20-odd years ago now as Deputy President, first of all, and then in the last 12 years as President, certainly has assisted in steering a course which I believe saved the arbitration system in this nation from total collapse.

I am joined in that belief by many competent people. I noticed in this morning's *Advertiser* that the Federal Minister for Employment and Industrial Relations, Mr Willis, when speaking at the farewell celebrations for Sir John Moore yesterday, said in relation to Sir John (and I think this ought to go on record in the South Australian Parliament):

> You have ensured that the arbitration system remains in high public esteem—that it continues to enjoy the respect and support of the vast majority of Australians.

I would not suggest that that would not have occurred had Sir John not emerged, but he certainly assisted in maintaining a system which I believe in. If that system were destroyed the average working person in this nation would have been much worse off. The New South Wales Premier, Mr Wran, said:

> Sir John's contribution to Australia has been monumental, because there are few offices which are capable of impacting on the welfare of the Australian community more than the presidency of the Arbitration Commission.

I concur with those remarks as well. The ACTU Secretary, Bill Kelty, said—and this is remarkable from a man like Mr Kelty:

> You have provided an area of stability in a world of instability . . . you are indeed a great Australian.

They are the sorts of commendations that I hope the Premier will convey to Sir John Moore if he concurs with my question. Finally, I quote Mr Bryan Noakes, from the Confederation of Australian Industry, who said:

> It is given to few to be both great conciliators and great arbitrators . . . you have been both.

Those three statements by very prominent Australians sum up a great career. I personally convey my very best wishes to Sir John Moore for a job well done.

The Hon. J.C. BANNON: The member for Adelaide, who asked that question, has been waiting for 10 years for

the opportunity to ask a question on the Government side in this Parliament. I am pleased to have a question from him.

Members interjecting:

The Hon. J.C. BANNON: There was an interregnum of three years, when he was a very effective Deputy Leader of the Opposition. It is probably about seven years since I have had an opportunity to ask him a question, so I am pleased to respond to his question in an area that is very closely associated with the honourable member's career and contribution in this State. It is probably a bit over 15 years since I first appeared before Sir John Moore, and on a number of occasions I had a lot to do with him, both as counsel appearing before him and in his very important role as a promoter of the arbitration system and its effectiveness.

As the honourable member has said, Sir John Moore has played a very key role, indeed, in preserving the integrity and independence of the arbitration system in this country, and it is just as well that he did, because we would have been in a state of economic chaos had he not stuck to his guns on a number of occasions, particularly when he was under enormous pressure from the previous Federal Liberal Government to cut his cloth or bend to particular policy demands that it made. He constantly affirmed the value and the independence of the system. Without that independence it could not have succeeded.

Sir John's contribution, as the honourable member notes, has been widely hailed over the past few days on the eve of his retirement from the bench, and deservedly so. Our arbitration system has operated now for many years: the pioneering conciliation committees took place in this State in the 1890s in the days of the Government of Charles Cameron Kingston. They were picked up at the federal level and have played a key role in our industrial and economic deveopment in this country.

At different times one has heard the unions saying that the system should be dismantled and done away with, at other times the employers saying that the system is bad for the economy, but throughout that men such as Sir John Moore have ensured that the commission remains relevant and independent. It has played a very important role indeed over the past few years in ensuring wage stability in this country and in achieving that difficult balance between the genuine demands of workers to be properly rewarded and their skills properly assessed against the overall demands of the economy, which have required some kind of restraint in a period of economic recession in order to pave the way for recovery. Without the commission none of that would have been possible and without Sir John Moore presiding over the commission it would not have occurred.

In paying a tribute to Sir John, I also pay a tribute to those who have actively supported and worked with the industrial arbitration aims that Sir John Moore has had. They include the member for Adelaide, who asked the question. In the period in which he occupied the position of Minister of Labour in this State, he was recognised as pre-eminent in his field and as a strong and successful advocate of the arbitration system as a last resort means of settling disputes. Indeed, the debt that South Australia owes those policies in our remarkable record of industrial relations is crucial to our future economic development. Interference with that approach, the policies and methods adopted by my colleague the member for Adelaide, would severely jeopardise our industrial development.

It has been interesting to note that, over the years when national conferences have been called and industrial relations seminars held, with Sir John Moore playing a leading role in them as well as in the Industrial Relations Society and other organisations, South Australia and in particular the then South Australian Minister were often cited as the way in which things should be done and were often requested to provide information, papers and policy documents in order to support that process. So, in paying a tribute to Sir John Moore, I would also like to refer to the great contribution of the member for Adelaide in the field of industrial relations in this State.

Mr MALCOLM FRASER

The Hon. E.R. GOLDSWORTHY: In view of the Premier's answer to the Leader a short time ago, does he support the Prime Minister's decision to appoint Mr Malcolm Fraser to the Commonwealth committee on South Africa?

The Hon. J.C. BANNON: Yes, it is an appropriate appointment. It certainly would be an appointment over which a number of the members of the Government that made it would have had to agonise, because the actions of Mr Fraser in 1975 were quite disgraceful. It is a high tribute to our Federal Labor Government that it has been prepared to overlook that disruptive behaviour which basically attacked our Constitution and that, 10 years later, it is prepared to say that, despite all that, Mr Fraser's standing on this question of race relations and apartheid is such that he is the appropriate person for the job. It is very much bigger than the attitude that in 1977 had that very same Mr Fraser and his Liberal Government putting the veto on the former Prime Minister, Gough Whitlam, for taking his place on the International Court of Justice. They pursued him out of public life, as they thought. In fact, fortunately, Mr Whitlam has returned to public life as our Ambassador to UNESCO and is playing a major part there.

The current Labor Government has been big enough to say that, if Mr Fraser has the skills to do the job, he can do it. That shows the very great distinction between the attitudes of the Parties. We are not petty or bitter about these things—we will use talent as we find it. If the Opposition sits there complacently and says that I am talking about their federal colleagues and that that does not include them, I refer to the events of last week and the way in which they tried to hound an officer of the Parliament, come what may, for their own political advantage, out of office, whatever the facts or figures.

They ought to reflect on how they drove our former Premier, Don Dunstan, out of the State. A number of us who were here in 1980 well remember the despicable performance of the Hon. Mr Griffin in another place and members here in this Chamber who moved the motion aimed at discrediting and, as they thought, destroying Mr Dunstan, who had retired from public life in this State. They did not want to know about him, use his skills and talents or have anything to do with him. Eventually Mr Dunstan's talents, experience and skills were recognised by the State of Victoria. I have heard a lot of people around town say, 'Isn't it a pity Don's working in Victoria? We should be using him here in South Australia.'

The fact is that Mr Dunstan took that job because the then Liberal Government wanted him hout of this place. It was even prepared to move motions in this House to hound him out of public life. I am proud to say that our Government has not displayed that some partisan spirit. We have recognised, for instance, the talents of former Premier Tonkin, who is Chairman of one of our boards. We have also strongly supported him at the international level for his successful gaining of the post of Commonwealth Parliamentary—

Members interjecting:

The Hon. J.C. BANNON: They do not want to hear about what happened to Mr Tonkin: they want to forget him, too, and drive him out of the State. I am simply making a contrast between the way in which we on this side of the House do these things and the way in which those opposite, who have a petty and malicious nature, do things.

ABORIGINAL SCHOOL

Mr MAYES: Will the Minister of Education report to the House what community reaction he has received over the proposed Aboriginal school to be sited at Elizabeth? I refer to an article in the *Advertiser* of Tuesday 29 October, headed 'Protest over proposed Aboriginal school', and quote briefly from it, as follows:

About 150 Elizabeth residents—including about 40 Aborigines—last night demonstrated against a proposed separate Aboriginal school at Elizabeth.

As a member of the Public Works Standing Committee, I attended that meeting. From my experience, that report is misleading. What report and reaction has the Minister received?

The Hon. LYNN ARNOLD: I am very happy to answer the honourable member's question. I am pleased to note that another article, which put another aspect of the meeting in place, was published in the *Advertiser* this morning. I am certain that all those who were present at the meeting would agree that Tuesday's report did not accurately reflect that.

I would not be misrepresenting my colleague the member for Elizabeth, although we have different philosophical stands on this educational proposal, but he would agree that yesterday's report did not accurately reflect the meeting that took place. There were not, for example, 150 residents demonstrating against the proposed Aboriginal urban school: it was a hearing of the Public Works Standing Committee, and many members of the community—both the local Elizabeth community and the wider community—took the opportunity to come along and express their views.

It is certainly true that views were expressed on both sides of the issue, including expressions by some who were simply against the proposal and some who were strongly against it. The meeting was also attended by people who were in favour of the proposal and some who were strongly in favour of it. People were merely exercising their right to take part in a Public Works Standing Committee hearing and to express their views to it. I understand that the meeting went beyond midnight, and I was there for most of the evening.

Of the submissions tabled at that meeting I have a report which indicates that the majority were in favour of the proposal with a minority against it. However, I do not wish that to be taken as a reflection of the way in which the audience at the meeting was made up, because it was clear that there were two very large groups of people on either side of the issue. With respect to the member's question about the wider area of public reaction to the proposal, again the same thing would happen. If I were to do an inventory of the many letters and calls that I have received about the issue, they would contain a large number from people who have been opposed to the issue, either moderately or strongly.

However, I also have an inventory of an equal, if not greater, number of letters and phone messages that are very much in support of the proposal. It is quite clear that this has excited the imagination of many people, not only in South Australia but in other States of Australia. When I raised this matter recently at a meeting of the Australian Education Council of Ministers, it was received with great enthusiasm. At that meeting other Ministers from around Australia said that they were looking to South Australia to see just how successful this experiment would be, and they indicated their support for the kind of initiative that we are undertaking.

Of course, the point needs also to be recognised that what is to be proposed for Elizabeth is of a somewhat greater order of magnitude than initiatives that have already taken place in South Australia. We have already had examples of facilities that have, as their main target, the provision of education services for Aboriginal students. Two of those are preschools where the majority of enrolments are Aboriginal students and a minority are non-Aboriginal students. I mention the Tukutja preschool, which was formerly located at Elizabeth West but is now temporarily relocated pending further relocation at a primary school in the Elizabeth area. In recent days I have received a letter of support from the primary school council at which that preschool will be relocated.

That letter was unequivocal and unanimous in expressing the school council's strong support for the relocation on that school site of the Aboriginal preschool. Further, it identified the council's strong support for the proposal for the urban Aboriginal school to be located adjacent to the Elizabeth High School. The other preschool to which I should refer is the Kalaya Preschool at Alberton which has also been strongly supported and has been going for some years. The Aboriginal Community College, formerly located in North Adelaide next to the Hotel Oberoi (as it was then known), is now located at Largs Bay.

This matter was also one of great concern to many members of that community, but from reports I understand that many of the anxieties concerning that college that were initially held by local residents have been dispelled, as they are happy that the college is working well and is a positive educational asset. I mention those examples because they are examples of a different order of magnitude from that proposed at Elizabeth but nevertheless examples of a specific education facility targeted at the needs of Aboriginal students where such students represent a majority of the student participation in the facility and of the way in which such a facility has succeeded and addressed needs that have needed addressing.

I do not intend to do so, but I could go through the many letters of support that I have received, and I would also be fair and identify the opposition that I have received on this matter. However, I assure members that the Elizabeth community itself is no less reflected in that diversity of views than any other community in South Australia. There are as many strong expressions of support coming from within the Elizabeth community as from elsewhere, be they from church groups, individuals or community groups including the school council that I have identified.

Therefore, there are clearly many people on both sides of the issue who hold a strong opinion one way or the other. I hope that this issue can remain an educational issue, that we can canvass the educational philosophy involved, and that it does not enter into other arenas, which would be most inappropriate. This is not an issue of race or of any other political context: it is the issue of trying to meet the educational needs of a community that has not been well serviced in the past, as is shown up in the retention rates and success rates of that community within the education system. I was pleased that the *Advertiser* this morning corrected yesterday's report, as it put the matter in a better context of the actual results of Monday evening's meeting which I think more clearly reflected the community views of the proposed Aboriginal school at Elizabeth.

HOME LOANS

The Hon. D.C. BROWN: Is the Premier aware of the specific undertakings given by the Managing Director of the State Bank (Mr Tim Marcus Clark) concerning the type of home loan issued by that bank? Further, is he aware that those public undertakings have been almost totally ignored by the bank? On the ABC televised national news, Mr Marcus Clark gave a specific undertaking that people with market loan rates could see their bank managers and have their loans converted to general housing loans if they disputed the type of original loan made by the State Bank. He said that, if there was to be any doubt, the benefit of that doubt must be given to the customer. I saw that interview, and Mr Marcus Clark's undertaking was indeed emphatic.

I have two specific cases before me in which people have been flatly refused any loan conversion by the bank managers concerned. Looking at all the documentation held by the customers, I see no reference anywhere to a market rate loan. In fact, just the opposite is the case. I shall be happy to hand to the Premier across the House this documentation. At the top of the first page and underlined are the words 'Application for home loan' and it is stated that the interest rate is 12.5 per cent. The next page of the application sets out the person's name and again, underlined, appear the following words 'Application for home loan'.

I have read through that documentation, and there is no reference whatsoever to market rates or interest rates: in fact, it states, 'Interest rate—12.5 per cent.' The third document that I have is the actual loan agreement signed by both the bank and the customer. In the top right-hand corner it is very clearly headed, again underlined and in bold type, 'General housing—Loan agreement—State Bank of South Australia agreement for loan—Schedule loan particulars'. I will read to the Premier the two sections of that loan agreement that refer to the interest rates. Section *(e)* states:

> Interest rate: 12.5 per cent per annum subject to variation pursuant to this agreement.

The other side of the agreement refers to interest rates in section 4 *(a)* and states:

> The customer shall pay interest to the bank on the amount of the loan at the rate referred to in *(e)* above, provided, however, the bank may at any time vary the rate of interest applicable to the loan and shall give the customer notice of such change, and that the varied rate shall apply and be effective from the next monthly instalment.

The last document handed to this customer talked about the mortgage loan rate and was in fact signed by the Manager of General Housing Lending. As I said to the Premier, there is no reference whatsoever to market rate loans. The documentation refers only to housing loans. In fact, I am told by one of the two people who saw me this morning that exactly the same documentation is used by the people who formally fill out a general housing loan form, as these people did in this case. In other words, the customers themselves have been given no evidence that they had anything but a general housing loan. They have been to their branch managers, and in one case it has gone higher. I discussed one of the cases this morning with the regional manager.

In both cases the people have been flatly refused any change from a market rate loan to a general housing loan. The only offer that has been made in one case is to reduce the interest rate from 14.5 per cent to 14 per cent, but the form of loan remains exactly the same. In the other case, where the interest was already 14 per cent, the bank manager said, 'You could well be facing an increase in interest rates, because they might still go higher.' These people are angry at being refused a conversion of their loans when they obviously believed they were taking out a general housing loan. In fact, I understand that even in some of the documentation held by the bank (of which they have seen a photocopy) there is, under the name of one of these people, a tick in the square relating to a general housing loan.

In particular, it concerns me that a very bold public undertaking given by Mr Marcus Clark has, from the evidence that I have presented to the House today, proved to be no more than a very hollow promise. I am prepared to provide the Premier with full documentation of the two specific cases before me.

The Hon. J.C. BANNON: It is interesting to note that the member for Davenport is broadening his portfolio interests on behalf of the Opposition and moving into the area of banking and interest rates. Perhaps it is something to do with the promises that he has been making in the transport area. On this specific point that he raises, I certainly would be happy to forward the documentation on to the Managing Director of the bank for his attention.

The Hon. D.C. Brown: I intend trying to see him.

The Hon. J.C. BANNON: If the honourable member prefers to seek an interview with the Managing Director, I am sure that he is perfectly capable of arranging that himself. If he would like me to take the matter up, I am happy to do so. I make the point that there are some thousands of these market rate home loans, concerning which the undertaking has been given to deal individually where there are problems. The bank has undertaken to put a freeze on interest rates on those loans at least until the end of the year and is moving to deal with the problems that have been caused. That is the general position of the bank as it has explained it to me. I suggest to the honourable member that I would be happy to take up two individual cases out of some thousands, but if he prefers to deal with it directly he is welcome to do so in order to ascertain the bank's position.

ELECTION PROMISES

Mr KLUNDER: Will the Premier explain the source of the Deputy Leader of the Opposition's statements that the Bannon Government has been making promises at the rate of $2.5 million a day since 1 August? An article on page 6 of the *News* yesterday quoted the Deputy Leader as saying that State taxes would have to rise yet again by huge amounts to fund the Premier's election promises.

The Hon. E.R. Goldsworthy: We had the same Dorothy Dixer earlier.

Mr Klunder: Yes; you still keep making those silly statements, don't you?

The Hon. J.C. BANNON: We might have had the same Dorothy Dixer—

The Hon. MICHAEL WILSON: On a point of order, Mr Speaker, is it correct that a member is allowed to ask a Minister about the source of statements of another member of this House?

The SPEAKER: There is not a Standing Order that would make that question inadmissible. In relation to the way the question was put, specifically it was, 'Is the Premier aware of the source from which certain information was obtained?' The honourable member may care to pursue his point of order.

The Hon. MICHAEL WILSON: The honourable member's question was (and I am sure he will confirm this), 'Can the Premier explain the source of the Deputy Leader's statements?' I put it to you, Sir, that the only person who could explain the source of the statements would be the Deputy Leader himself, and I am sure that the Deputy

Leader would be pleased to tell the honourable member the source of his statements.

The SPEAKER: Order! I do not want to be involved in a semantic argument about—

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order! I ask the Deputy Leader and all honourable members to come to order. I do not want to get involved in a semantic argument about that. First of all, I said to the member for Torrens that my appreciation of the question was, 'Is the Premier able to indicate the source from which certain things have flowed?' The member for Torrens then said that that was not his understanding, but then proceeded to use exactly the same words as I had used. In order to avoid this circle continuing for ever, as I think in logic it must, I ask the member for Newland to put his question again so that we can rule on it.

Members interjecting:

The SPEAKER: Order!

Mr KLUNDER: Originally I asked 'Can the Premier explain the source . . .', and I am perfectly willing to change that to 'Is the Premier aware of the source . . .', which I presume will fit even the rubbery Standing Orders of the Opposition.

The Hon. J.C. BANNON: The Deputy Leader of the Opposition is quite clearly attempting to mislead the public in this matter. There are in fact a number of spending initiatives, which have been properly budgeted, which are worked within the budget brought down in this House, and which have been announced by the Government. For instance, the honourable member cites a particular capital works project; we have a capital works budget, an ongoing budget, which we keep under surveillance and under control. So, to the extent that the Government is announcing initiatives and actions, that is certainly true, and we are proud of them, and they are contained within the responsible financial management that has been going on. It is true that in two respects there have been some quite large allocations made recently which were not part of the budget and which were unexpected. I invite members opposite to comment on whether those allocations should not have been made.

By far the largest is an allocation of $6 million for drought relief loans to farmers. If members opposite, some of whom represent districts to which those loans are going, believe that that allocation is inappropriate for Government expenditure, I would like to hear from them very soon, because I would be very happy to save the money if we could. If the members for Eyre, Mallee or any of their colleagues—

Mr Lewis interjecting:

The Hon. J.C. BANNON: The honourable member need not get excited. I am trying to assist him, because I suspect that his colleague the Deputy Leader of the Opposition might be unaware of the plight of some of his constituents, who need to have recourse to these funds. I suggest that one or two other members opposite representing rural constituencies might well take up that matter. The allocation as part of the drought relief scheme made has certainly involved us in extra, unbudgeted expenditure. Secondly, we have provided some special assistance (much less, I might add, than for drought relief) for certain home loan borrowers from building societies.

Again, if the Opposition believes that that is wrong and inappropriate, it should say so. It moved a motion in the House suggesting that that was its view, but it has made it a little unclear to the public generally that that was a necessary action taken by the Government because of its concern and the need for action in that area. Rather than the source of the honourable member's misleading statements, it may be more appropriate to look at the reason for his making such statements. I suggest it is the total embarrassment of the Opposition at the extraordinary range and list of promises that are being made by the various spokesmen for the Opposition in their policies—quite extraordinary!

I do not intend on this occasion to go through the full list, but one member in particular—about whom all honourable members should be alarmed; I do not know whether he is saying these things with authority, but he is certainly saying them—is the shadow Minister of Transport, who has made promises, a lot of which are recorded in this month's edition of the RAA magazine, *South Australian Motor*, which add up to something like $500 million of expenditure over the next few years—a quite extraordinary shopping list of unparalleled size.

It has been very interesting: my colleague the Minister of Transport and I were looking at this the other day and noted a strange thing about this great shopping list of promises. Apart from the great scar of the north-south corridor cutting a swathe through the western suburbs in an unnecessary way and ignoring totally the plans that we put in place, much of this expenditure seems to be uncannily centred around regional and other road systems in the hills area and out towards those electorates under the new boundaries of Davenport and Fisher. I suggest that members opposite who would like to know something about what their Party is promising on transport, first, look at the total bill, secondly, recall what the Minister of Transport said about the various projects that would need to be cancelled to make way for that and, thirdly, look at where these promises centre. It seems that some very important activity is going on in the foothills leading up to Coromandel Valley and Stirling and surrounds which have nothing to do with the Opposition policy on transport and more to do with an electoral contest in that area.

COURT FINES

The Hon. MICHAEL WILSON: I ask the Minister of Community Welfare whether it is the practice of the department to pay court fines imposed on members of the public and, if so, does he endorse it. The Opposition has been made aware of a recent case in which a man was arrested and, when he applied for bail, it was discovered that there was also a warrant outstanding in his name for the non-payment of fines and costs totalling $143.50. The man's wife went to an office of the Department for Community Welfare and was immediately given a cheque for this amount, drawn on the Department for Community Welfare official account and made out to the Police Department. I understand that the department has no expectation that this will be repaid by the man concerned. This appears to be a case in which taxpayers funds are being used to pay court fines. Is it a practice that the Minister is aware of and supports?

The Hon. G.J. CRAFTER: I would be pleased if the honourable member would give me the circumstances of that case so that I can investigate it more thoroughly. From time to time such fines are paid where the alternative would be a period of imprisonment for the breadwinner of a family. I note that the honourable member said that the person who applied for the assistance was the wife of the person who was facing a warrant of commitment proceeding. Obviously, the circumstances of that family—number of children and the other financial circumstances—would be taken into consideration. Indeed, the ultimate cost to the taxpayers may have been much greater and the dislocation to the community and maybe even the institutionalisation of the children could have all been involved in a decision of this type.

The honourable member raised a question some weeks ago in which he put forward a story on behalf of a person who had written to him and to other members of Parliament regarding some serious allegations to do with sexual abuse of a child. When I discovered the full facts of that situation there was indeed a different story. Nevertheless, it was a serious situation, but it is important when honourable members are raising questions of this type in the House that they are put into their proper context rather than used as an opportunity—whether that be the honourable member's purpose or not—to seek, wherever possible, to deride the services provided in the welfare sphere for some political or other purpose.

I am very proud of the services that the officers of the Department for Community Welfare provide. It is a very difficult area of work and officers must make different value judgments with respect to people's lives and at least try to give them some assistance to enable them to continue a reasonably dignified existence. We are talking here of a sum of $143.50, which means presumably the difference, on the facts given, of whether that family can remain together as a family unit or whether the breadwinner, because of his poverty, will have to go to gaol. That is an indictment, in a way, on those in our community who see welfare payments as a low priority for government and, indeed, see the work that goes on in the Government and non-government welfare sector as being of secondary importance in our community.

DEFECT NOTICES

Mrs APPLEBY: Is the Minister of Transport prepared to consider amending legislation relating to the payment of a mandatory inspection fee required before a defect label can be removed from a vehicle under regulation 9.02-3 of the Road Traffic Act? In seeking the Minister's response, I wish to make quite clear that I have no difficulty with any requirement that ensures safety on the roads of both vehicles and people. However, a number of times I have had requests put to me by constituents who have been placed in great hardship because there are no powers for exemption or variation in payment of the inspection fee within the existing legislation.

I will quote from one case as an example to support my requested consideration of the matter by the Minister. A young unemployed constituent received a defect notice on a recent Friday afternoon. The notice was for two tyres and the replacement of a seat bolt. With his parents' assistance, my constituent purchased and fitted the two tyres and the seat bolt on the weekend. The car was presented at Regency Park for inspection on the Monday morning and, as he did not have the required $20 fee, the vehicle could not be cleared. I made several phone calls to request consideration of part payment with the rest to follow after the next social security cheque was received, but to no avail. As only full payment can be made, I request that the Minister consider amendments to provide assistance in extenuating circumstances, particularly when the vehicle concerned is made roadworthy in cases of economic hardship.

The Hon. G.F. KENEALLY: I thank the member for her question. I readily concede that in the case that the honourable member has brought to the Parliament the requirement to pay may appear to be unnecessarily harsh. For that reason I am prepared to look at what the Government might be able to do to assist citizens who find themselves in a situation such as that in which the honourable member's constituent found himself. I can appreciate that those people who need their vehicles to obtain work and are not in a position to pay to have a defect notice lifted can find themselves in a very awkward situation. More often than not it is the people with insufficient means who find themselves driving vehicles in a state that warrant defecting in the first place.

I will look to see what can be done. I imagine that this discretion was not given to the Minister or the department initially because it is very difficult to draw an appropriate line in terms of what is a need in situations like this. However, because of the case that has been brought to the Parliament by the honourable member, I undertake to look at the matter to see if it is appropriate to provide the discretion that she seeks so that people who find themselves in a situation similar to that of her constituent can apply to the Minister or department for the waiving of such payment.

CHILD ABUSE

The Hon. JENNIFER ADAMSON: Will the Minister of Community Welfare explain what definition is given by his department to constitute minor abuse of children in care situations? I refer to a circular issued by the Department for Community Welfare relating to allegations of abuse of children in departmentally approved care. This includes family day care, foster care, private care and residential care situations. The document asserts that, where reasonable suspicion of abuse exists, removal of the child or children or the care giver will be the usual procedure. No distinction is made between cases of physical or sexual abuse.

The document further states that an exception may occur where 'the known or alleged abuse is minor'. A large number of parents whose children are involved in departmental care situations believe that it is of extreme importance that the Minister gives a more detailed explanation of what forms of abuse of children are deemed to be minor. In particular, what does the Minister consider constitutes minor sexual abuse?

The Hon. G.J. CRAFTER: I cannot give the honourable member a precise definition in each and every circumstance in which abuse—whether minor or major—has occurred. That needs to be determined upon the facts of each situation, the information available and other background information that also may be available to the officers concerned. It would be defeatist to try to define each one of those circumstances in some form of instruction or orders whereby a great deal of time would be taken up in interpretation. These matters need to be dealt with very quickly and often in a multi-disciplinary way.

It involves the judgment not simply of one officer but of a number of officers within my department and, indeed, in other service departments—within the health sphere, the minds of the police officers who also investigate these matters, and the like. The department's view towards the abuse of children is that it is the most serious and important priority in our work.

Over recent years under successive Governments a good deal of attention has been given to refining the guidelines and providing in-service training and other forms of assistance to those officers who deal with these most difficult and complex matters. It is not a matter of simplisticly bringing down a regulation and saying that this is a major or minor abuse. If the honourable member thinks that she can define abuse, I would be very interested to hear from her. It is not a matter of there being simplistic slogans that will resolve the situation. It is very hard and very specialised work in which departmental and other officers in other areas of government service are engaged.

This is not an area of great precision. As I have repeatedly said and I think that all officers would agree, this is a most

complex area. Also, we are in a climate where the system of dealing with cases like this is evolving not just here but in other jurisdictions in Australia and around the world. The incidence of child abuse is a relatively new phenomenon with which Government has to deal. The degree of increase in child abuse in our community is quite alarming. That is not to say that there is an increase of the actual incidence in our community, but there is certainly an increase in the reporting of it and in the confidence among people in various caring positions in our community, whether they be teachers, health professionals or others, to come forward and seek assistance from the authorities to deal with these matters.

A good deal of the reports come from families themselves where children are being abused, or from their very close contacts, whether they be neighbours or relatives. That makes our work of getting to the truth, the reality and the extent of the abuse involved that much more difficult. I simply say to the honourable member that the officers of my department and the other professionals dealing with these cases treat this matter most seriously. There is not a precise definition that can be given to this, but every assistance that it is possible to give those officers working in this area is being given so that we can respond as precisely, effectively and efficiently as we can to this all too frequent affliction of children in our community.

MOTOR REGISTRATION OFFICE PARKING

Mr PLUNKETT: Will the Minister of Transport investigate the need for more parking facilities for the people using the Motor Registration Office at 3 Rowells Road, Lockleys? I have received numerous complaints from constituents in relation to parking at this office. There are only about eight parking bays available, and these are taken by the inspectors and learner drivers. As Rowells Road, which is in the West Torrens council, is a no parking roadway, a lot of my constituents who are forced to use this office are receiving $20 parking fines for parking on such a roadway. Other than those eight parking bays there is no other parking available, even though this office is a very busy one which services that area of Adelaide.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I am not aware of the problem that he has raised, but there is obviously concern about parking at the Motor Registration Office on Rowells Road, Lockleys. I will have my department investigate this matter with a view to improving the situation for the honourable member's constituents and the users of that office. I will bring down a report for the honourable member.

RURAL ROADS

The Hon. B.C. EASTICK: What action will the Premier take to ensure maintenance of rural arterial roads and the continued employment of an estimated 30 council employees as a result of road reclassification from direct council control to the State Government? This is a different question from that which the Minister of Transport answered yesterday. I point out that the Local Government Association understood quite unequivocally that, as a result of discussions with the Premier this year, not only would the previous year's allocation of $2.4 million for rural arterial road grants be retained but that an index factor of approximate 4.5 per cent would apply.

It now appears that only one third of that amount—$800 000—has been provided for in the State budget. That means that local government collectively has been short-changed by $1.6 million for essential roadworks that cannot go ahead. The association has estimated that, as a result, some 30 jobs in small rural council areas may be lost. The association is concerned also that $600 000 previously allocated for forest and national park roads seems to have completely disappeared. This matter was directed to the attention of the Premier at the Local Government Association annual general meeting held last Friday. As the Premier had indicated to local government that grants for rural arterial roadworks would continue in the form of contract work to councils following reclassification, and in view of the apparent evaporation of a substantial proportion of those funds, what guarantee will the Premier now give to local government in relation to continuing roadworks and existing employment for 1985-86?

The Hon. J.C. BANNON: The member for Light was on the platform at the Local Government Association meeting and, if he had been listening, he would have heard me refer to this and explain that in fact the very day before that conference I had had discussions on these matters with the President of the Local Government Association, Mr Ross, and the Minister of Transport. First, let us strip the question and explanation of some of its emotional rhetoric. It is not a question of short-changing local government. On the contrary, in a very difficult year when Commonwealth funds have fallen short of expectations and those that were allocated have been put into very specific categories which has greatly reduced the flexibility of our roads program, we have made very strenuous efforts to ensure that local government's needs, as well as the Government's own highways program, are met.

I think that is acknowledged by the Local Government Association and its President. He knows and has publicly acknowledged that it is not something that has happened because of an arbitrary decision of the State Government: it is a problem that we mutually have relating to the policies of the Federal Government, and they have been taken up rather vigorously. Secondly, in relation to this matter the local government roads program has been well funded. In relative terms it has done much better than we have out of those road fund allocations, so that is the general picture and the context in which we look at this specific matter.

To come to the specifics, it is certainly true that the allocation that we thought would be possible has not been possible in our budget planning. We are providing something of the order of $800 000 to that rural arterial roads debit order system. The President of the LGA has put this matter to me and the Minister of Transport (and we have certainly listened to his arguments). This is the first year in which a new system has been negotiated at some length among councils, and this has meant the relinquishing of the responsibility for certain of these roads by local government and passing that responsibility over to the State Government, and in turn the taking up of responsibility for some other arterial roads by local government. As this is the first year of the system, it will cause some real difficulties if we cannot provide adequate funds to meet the ongoing program.

I might add that in some cases (and again this is acknowledged) councils have geared up their work force in the expectation of debit order work when in fact they were working on specific projects that were coming to an end. That has complicated the situation. We are now refining that problem into some very specific areas, and I have given an undertaking to Mr Ross (and my colleague and I have examined it) to look at what may or may not be possible. Quite frankly, I say that it might not be possible to provide further funding.

I know that members opposite would applaud the way in which we are sticking very rigidly to our budget. On the

one hand they are claiming that we are spending millions of dollars a day. I can assure you that we are not—we are running a very tight ship indeed, but it may be—

The Hon. B.C. Eastick: You made a promise, and you never kept it.

The Hon. J.C. BANNON: There is a misunderstanding about the expectation. There was an expectation based on a certain level of funding from the Federal Government and that is understood by all parties. I think that the stirring of the member for Light does not help his cause at all. Let me finally say that we have undertaken to look at that and see if anything is possible, but I say again on the record, as I said direct to the Local Government Association and to its President, that we can give no guarantees. Our budgetary position is very tight, but if possible to assist in this area we will do so.

Let me remind the House that the State Government has had some particular problems in relation to road funding. We have had to make a major allocation from our general revenue to ensure that our program can be maintained, while on the other hand local government, while conceding that it also has financial problems, has been better treated in relative terms than we have. In terms of the local program, that is one of the things that we have to look at.

EVIDENCE ACT AMENDMENT BILL (No. 2)

The Legislative Council requested a conference, at which it would be represented by five managers, on the House of Assembly's amendment to which it had disagreed.

The House of Assembly agreed to a conference, to be held in the Legislative Council conference room at 4 p.m. today, at which it would be represented by Messrs Allison, Crafter, and Lewis, Mrs Appleby, and Ms Lenehan.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That Standing Orders be so far suspended as to enable the sitting of the House to be continued during the conference on the Bill.

Motion carried.

The SPEAKER: Call on the business of the day.

HALLETT COVE BEACH

Mr MATHWIN (Glenelg): I move:

That this House requests the Government to provide, within its present annual sand replenishment program, sand for the Hallett Cove Beach area, which will regenerate the sand-starved bay and provide a better enjoyment facility to local residents and their families without causing any detrimental effects to the present environment, and will further enhance the beauty of Hallett Cove and its environs.

In moving this motion and asking for the full support of the Government and every member of the House, I point out that I am not asking for masses of sand to be supplied in addition to the program which I understand is now under way. I do not want to interfere with that program, as I have a great deal of respect for the Coast Protection Board, as well as the Minister responsible, for their efforts in connection with this program, which in its own way has been quite successful over the years. However, I want to put on record my view that to some extent one can regard the program as being merely a bandaid measure. Nevertheless, it has been successful, and if one looks at the beaches in the southern areas one can appreciate that they are in better condition than they have been for many years. Some local people have agreed with me in this respect, particularly those living at Seacliff who can see straight down the coast.

I am not criticising the sand replenishment program or the Minister responsible for it, but I ask that consideration be given to the Hallett Cove Beach area. People familar with the area would know that it is now in a very bad and rocky state. The area of sand there has diminished, and urgent action is needed to reclaim some of the sand that has disappeared from the cove. I understand that his year in the carting and dumping program some of the sand will be taken away from various areas. I believe that this sand will be the right grain size for the area to which I am referring. I also understand that some of the sand in the area is going because of the man made groynes that have been erected to the south of Hallett Cove. I will refer to that matter later.

There would be no problem with the grain size of the sand to be taken from other areas, and as sand will be carted from Port Stanvac (which, of course, is very close to Hallett Cove), there would be a distinct cost advantage in taking sand to the Hallett Cove Beach area. Carting costs would be less in moving the sand to Hallett Cove than to Seacliff or Brighton, or even further away. So, there would be a definite cost advantage.

I want the Government to fully understand that I am not asking for the program to be expanded, although I would like to see that, as would no doubt the Government and the Department of Environment and Planning. Hallett Cove residents and the surf lifesavers who have contacted me about the problems that they have would, of course, accept a lot more sand if it were offered to them. Certainly that sand would not be rejected and people in the area would consider themselves very fortunate indeed if that were to occur. Perhaps by some stroke of good fortune the Government might suggest that extra sand be taken to Hallett Cove.

On a number of occasions it has been said that the sand at Hallett Cove has not been disappearing, that it has been very static. However, I tell the House emphatically, and anyone else who is concerned about these matters, that the situation is not static and that indeed sand has been lost from Hallett Cove Beach. I have checked on this matter with the local people and I personally have seen within a short period a depreciation of the sand in the area. Certainly, long-term residents of the area agree with me that the sand is disappearing. In fact, I have proof of this from the surf lifesavers who have made a check of the situation.

Anyone who knows anything at all about beach erosion would know that the natural drift of sand along the coasts in South Australia is from south to north. The situation is quite different in other parts of the world: in some places the direction varies along a coastline, with sand in one area moving from north to south and in another area moving from south to north, or east to west, and so on.

I refer, first, to the situation in relation to the surf lifesavers. The Marion council has provided a ramp and no doubt some financial assistance for beach users, probably the surf lifesavers in particular, because they are providing a service to the community in keeping the beaches safe for people who use them, particularly young people. The lifesavers also give instruction to beach users, involving swimming instruction, first aid instruction, and so on.

It is an organisation well worth supporting, if for no other reason than that the Council provided a ramp for it and other boat users to get onto the beach. There is sand there. Then we come to the rocky area, which is getting worse all the time. It is very difficult, indeed, for those people to get their lifesaving equipment over into the water, taking their boats, skiffs or surfboards which they use to go out to swimmers who may be in distress. They have this problem

of getting to the water and into the rocky, shallow water with this equipment.

The beach users—because of the vast influx of housing, there are a lot of young families and children in the area—have the same difficulty. It is all very well for children to play on the rocks, as we probably all remember doing if our memories are good enough. Children like to play on the beach: the public considers the beach a very big advantage, and so do I. Therefore, there is a problem there with the sand. I ask people who have not been there and who are not familiar with it, if they have the time, to go and look for themselves.

We do not expect full regeneration immediately: that would be asking too much and it would be unfair of us even to expect that. Being a fair man, I would not expect that to happen right away as far as the Government is concerned, but I expect some sort of help and assistance in this problem as soon as possible.

The regeneration by sand dumping is one way to do it. As I said earlier, it is without any doubt at all the cheapest method of doing it. At Hallett Cove it would be cheaper than normal because it is very near a supply of sand at Port Stanvac. I would like to refer to offshore sand, but we know that that is scarce. Until now, we have not been able to find any large areas of sand just off-shore. We are not as fortunate as some areas of Europe are, particularly in the North Sea and around Holland and Germany, where they have considerable amounts of sand off-shore that they can dredge and pump straight on to the beach, but we have this supply that has been built up from time to time at Port Stanvac, which is only a few kilometres from Hallett Cove.

There is no argument that the damage or loss that will occur through inaction in this area is too bad even to contemplate. We all know—and we have from time to time all been aware—of problems that have occurred and mistakes that have been made, and we have all said to ourselves, 'This should never happen again', yet we seem to be very shy of taking some action about it. It is time to take action for the protection and regeneration of the Hallett Cove beach.

If nothing else, we have right on the edge of the foreshore at Hallett Cove, a very important conservation park which is a geological phenomenon. Many schools, many teachers and many people who are interested in geology and that sort of thing, go there to study it. It is mentioned as important, world wide. So, that is one aspect of which we must be very careful and have in mind when we consider the need for support of my motion.

As I said earlier, we have just to the south of it Port Stanvac, where there is a groyne. Again, because of my interest over many years before I came to this place—as the Mayor and as a member of the Brighton city council and one of the chairmen of the first Beach Seaside Councils Committee—

Mr Becker: And a very capable one you were, too.

Mr MATHWIN: I was, and made good progress during that period. I have interested myself in the problems on the beach. In those early days there was a model in the Adelaide University of problems similar to those that at the beach. People were trying to find ways of getting some advancement and experience. It was obvious at that stage, when they put out a model of the groyne, what the effects would be. Anybody who has read anything about coastal protection would know that the erection of groynes along a foreshore is a most dangerous exercise indeed.

From my study of these matters when I visited a number of countries in relation to their problems with the loss of beaches and sand erosion, there was no doubt that the use of groynes was very tricky, indeed. In some countries, such as Portugal, the use of groynes has ruined the beaches for ever because they cannot be taken out: that is just about impossible. The groynes there are massive, wide and long, and it is a pity.

Mr Becker: How come there is no-one on the Government side except the Minister?

Mr MATHWIN: I do not know.

Mr Becker: They are not interested.

Mr MATHWIN: Probably not. A little further south from Port Stanvac we have a new boat haven at O'Sullivans Beach. This means that an arm has gone out, which is similar to a groyne—a man-erected thing. This all adds to the trouble, causing some scouring to the north. When one gets a groyne or that type of thing, one gets a scouring to the north: this is evident at Glenelg as it is at Port Stanvac and a little further down at the boat haven.

That would strengthen the case for Hallett Cove. The people there require their rights. Some of its sand has been scoured by the erection, first, of the Port Stanvac groyne and, secondly, to some extent—not to a great extent, but some is bad enough—that could be put down as the cause of the loss of some of the sand from that beach. But that being the case, it is only right that the department, the Government and we here as a Parliament should say, 'Okay, you have been done a wrong. A problem has been caused by past Governments.' I have no argument about that: I know which Government put the boat haven in and I know the Governments that have gone on from time to time.

I am not blaming any particular Government, but it is time to get on with it and right the wrong that has been caused. Part of that cause is the erection of these two projects. Once man interferes with nature in this situation these are the effects of it. If any proof is needed in relation to groynes, I refer members to a booklet which I am happy to table or lend to any member. It is headed, 'Groynes in Coastal Engineering. A literature survey and summary of recommended practice', by J.H. Tomlinson, Bachelor of Science, AMICE. It is a report, dated March 1980, from the Hydraulics Research Station, Wallingford, England. It is a very full report and I can read it only in part. Page 1, in part, states:

> A general review of the processes taking place at the shoreline, and the way in which these are affected by groynes, is considered first of all. Recommendations for groyne design given in the technical literature have originated from three main fields of study:
>
> 1. Mathematical analysis
> 2. Physical model analysis
> 3. Field data under prototype conditions

They are the three main headings. I refer now to page 13 of the report which states, in part under summary 3:

> One thing that groyne systems rely upon is a source of beach material. On depleted beaches with little material travelling as drift, groynes cannot work effectively—

That is pretty definite.

> Where no natural source exists the beaches must be nourished with material brought in from elsewhere. Beach nourishment as a means of coast protection is becoming much more frequent and in the USA groynes are seldom built now without some form of artificial nourishment.

In other words, if we are building a groyne, a boat haven or whatever, we must also provide artificial nourishment. The report states:

> Storm waves are generally responsible for erosion of beaches whereas steady long period swell waves build up beach levels. In some countries the wave climate is very uniform and steady conditions prevail. In the UK this is not the case and beach conditions vary considerably, particulary when tides are also taken into account. The wide variations in beach width, which are commonly found in the UK—

If further states:

> There are then nearly as many different groyne designs as there are papers that have been written on the subject. Despite this

there is, as Kemp (42) indicates, general agreement on a number of points:

1. Groynes inclined downdrift give more even accumulations on either side.
2. Groynes inclined updrift have increased accumulations on the updrift side and lee-side scour.
3. Groyne height should be increased gradually in response to increasing beach level.
4. The seaward ends of groynes should be low, especially on sand beaches.

In dealing with the shape, the report states on page 14:

Straight groynes are usually pierred although, with extra cost a T groyne may be advantageous in certain instances. For example to reduce erosion on the downdrift face of the groyne.

Page 15 states:

8.1 Groynes have been used very extensively in the UK for many years, particularly on the south and south-east coasts. At first sight their function, and hence design, might appear to be straighforward in that they are intended to provide some form of obstruction to the passage of material along the beach, thereby raising beach levels. This is not the case, however, and the design difficulties and intricacies should not be underestimated since groynes are placed in a very complex and sensitive physical regime. If the coastal processes are not understood then it may be that the groyne system will be badly designed and cause a deterioration in the beach conditions rather than an improvement.

Page 16, also dealing with shape, states:

Straight groynes are used most frequently. An offshore breakwater, parallel to the shore, at the end of the groyne is sometimes used, particularly in Japan, but this would increase considerably the cost of construction.

Indeed, it would as far as we are concerned, because a lot of offshore areas are deep water. The booklet continues:

9.1 The lack of information on prototype groynes suggests that any data in the form of beach surveys could be very useful. There may be many councils and coast protection authorities who have unpublished data and contact should be made to establish if this is the case. Such an approach would save both on the expense of making surveys and also on the time taken for results to be obtained.

Mr OSWALD: Mr Acting Speaker, I draw your attention to the state of the House. An important subject like this deserves a far better audience than it is receiving.

A quorum having been formed:

Mr MATHWIN: Points 9.3 and 9.4 on page 17 state:

In order to assess the effectiveness of groynes on a beach a comparison must be made with the beach without groynes. If a groyne system is monitored and found to be maintaining a stable beach then, without knowledge of the previous condition, it is not possible to say whether the beach would be stable or not if the groynes were removed. The ideal case then, would be to monitor an ungroyned, deteriorating beach for a number of years and to continue this examination during and after groyne construction.

There are likely to be many groyne systems which do not achieve the desired result and it would be just as useful, if not more so, to study these to determine the reasons for their failure. In this way certain critical areas of groyne design may be established.

That is laid down in this booklet. The parts to which I have referred are not particularly complimentary to the use of groynes and would suggest to the people in power—either the departmental heads, the Government or both—that groynes are something we must be most careful with: the effects of them in most cases are very bad, indeed. The fact that this has been done just south of Hallet Cove in two cases means that the situation should be righted. I am willing to let the department have the full report, if it has not already got it. Maybe it does have it as the officers are very efficient. I say that without fear of contradiction as I have great admiration for them.

The damage that we have caused in the past should be rectified. We should tell Hallett Cove residents that we will solve the problem, which was caused not by ourselves but by people earlier. The report mentioned parallel groynes running to the beach. On the Adriatic Coast I have seen a number of such harbor-like groynes. They are dangerous because they interfere with the environment and movement of sand. Also, the water between them and the beach becomes stagnant and after some time begins to smell and becomes polluted. In the north of Italy on the Adriatic Coast there are big problems. People are trying to remove the parallel groynes from some areas, but it is a costly and difficult procedure.

As to whether or not checks on sand levels have been made, at the request of the Coast Protection Board readings have been taken regularly by the Hallett Cove Surf Lifesaving Club for about 18 months to two years. They were instructed by the department to carry out these inspections, and there are three marker points from the water running back to the foreshore.

One can see the sand level reducing and, as a result of these regular tests by the lifesavers, it has been found that the sand level has diminished by three inches to 3½ inches over that 18 month to two year period. That should be enough to flash the danger signs to the Department of Environment and Planning and the Coast Protection Board so that they will take prompt action in relation to the problem before it gets worse. As time goes by, the area will deteriorate more rapidly, so something should be done right now.

I explained the situation some three to four kilometres away in the southern area as a result of what man has done there. We must bear some responsibility for the loss of the sand. Often, local knowledge is overlooked by bureaucrats. I appreciate that the Coast Protection Board asked the surf lifesavers in the area to keep an eye on the sand level. Although local knowledge is overlooked, in this case local knowledge tells us that the sand level is going down. I have here a copy of a letter to Mr Derek Robertson of Harris Street, Glenelg (of course, he does not live at Hallett Cove), in answer to his request for information regarding the sand problem. It states:

You requested the information regarding sand replenishment on Hallett Cove beach. This is a matter which has been raised on many occasions, particularly by the Hallett Cove lifesavers as well as Don Hopgood when in Opposition. The following may be useful for any public statement you may wish to make on the matter.

The purpose of sand replenishment which is undertaken between Brighton and Taperoo, is to protect against storm damage, although some recreational value is also derived from the improved beaches that result. In the case of Hallett Cove beach, no major movement of sand has been detected on that beach since 1976. No such replenishment is therefore necessary. The Conservation Programmes Division of the Department of Environment and Planning continues to monitor the beach levels.

I wonder where they have been, because they have not detected any movement in sand since 1976, yet in 18 months we have seen a lowering of sand level by almost four inches. Mr Alvan Roman (Assistant to the Deputy Premier) wrote this letter in which he said that in the case of Hallett Cove beach no major movement of sand has been detected for the last 20 years. He would be some authority on this!

Checking of sand levels is done through the auspices of the surf life savers who have made checks and who have told me that they have lost nearly four inches of sand. The letter continues:

Any sand replenishment at Hallett Cove would therefore be for recreational purposes and the cost would have to be shared between the Marion council and the Government. Given the high cost of sand replenishment—

that hits that on the head: it is getting quite close. They have only to get it from up the road at Port Stanvac—

and the insufficient sand quantities within the metropolitan beach system—

plenty has been ripped off, because it has been banked up at Port Stanvac. We know that because they have been shifting it for the last two years—

to undertake this work, the Coast Protection Board is not in a position to allocate funds for this work, either.

They are quite wrong in two areas there. The letter continues:

The purpose of sand replenishment which is undertaken between Brighton and Taperoo is to protect against storm damage.

In a way, if we are to play with words and be flexible, that is quite true. It is to protect against storm damage. But, there is much more to it than that. If one is to do that one installs riprap, as we have done for the past 25 years on and off. We are putting tonnes of it there. Mr Roman's letter states that the main thrust is against storm damage. He is far from the mark there. Furthermore, we are talking about a problem in the metropolitan area.

Hallett Cove is in the metropolitan area—I was told that by the Minister only a couple of weeks ago when I asked whether a petrol station at Hallett Cove could open on the weekend if it wanted to. Petrol stations at Darlington can open, but that does not apply to Hallett Cove. What did the Minister tell me? He said that Hallett Cove was in the metropolitan area. Yet Hallett Cove does not appear on the metropolitan area sand replenishment plan. So, in regard to a petrol station being able to trade at unrestricted hours Hallett Cove is in the metropolitan area but, in regard to sand replenishment, it is not—it is too far away. That is not fair. Let us talk about it sensibly.

Mrs Appleby interjecting:

Mr MATHWIN: The member for Brighton thanks me, and I am very pleased about that, because we should talk about this sensibly. The beach caters for many local people—adults and children. Because of what man has done farther south, that has contributed to the sand loss, and it is only fair that Hallett Cove should be included in the metropolitan sand replenishment program—it is in the metropolitan area. That is fair enough. An article in the *Advertiser* of 30 June 1984, under the heading 'SA beaches will disappear unless protected: report', states:

Suburban beaches south of West Beach would disappear within 50 years if not properly protected, according to a major report . . . Increased beach replenishment is needed to stop erosion at unprotected parts of the coasts, such as the West Beach dunes.

The best example of beach replenishment is at Cococabana Beach in Brazil. The mean width of the original beach was 55 metres at high water level but, when the project was finished, a double esplanade had been built with a new recreational area and beach with a mean width of 90 metres. That is a study worth considering. It was carried out mainly through stock piling of sand, which was carried in by trucks. It has been a most successful operation, and I am sure that our beach experts would be aware of it. Perhaps it would give some idea of what we can do to retain our beaches.

I would be the first to agree that we are talking about big money in relation to this type of operation. I have no argument about that. I also realise that we do not have an abundance of finance. However, as far as I am concerned, that is not the point. What matters is what in right. I would settle for much less than the Cococabana Beach—we do not want that. That was too big a scheme. But, let us do something at Hallett Cove to replenish the sand so that people can take out their boats and enjoy the beach. It is not only for beautification: the May 1984 issue of the department's booklet called *Coastline* states that sand replenishment is a form of protection of the coastline. That was also stated in the department's report. I will settle for that. If that is so, let us do something. We are catering for a lot of locals and visitors.

If for no other reason than tourism, let us do the same as European countries have done in regard to beaches that are tourist attractions. It is imperative in many countries that they get the beaches back. Italy is spending millions of lire to reclaim the beaches on the Adriatic coast because of the effect on tourism. That is another argument. I could expand in relation to Italy, Portugal, Germany, the UK and the US, but time precludes that. I hope that the Government and the Ministers support this motion, if for no other reason than to undertake an experiment. Give us a fair go. Something should be provided for what has been taken away. We could call the project an experiment, but let us have some action.

As I said earlier, this is a metropolitan beach, and three inches to four inches of sand each month is being lost from that beach. The area should be included under the sand replenishment program. Given the arguments put forward on a previous motion relating to petrol stations, this area comes within the metropolitan area. If a petrol station owner wants to trade during unrestricted hours, he is told that Hallett Cove is in the metropolitan area. Therefore, Hallett Cove should be included under the metropolitan sand replenishment program.

The Hon. R.K. ABBOTT secured the adjournment of the debate.

HALLETT COVE SERVICE STATION

Adjourned debate on motion of Mr Mathwin:

That this House requests the Government to alleviate the unfair situation which prevails concerning the Shell service station situated on the corner of Lonsdale Highway and Ramrod Road, Hallett Cove by invoking section 17 of the Shop Trading Hours Act 1977 to allow this service station unrestricted hours of trading for the sale of fuel, oil, lubricants, etc.

(Continued from 9 October. Page 1211.)

Mr OSWALD (Morphett): When this motion was last before the House I supported it. I believe that sufficient and compelling reasons were put forward by the member for Glenelg to say that the Shell service station should be allowed to trade in the hours requested. I believe that the House would be well advised to take heed of the member for Glenelg's comments, and I support the motion.

The Hon. R.K. ABBOTT (Minister of Lands): Until such time as there is agreement within the industry, the Government opposes this measure.

Mr MATHWIN (Glenelg): I am very disappointed that the Government has seen fit to oppose this motion. The Minister stated that the Government is waiting for agreement amongst the whole of the industry. In relation to this service station, I think it is quite unfair that it should have these restrictions placed upon it. On a previous occasion I mentioned that one of the points of opposition put forward was that the service station is located in a metropolitan council. Whilst the other petrol stations at Darlington, Eagle on the Hill, Cavan, Holden Hill and Adelaide airport can sell petrol at any time of the day or night, the Hallett Cove petrol station, which I think is nine kilometres from Darlington, does not have that right.

If people who live at Hallett Cove require petrol, they have to travel back towards the city or up towards Christies Beach in order to purchase it, and in my view that is quite wrong. If the argument put forward is that the Hallett Cove petrol station is located in a metropolitan council, I think it is quite wrong to refuse this petrol station when dispensation has been given to the other stations that I mentioned that are located in the metropolitan area. I believe that it is discriminatory against the people of Hallett Cove in particular. The attitude taken by the Government of waiting

for some agreement between all members of the industry is quite unfair and unjust.

I suppose that we are facing an election soon and when we take over, as we no doubt will, then it will be up to my Government to allow the request made by me and the 900 local Hallett Cove people who signed a petition for this petrol station to be allowed to trade within those hours. That is what the people want. The people who run the service station also need that right. Within a few yards are the hotel and Hallett Cove restaurant, where customers can buy liquor at any time on a Sunday. You can fill your boot with liquor, but you cannot fill your petrol tank. That is a shame and I am very sorry that the Government has seen fit to do such a thing.

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Mathwin (teller), Meier, Olsen, Oswald, Wilson, and Wotton.

Noes (21)—Messrs Abbott (teller), L.M.F. Arnold, Bannon, M.J. Brown, Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Plunkett, Slater, Trainer, Whitten, and Wright.

Pairs—Ayes—Messrs Blacker, Lewis and Rodda. Noes—Mrs Appleby, Messrs. Hamilton and Peterson.

Majority of 2 for the Noes.

Motion thus negatived.

ENTERTAINMENT EXPENSES

Adjourned debate on motion of Hon. Jennifer Adamson:

That this House condemns the proposal by the Hawke Labor Government to remove tax deductibility for hospitality and entertainment expenses legitimately incurred in business dealings and recognises that—

(a) the major proportion of revenue earned by many restaurants is through business expenditure;

(b) business expenditure is likely to be significantly reduced as a result of this measure thereby placing in danger a significant number of the 27 000 jobs in South Australia's restaurant industry; and

(c) the closure of restaurants through falling patronage will not only reduce revenue to the State through a wide range of charges, but will also reduce the $1 million annual revenue from licence fees.

(Continued from 23 October. Page 1473.)

The Hon. JENNIFER ADAMSON (Coles): Since I moved this motion last week condemning the removal of tax deductibility for hospitality and entertainment expenses, scarcely has a day gone by without continuing reports in the national and local press of the devastation that this removal has caused to the hospitality industry. In the *Weekend Australian* of 26 and 27 October there was an article entitled 'Lunch tax leaves 5 000 restaurants reeling'.

The report notes that a national survey of restaurants shows that as many as 5 000 are considering selling out because of the Federal Government's decision to disallow tax deductions for entertainment expenses. On the basis that South Australia has about one-tenth of the number of restaurants in this country, we could expect a significant number, perhaps 50, of the several hundred restaurants in this State to be considering sale. But of course consideration of sale would not be a proposition worth entertaining at the moment, simply because the value of business in the hospitality trade, according to a leading restaurant broker, has dropped by 50 per cent since the tax was levied.

The report goes on to say that prospects are expected to worsen dramatically after Christmas, and it further reports that restaurants once valued at $250 000 are now worth about $100 000. That is a very serious indictment of the Federal Government and of its short-sightedness in virtually crippling and hobbling an industry which has a greater capacity than any other to create jobs in this country.

It is also an industry which traditionally is composed of small businesses and, again, that tradition is perpetuated in the way of family businesses. Frequently, husband and wife are the co-proprietors and co-owners of a restaurant. Because they do not have access to the normal perquisites of employees, namely, superannuation, sick leave and holiday pay, they depend for their security in retirement on the value of a business that has been built up.

At a single swipe the Federal Treasurer has adversely affected the value of those businesses and, consequently, has dashed the retirement hopes of many people who have put their life savings and a considerable part of their lifetime effort into building up a capital asset which will reward, protect and provide them with security, and at the same time ease the burden on the taxpayer through financial support in their old age. A report in the *Advertiser* of 25 October indicates that the fringe tax will cost 13 500 jobs. The report points out how the multiplier effect of this devastating tax has affected other industries in the following fashion:

> Restauranteurs have indicated that they have had to cut fish purchases by 11 per cent, flowers by 12 per cent, laundry services by 16 per cent, wine by 9 per cent, meat and poultry by 6 per cent and beer by 8 per cent.

The spokesman for American Express which conducted a nationwide survey, Mr Robert Gilman, said that he feared the job losses would reach 14 000 in the short term. This bears out the findings of the survey reported in the *Australian.* Mr Gilman goes on to say:

> Our position is clear. We don't condone rorts and tax-dodgers, he said. Certainly people should be made to substantiate expenses more fully than in the past, but to cut it out completely is very much against the best interests of the industry as a whole.

The *News* of 1 October carried a headline 'Trading slump to hit fringe jobs', and identifies a specific aspect of the multiplier effect to which I have just referred. The article states:

> The owner of the International Linen Service [a South Australian business], Mr Les Nemer, said his business, which services more than a third of Adelaide's restaurants, had dropped down to half its normal volume. With 85 employees, Mr Nemer said that it would only be a matter of time before he started retrenchments. The owner of one of South Australia's leading seafood suppliers, Mr Michael Angelakis, said that orders from smaller suburban restaurants had gone down dramatically last week.

The list goes on and on. Perhaps the greatest irony is in relation to comments in the editorial in last night's *News,* which highlighted the complete hypocrisy of the State Government: on the one hand in a very weak kneed and feeble fashion condemning—but not with a very loud voice—the Keating tax, and on the other hand having the extraordinary nerve to send out to business leaders in this State invitations to a $100 a head ALP fundraising breakfast.

Mr Trainer: That was Tony Baker objecting because he couldn't get a free lunch for a change.

The Hon. JENNIFER ADAMSON: It is interesting to have on the record that the Government Whip alleges that the report in last night's *News* was inspired by a renowned and thoroughly well respected writer for the hospitality industry and reviewer of restaurants, Mr Tony Baker. The imputation in that charge is quite scurrilous, and I think it would be rejected by every fair-minded member in this House and by every fair-minded journalist.

The Hon. D.C. Brown: The imputation being that he did not accept it because he was not offered a free lunch.

The DEPUTY SPEAKER: Order!

The Hon. JENNIFER ADAMSON: Yes. I am sure that the Government Whip's interjection was recorded by *Han-*

sard, and needs no further elaboration by me. To suggest that the editorial administration of a newspaper is going to refer to a matter in large headlines on the front page simply because a journalist feels he has not been given a free breakfast, which applies in this case, is really beneath contempt and deserves no further comment.

The Hon. B.C. Eastick: I didn't know that he wrote for the *Advertiser*—it made the same assertion.

The Hon. JENNIFER ADAMSON: Yes. My colleague the member for Light points out that both major newspapers in South Australia carried the same editorial comment, condemning that move by the Premier and the ALP. I do not believe that I heard any criticism from the Government Whip about the food and wine writers for the *Advertiser.* Suffice to say that the tax is unjust and inequitable. It will adversely affect jobs and it is having a devastating effect on the fastest growing industry in this country. It is a tax that simply will have to go, because its basis is not sound and because it is having very serious adverse effects on the industry.

I urge the House to support the motion and in so doing help to stiffen the very weak approach taken by the Minister of Tourism, who not only showed a discourtesy to the industry by failing to appear at the rally organised to protest against the tax but whose voice has been muted to the point of silence since her appointment in any public criticism of the tax. I urge the Government to support the motion and to at least recognise that the hospitality industry deserves bipartisan support from this House.

Mr S.G. EVANS (Fisher): I support the motion. In supporting it, and the remarks made by the member for Coles, I ask concerning the field of entertainment, when it comes to food and drink, what would any individual gain if we left it as it is? For example, if I as a person in business wish to entertain somebody in a restaurant and I invite along 20 people to eat and drink, what could I gain personally other than their saying, 'Well, Evans is a nice guy; he bought us a meal and some drink, but it does not mean that we have to buy his toothpaste' (or whatever I am trying to sell). But those who dine with me as my guests gain food and drink: that is what it amounts to. Nothing can come back to the individual except in some areas of cheating, which I will come to later.

If we wipe out that area, as the present proposal does, we place some people out of work. Nobody in Australia is prepared to deny that, although perhaps a fool might. So, immediately we have lost some jobs. People might say, 'That is a good thing because some people overeat and over drink', but if they do they might create jobs in the health field and we have lost some jobs in that field. (I am being cynical in that area.)

Many young people are just getting their first experience of work in a commercial field. Often it is a fill-in job until they get something better; often it is a supplement to help them complete their degrees and their further education, often giving up their Saturday nights or Sundays—times when other people like to have their recreation. They are very dedicated young people. Often they want a bit extra because the income from a single income family is not enough for the family to survive. So, one of the partners goes out to work part time in this entertainment field. (in particular, I am talking about the food and drink field). Suddenly, a lot of that opportunity for clientele is taken away.

I know the argument: we can say that it is at the expense of the taxpayer. It is quite often, but what do we do as an alternative to find jobs for these people who are put out of work? We pay them the dole—I do not think that anyone will suggest that anyone other than the taxpayer pays that—or we place some of them in a position where they cannot continue their further education or better themselves by reaching the standard of education where they can be permanently employed. We say to them, 'Stay in the dole queue', because there is very limited opportunity for work now in our society, which is becoming more technological every day, for the unskilled. I hope that we all understand that. I hope that the so-called Treasurer in Canberra (Mr Keating) and Mr Hawke understand that.

There is a way out. We could say to people, 'You have to justify it.' I do not care if we say to them, 'You have to write down the names of the people who dine with you, and their interest—whether as other business entrepreneurs or potential customers.' We would eliminate a lot of the cheating that is going on. I know of the cheating: I know that it is possible for people to go and dine with a group of friends; all the friends pay for their own meal, and someone says, 'I will claim for the lot.' Or they can entertain somebody in an environment of family entertainment and claim it as a tax deduction because they say there is a possibility of getting some business from that area. We could have eliminated a lot of that by making it impossible for people to claim for those functions that occur on weekends. We could have limited it to the five day working week, but what is the sort of cheating we are likely to have now?

I heard recently of an incident where somebody was waiting to pay in a reasonable sized restaurant in Adelaide. The person in front of then was asked by the restauranteur whether they wanted a receipt for the room where they held the meal—for rental for the room. In other words, the entrepreneur who can afford it and who has a big enough business does not buy a meal but rents a room, which is a legitimate tax claim. Those who are big enough, have expert advice close enough to them, and can afford it can cheat.

Of course, Mr Keating says that those who have a boardroom or want to develop a type of boardroom or canteen within their business operation can claim on the food and drink that they provide to those who come along to socialise: nobody can prove whether or not there is the possibility of gaining business from those who are entertained. We know that that is not the case.

Some people, very unexpectedly, in another area have been trapped into a catch 22 situation. They have been forced into early retirement, maybe after working for a firm for 30 years. At age 45 or onwards the operator of the business has said, 'Sorry, we cannot continue to employ you. Here is a golden handshake.' It may be $30 000, $40 000, $50 000 or $100 000. Some others a little older than that—in the over 50 bracket—receive superannuation. Suddenly, here is a fit person, who has not enough to live on and be guaranteed a reasonable sort of living for the rest of their lives—they do not know how long; they could live until they are 80—forced into retirement with no opportunity of getting a job at that age. We all know that: they have less chance than young people have of getting a job because no Government agency is really helping them. Suddenly, they have all this golden handshake money or superannuation to do something with.

What is the logical thing? They buy a small business. If their partner is reasonably energetic and has entrepreneurial skills also, the logical business often is a small restaurant. All of the resources apart from the family home—and often the family home is mortgaged in order to buy a business—are tied up in the business, which had a chance of surviving under the law that existed before Mr Keating made the announcement, with the support of his colleagues, State and federal.

Once that announcement is made, that person's business is no longer worth as much as it may have been built up to. All their money is at risk except for what they can recoup by selling plant and equipment, but we all know

what that is likely to bring on the market compared with what one would have to pay for it when moving into the business, especially if it was new.

A group of people out there—there may not be thousands, but they are human beings—who have given an honest period of work in the major period of their lives to build up something, are placed in a position of having to use it to guarantee and income for the future. Suddenly, by one fell swoop of the hand, the Government has destroyed it.

I ask the present Government to take up just that small point with its federal counterpart. In the main, they are a group of middle income earners or lower, who have worked for nothing more than a wage or salary for the whole of their working lives and have suddenly been thrown out on the scrap heap because of the economic situation that prevails in this country, and I must admit to a degree throughout the world.

I do not want to go through all the figures and quotations that were used by my colleague: they stand on the record, but they are accurate. There is a concern. I pose the question again: what real benefit is there to the individual who entertains somebody with food and wine?

Perhaps in some other areas of entertainment we could have wiped it out altogether—for instance, businessmen were claiming the cost of hostesses, guides, so-called chauffeurs, or whatever, when they were away on holidays or conferences, by all means. If business organisations or associations, whether professional or semi-professional bodies, were organising their annual conference in Tahiti, the Bahamas, or Singapore, by all means tell them to have their conference in Australia so that they do not claim that expense against the Australian taxpayer in order to get a paid holiday outside Australia. If we force them to have those sorts of ventures inside the country we would be creating employment for our own people and the money would stay in the country.

I would have supported the Keating proposal 100 per cent if the goal was to ensure that more people spent their money in this country. There are plenty of areas to talk about on this proposal, which was done in haste. We should be telling the Federal Government, through this resolution, to rethink the issue, to allow it in some areas but, where there is any risk of straight-out cheating, to prohibit it. I do not object to that. If people have to justify by documentation whom they dine with and for what purpose, not much cheating will go on. Those who can afford it will be given the opportunity to get advice to cheat, even if it means they have to rent part of the restaurant for the day and not pay for the food. I support the motion.

The Hon. R. K. ABBOTT secured the adjournment of the debate.

NORTH-SOUTH TRANSPORT CORRIDOR

Adjourned debate on motion of Hon. D.C. Brown:

That this House—

(a) take note of the public concern that the three options proposed in the Coromandel Valley roads study conducted by the Highways Department will all redirect a significant portion of traffic from Flagstaff Hill and further south, through Coromandel Valley, Blackwood and Belair; and

(b) calls on the Government to give a high priority to the construction of a north-south transport corridor to ease the traffic congestion at Darlington and to improve access from the southern region to the central and northern regions of Adelaide.

(Continued from 23 October. Page 1472.)

The Hon. D.C. BROWN (Davenport): I wish to continue the remarks that I started last week. Members will recall that I was speaking about a specific motion that I had moved. When I ceased my remarks I was referring to the north-south transport corridor, and in particular, some of the correspondence put out by the member for Ascot Park. Before continuing with that line, I come back to Coromandel Valley and talk about the three options proposed. Concern exists within Coromandel Valley about all three options, which require fairly significant removal of trees. All three options will have an adverse effect on the property values of local homes and in all three options there is a requirement to purchase one home completely and to destroy that home to build the specific corridor. Concern also exists that putting through an access road will attract more traffic from the Flagstaff Hill and Happy Valley area.

It is a valid argument because basically we are putting in an alternative route to Adelaide for the people who live in Aberfoyle Park, Flagstaff Hill and Happy Valley and, I now find, for people as far south as Morphett Vale and Noarlunga. Because of the frustrations and delays on South Road at Darlington, and Flagstaff Hill Road at Darlington, and because the Government has not yet widened the bridge at the bottom of Flagstaff Hill Road, nor has it upgraded the intersection and the traffic lights, nor has it turned Flagstaff Hill Road into a four-lane road, in particular providing a second lane at the bottom of that road, enormous delays are resulting.

I will bring to the attention of the House the sort of delay that has been occurring. I am told that on average almost every morning there is a queue of traffic from 1.7 kilometres to two kilometres long along Flagstaff Hill Road from the bottom where the road runs into South Road. All of us would agree that delays of two kilometres of traffic trying to get into one intersection and over a very narrow bridge, which this Government in power presently has been extremely tardy and slow in upgrading, are intolerable. Along the Main South Road, I am told, traffic regularly builds up from the Darlington intersection and traffic lights right to the Victoria Hotel at the top of that hill. I do not know the exact distance, but I think all of us would know how far that is—a considerable distance of several kilometres—and there are three lanes of traffic in each direction at that point.

I spoke at a public meeting in Reynella last Thursday night and I was interested in one comment made by people down there, namely, that it has reached the point of absolute frustration for anyone in the southern region trying to travel north of Darlington to find employment on a daily basis. The journey is becoming slower and slower and more frustrating and, in fact, more people are finding it difficult to obtain employment elsewhere because of the time delays and troubles involved in getting to a job.

Studies carried out by the Highways Department itself show that something like 60 per cent of people living south of Darlington, which is the rapidly growing suburban area, need to travel north of Darlington to find employment each day. That area will increase in population by 46 per cent from 1981 to 1991. The Bannon Government scrapped the north-south transport corridor on the basis that it was not needed, that the population growth rate had slowed, and that the annual growth in traffic each year was only 1 per cent.

Evidence shows that the annual growth in traffic is more like 4 per cent a year—three times the original estimate. We find that the population growth is continuing at the almost alarming rate of 46 per cent over a 10-year period. In one year alone in the southen metropolitan region 4 000 new homes were built, meaning approximately 6 000 additional people looking for jobs in that region in one year alone. Of that 6 000 approximately 4 000 had to travel north of Darlington to find employment.

I have already highlighted the point that industries will not establish in that area because, despite lucrative incentives offered by Government and local government, they are not prepared to commit themselves to a region that is poorly served with transport facilities. We are in a catch 22 situation: the road is needed, the north-south transport corridor is needed. Without it, people have to travel north of Darlington to get jobs, and without it industry will not move to the south to establish jobs in that region.

Those people in the southern region stand condemned in the eyes of this Government, which has taken what I think is a very short-sighted political decision to scrap the north-south transport corridor. We all know the real reasons why that corridor was scrapped—because it would have run through the electorates of the Premier, the then Deputy Premier, the Minister of Mines and Energy, the Minister of Transport and, of course, the Government Whip, who is so vocal on the subject in this House. They are the hard facts: it was scrapped purely for political reasons, with no regard whatsoever for the people of the south who are being condemned by this Government to long, tiring journeys to and from work.

I find it interesting, because I look at the Messenger newspapers regularly. Although they are slamming the Liberal Party proposal to build a north-south transport corridor, in the Messenger paper that covers the electorate of the member for Ascot Park there is no reference to that down south. Oh no, they have become quite obviously silent down south in their attack on the Liberal Party's proposal to build the north-south transport corridor. I wonder why they have become so silent in the southern region. The reasons are obvious: they know that the people down south want the north-south transport corridor. There is no more certain fact than that.

Only about two weeks ago I had the opportunity to meet—along with other members of the shadow Cabinet—the southern region councils of Marion, Happy Valley, Noarlunga, Brighton, and Willunga. I was interested to find that the one subject dominating the discussion was the north-south transport corridor: we talked about it for 1½ hours. I was interested to find that all councils in that region supported the north-south transport corridor without hesitation.

Mr Trainer: The corridor or freeway?

The Hon. D.C. BROWN: They all supported the north-south transport corridor, without hesitation. Yet this Government had the gall to scrap that north-south corridor without even bothering to consult with those councils. It did not even bother to ask for their views, even though in its policy, which was released before the last election, ironically this Government—the Labor Party—did not have the gall to come out and say that it would scrap the north-south transport corridor. Yet, it did so within a matter of months of being elected.

In other words, the Government was not prepared to come out and tell the electors the truth as to its real intentions. Also, in its policy the present Government said that it would review the north-south transport corridor after consultation with local communities and local government. However, there was no consultation whatsoever, and the councils down there are very sore on that point. They have every right to be sore, because they have been treated in such a shabby manner by this Bannon Government. They have been completely—

An honourable member: Deceived by the Bannon Government.

The Hon. D.C. BROWN: As the honourable member said, they have been deceived by the Bannon Government.

Mr Trainer: They have been deceived all right—by the member for Davenport. He has deceived all those people down south.

The Hon. D.C. BROWN: I point out to the honourable member, who seems to lose his cool very readily on the subject of the north-south transport corridor, that every time he gets up to talk on it he loses his cool. He even came along to the public meeting and heard the facts. He came back to the media and tried to misrepresent what had been said at the meeting and what the reaction was.

The truth is that the people at the meeting were overwhelmingly in favour of the north-south transport corridor and the honourable member knows that. There were more than 150 people at the meeting and, apart from the considerable concern that they expressed about the Labor Party route—the proposed third arterial road going right through the middle of Seacombe Heights—I attended a subsequent public meeting in that area where again I was able to completely assure them that Liberal Party policy would not affect the Seacombe Heights area, even though the Labor Party had a proposal to put a major road through the middle, passing many homes and taking some with them. It is ludicrous for the Bannon Government to scrap that north-south transport corridor with no other alternatives being put forward to meet the traffic that already exists in coming north from Adelaide.

Mr Trainer: You have remarkable powers of self-delusion or of practising deceit.

The Hon. D.C. BROWN: I will cover what the honourable member seems to be getting excited about. It was already announced by the former Liberal Government more than three years ago that we would widen the bridge at the bottom of Flagstaff Hill Road: in fact, the work was ready to run in 1983. If one goes there now one finds that the work has only just commenced. It has been delayed effectively for 2½ years by this Government.

One asks the people down there why, and they have no understanding of it, except that it appears that both the former and present Minister are incapable of putting together even a minor project like the widening of the Flagstaff Hill bridge. The former Government also announced that it would widen South Road. Five options were put forward by the Highways Department for widening South Road: the first was to do nothing whatsoever. That is an option to sit back and do nothing—an option that this Government seems to be very fond of on many occasions.

The second option was to take what was the most ineffective upgrading of South Road: simply to put some sheltered turn-right lanes in and put some traffic islands down the middle of South Road to limit opportunities for people to turn right on to South Road. The Highways Department in its report indicated that that $7.3 million widening of South Road, which would take about 2½ to three years to complete, would have a very marginal effect on the traffic capacity of South Road.

The final three options were far more effective in handling a large volume of traffic but were rejected by this Government. If anyone disputes those facts, I refer them to the report released in March 1983 by the former Minister of Transport who has now come into the House. That report is significant for a number of reasons: first, the Highways Department itself in that report on the widening of South Road predicted that by 1990 there would be traffic chaos in the Darlington area unless other alternatives over and above the widening of South Road were adopted. Secondly, it predicted that there would be traffic chaos on every major arterial road running in a north-south direction if one took a transect across the western suburbs of Adelaide in the vicinity of Anzac Highway.

If one takes major roads like Brighton Road, Morphett Road, Marion Road, South Road, Goodwood Road and Unley Road, based on the evidence put forward in the Highways Department report and based on projections made

not by me or any other politician but by engineers in that department, they say that by 1994—less than 10 years away—all those major roads will be at the point of absolute saturation and chaos in terms of traffic flow. Adelaide knows (and thankfully it has not in the past) what that is like, because it experienced on Monday of this week on the eastern side of the city delays of more than an hour to travel 1½ kilometres. People in buses became totally disillusioned at the snail's pace that they were making and left their buses on Portrush Road to walk to the city. People simply deserted their cars wherever they were and walked instead because it was quicker.

Thankfully, in the past Adelaide has not experienced that sort of traffic congestion, and I hope that it does not do so again. I issue a clear warning that Adelaide is heading in that direction. Within the next 10 years, unless something is done immediately, that will occur in the south-western suburbs of Adelaide. That is not my warning, but, rather, a warning issued by engineers from the Highways Department.

I found it incredible that the Highways Department was not even consulted in relation to the decision to scrap the north-south transport corridor. The Minister of Transport did not even go to the Highways Department and ask what its views would be on the scrapping of the north-south transport corridor. The Highways Department was not even consulted that such a proposal was to be put to Cabinet. The member for Ascot Park is now checking with the former Minister to see whether that is true. I can assure the honourable member that it is true. It is horrifying to find that political decisions are made on that sort of basis.

That is the very reason for the overwhelming support for the Liberal Party proposal to go ahead and construct a north-south transport corridor. Look at that sort of support. It has come from all the councils: from the RAA representing 400 000 motorists in this State; from the Chamber of Commerce and Industry; from local residents groups; and from the Southern Region of Councils. They all support the north-south transport corridor because they know that it is absolutely essential.

I point out (and this was one of the motions carried) that it is absolutely ludicrous that, because this Government has decided not to build the north-south transport corridor, to then expect that traffic overflow to feed through Coromandel Valley, and that is exactly what is occurring. The traffic then congests residential streets.

Mr Trainer interjecting:

The Hon. D.C. BROWN: I am proud to have been able to come out and strongly support the north-south transport corridor for the people of the southern region. I suggest that the member for Ascot Park go down and talk to those people. They know that it is needed. The member for Ascot Park attended the public meeting where 150 people turned up. They knew that the road was needed and needed urgently.

Mr Trainer interjecting:

The Hon. D.C. BROWN: Come on! I think I counted something like four Liberal Party members at that meeting. The rest of the people were members of the public who had come along for two reasons: first, because they wanted to hear specific details about the north-south transport corridor, and, secondly, because they were concerned about the present Government's proposal to put the third arterial road adjacent to, or in some cases through, their homes.

I am concerned at the total lack of forward planning in the traffic area being undertaken by this Government. All it has been able to put as a solution to the north-south transport corridor are two areas that had been already announced by the former Government, that is, the widening of Flagstaff Road at the bottom, which would have only a marginal effect, to say the least, in relation to long-term benefit and, secondly, the widening of South Road. I point out to the House that the Labor Government went for the least effective of all the options put forward.

I would now like to comment upon the widening of Flagstaff Road and the bridge, because this Government has said that that $400 000 upgrading will have a significant benefit to the people of the south. In fact, it will not. It will certainly relieve the situation for the next year or so, but as soon as the new four-lane major arterial road (which is to be called Reservoir Drive and which will run into Flagstaff Road) is built through Happy Valley and around the reservoir, that road, which is not a four-lane arterial road (in fact, it is a local road with two lanes in one direction and in some places only one lane in the other direction) will again suddenly face the sort of traffic congestion that is occurring at the moment. It concerns me greatly that we are spending a lot of money down there—

The Hon. R.K. Abbott interjecting:

The Hon. D.C. BROWN: I acknowledge that the Minister eventually realigned Reservoir Drive when I took up the matter. I was disappointed that he and his Minister for Environment and Planning refused to realign Reservoir Drive. They had given a flat no to a deputation that saw them. It was not until the federal member for Boothby (Steele Hall) and I went down there with a television crew and showed them how close the road was about to run alongside homes that suddenly, just like that, four weeks later they had a new proposed alignment. The very people who four weeks earlier had been turned down by the Ministers were suddenly given hope, because the road had been realigned.

All that occurred in a marginal seat. No wonder the public is cynical of politicians who make decisions on that basis and who do not sit down and look at the long-term plans or work out the impact on the environment. The same thing occurred with the Modbury to Salisbury connector where again, for 18 months, this present Government refused to realign that road which was running in a soundshell immediately beneath Crestview Estate. Again, it was not until those residents fought and fought that it eventually managed to get that road realigned.

I am concerned for the people of Coromandel Valley, because the three options put forward in the Coromandel Valley road study do not pose the solutions that they are looking for. The Minister of Transport has already indicated that no work is likely to start on any one of those three proposals for at least the next 10 years; in other words, for the next 10 years they have to put up with the danger that faces children who cross the road to go to the Coromandel Valley Primary School. In the past two years two children have been knocked off bikes and have been badly injured. They also have to put up with the high level of traffic flows through residential streets for the next 10 years. Also, they have to put up with the dangers of a very narrow and winding road that has large trees growing on the side of it where in recent years four people have been killed.

This Government has offered no other options and has said that work could not start within the next 10 years. I indicate to the House that a Liberal Government would not allow that sort of never-never option to continue. I have already indicated on behalf of the Liberal Party that, whilst it might be necessary to select one of those three options as the long-term solution, what is far more important is to ensure that some work is carried out immediately. It is work of a minor nature and will not cost a great deal, but work has to be carried out immediately.

I have given an undertaking that, within six months, a Liberal Government will start the following improvements: construct a school crossing at the Coromandel Valley school; straighten, realign and improve the safety of several

notoriously bad sections of the main road through Coromandel Valley; construct a new intersection where Winns Road meets the main road at Coromandel Valley; improve the safety of the Blackwood roundabout and provide some turn left only lanes; and assist the Mitcham council to construct slow points to reduce the amount of traffic and slow it down in certain residential streets.

Referring to each of those improvements individually, I have talked about the school crossing and the dangers which exist and which have resulted in the past two years in two children being knocked over and badly injured. I, and other people, have been trying for some time to get the Minister of Transport to construct that crossing. I was disappointed to find that just recently the present Minister of Transport sent a further refusal regarding the construction of that crossing. Why? He has done it on the basis that the Highways Department has certain fixed criteria for the construction of school crossings. There must be a certain number of schoolchildren crossing the road in front of the school within a certain period before and after school.

No regard is had for the fact that it happens to be a very winding road with bends on either side of the school so that the schoolchildren have absolutely no hope, once they start to head out across the road, of seeing whether or not a car is about to come around the corner. I believe that the safety of those children requires the construction of a school crossing, even though it may not meet the rigid conditions and criteria laid down by the Highways Department.

Secondly, we propose to straighten, realign and improve certain notoriously bad sections of Main Road, Coromandel Valley. I am not talking about enormous roadworks but about minor improvements in relation to problems that the residents of Coromandel Valley have complained about for many years. Someone suggested to me that one could look at the big gums right on the edge of the road and indicate who was killed in the accidents that have occurred, leaving scars on the trees. That is how bad it is. This area is taking the traffic overflow from the southern region which should otherwise be travelling along the north-south transport corridor. In giving the undertaking to do this work, we are not saying that we are going to turn Main Road at Coromandel Valley into a four-lane road or anything else. I am referring to minor upgrading, which will not be expensive. It is essential that this work be done for the benefit of the community.

The Liberal Party has indicated that it would construct a new intersection where Winns Road meets Main Road, Coromandel Valley. People who know this intersection are horrified at its condition, which occurs at a very sharp bend. Immediately after the ford, Winns Road splits into two. Those forked roads then join the main road at two different locations, 100 yards apart, on either side of the existing bend in the main road. The road is just wide enough for two cars to pass at about 10 km/h. Numerous accidents have occurred at this location, fortunately most of them minor, because cars have been too close together when attempting to pass each other. Improvements to this intersection are necessary, although they would be minor improvements. I understand that the land is already owned by the Highways Department. All the road requires is a minor re-alignment to make one intersection instead of the existing two intersections.

The Blackwood roundabout is another notoriously bad spot. Many people have had accidents at this location. The existing roundabout is poorly designed and needs to be enlarged. The very small roundabout at present is hopeless. There is provision for two lanes of traffic to flow around the roundabout, but one is never quite sure when a motorist is going to shoot from one lane to another. It is really like a game of Russian roulette when skirting that roundabout in the inner lane. A large volume of traffic is now using the roads in the area. Reconstruction of the roundabout would again be minor work, but that work, at little cost, would provide a big benefit in terms of improving traffic safety and traffic flow.

Finally, measures must be taken to try to slow down some of the cars travelling on residential streets such as Diosma Street and Winns Road. A large volume of traffic is travelling on these roads because there are insufficient alternative routes. Because of the distances that people must travel from the southern suburbs, they are travelling at high speed trying to get to work. People seek to avoid the bottlenecks at Darlington which occur on both South and Flagstaff Hill Roads. The Liberal Party has given an undertaking to improve the condition of the roads at Coromandel Valley. I seek leave to continue my remarks on that matter later.

Leave granted; debate adjourned.

WORTHING MINE

Adjourned debate on motion of Mr Mathwin:

That, recognising the important heritage significance of the Worthing mine situatea on the Field River at Hallett Cove and its environs, which is reflected in the fact that the mine is on the interim list of the State Heritage Register, this House calls on the Government, and in particular the Minister for Environment and Planning, to ensure that the surrounding land, in particular areas known as 505, 506 and 507, is not disturbed by any mining lease and that no tenement be issued under the Mining Act to allow further mining; and further calls on the Government to encourage local government to declare the area conservation zone.

(Continued from 23 October. Page 1476.)

The Hon. LYNN ARNOLD (Minister of Education): I understand that the Minister for Environment and Planning will participate in this debate. I am sure that he has very many important things to say. However, in order to assist the proceedings of the House, in the meantime I point out that Hallett Cove is a natural heritage feature of international acclaim and that many tourists choose to go to the area to see the geological features there. It is certainly important that whatever happens to the site reflects the importance of the area as a heritage feature, which must be preserved for all people to see. Any procedures undertaken with respect to environmental or local government legislation must recognise that.

Mr Mathwin: There are three areas there.

The Hon. LYNN ARNOLD: I am advised that there are three areas, which makes the matter even more important. We will await with interest the comments to be made by the Minister for Environment and Planning.

Mr TRAINER (Ascot Park): I want to make a few remarks about this motion, on the basis that I had the pleasure of having a look at this site last Sunday afternoon. Quite a number of people from the south-western suburbs were in attendance at Hallett Cove, at that marvellous site nestling in a green valley. It is a real treasure left over from the nineteenth century which has the potential of being an historical industrial revolution museum—perhaps not on the scale of the ones that I have seen in England, the home of the industrial revolution, around Ironbridge and Coalbrookdale in Derbyshire. Nevertheless, it has some worthy potential to be an historical tourist site in South Australia. I am sure that some way will be found to preserve this area.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): This matter concerns one of the best kept secrets in the south. I have lived at Morphett Vale since

1970, and in that time I have not visited or viewed the site in detail. That is not to say that the area is unknown to me, because I stumbled across it about 22 or 23 years ago when as a somewhat younger man in company with three companions I spent a day in the Hallett Cove area, and I can recall walking down into the valley to have a look at this interesting site, and wondering what it was all about and what its history was. It is interesting, and a testimony to the secluded nature of this whole area, that one can drive up and down Lonsdale Road, and be otherwise around the area quite frequently, but not actually be in sight line of the area: perhaps that is one of the reasons why the area has remained relatively untouched.

I have something of a problem with this motion, because it appears to make incorrect assumptions. Once I explain these to the member for Glenelg and the House, the honourable member may agree that perhaps some amendment is necessary in order to really come up with something on which the instrumentalities and the firm concerned can act. If one looks at the information provided to the public and elsewhere by the company and the Mines Department, one has to assume that really no problem exists. For example, I have before me a report from the Department of Mines and Energy which I think I should share with the House. It states:

> The Worthing Mine is located in portion of section 505, hundred of Noarlunga. There are no mining heritage items on sections 506 and 507. The Marion council has already taken positive action to protect the buildings and their environs through planning policies in a supplementary development plan currently on public exhibition. Strong representations were made to the council at a recent public hearing endorsing the proposed policies. Section 505 is included in a private mine proclaimed in 1974 under the Mining Act for the operating Reynella quarry.
>
> No useful aggregate materials underlie the mine site and a developmental program currently being prepared under the Mines and Works Inspection Act for future quarry extensions under the existing use rights will have regard for the mine environs. The company concerned gave a verbal undertaking at the public hearing on the supplementary development plan not to damage the mine and buildings. It is confidently expected that the matters referred to above will ensure the preservation of this item of mining heritage.

One assumes, reading that report, that there is no problem, and one might imagine why the member for Glenelg introduced this motion. However, there is a problem, which relates not to the immediate mine buildings but to the environs of the mine itself. The mine is situated in a valley. If one stands down at the old ruins, then, apart from a few inevitable powerlines, nothing skylines from that point. One could well imagine that one was back 50 or 60 years ago or even earlier, when not only was there this sort of mining activity in the Hallett Cove area but, as the member for Glenelg would know, Reynella Quarries had a flying fox regularly taking crushed aggregate north. I remember that from a holiday that I had in Seacliff in about 1944.

The problem is that people are looking for more than simply the preservation of what is left of the mine buildings: they would really like the whole of the integrity of the area to be preserved. I understand that that is what is behind the honourable member's motion. For this reason, there have been suggestions, for example, that the area should be under some sort of heritage reservation—

Mr Mathwin: A conservation zone.

The Hon. D.J. HOPGOOD: Right, a conservation zone—and the supplementary development plan should be amended to provide for that to happen. I hope that I have that correctly. The problem is, as the Mines Department has pointed out in that report that I have already read to the House, that section 505 is included in a private mine proclaimed in 1974 under the Mining Act. The concept of a private mine was included in the reworked Mining Act, which was guided through this place by the Hon. Glen Broomhill as the Minister assisting the Premier in about 1972. Certainly, when I came in as Minister of Mines in 1973 the new Act was already established.

One of the immediate administrative responsibilities was allowing for the setting up of these private mines. The 1972 Act secured to the Crown all mineral rights throughout the State. One assumes that where the situation was not quite like that before, there might have been a howl of protests, but the Act also provided for existing rights to be respected through the issuing of these private mines. Most of the quarrying areas throughout the hills are under the private mine reservation.

That is a problem only because of a further Act of Parliament brought down, this time not by a Labor Government but by a Liberal Government, and the Minister who piloted this piece of legislation through is with us this afternoon—the member for Murray. He will be aware of the fact that one of the features behind the Planning Act is that for the most part mining tenements are exempted. I imagine that the Deputy Leader of the Opposition (the member for Kavel, who was the then Deputy Premier and Minister of Mines and Energy) may have had a good deal to do with that initiative.

The effect of it is that whatever is done under the heritage legislation or under the Planning Act really cannot affect rights under the Mining Act. Again, that really would not matter if we were talking about a tenement to be issued, because the member for Glenelg, I and other people who are concerned about this matter could talk to the Minister of Mines and Energy, and all the proper political pressures could apply. It would be possible for the tenement to be issued under certain terms and conditions.

Mr Mathwin: We'd leave politics out of it, wouldn't we?

The Hon. D.J. HOPGOOD: Of course, as we so often do. These terms and conditions could be properly negotiated, but the private mine has already been issued. It was issued in 1974 and, as I understand it, under the conditions of the private mine rights that the company has at present it is able to extend its mining operations into that portion of section 505, which, although it will not impact directly on the buildings that are associated with the Worthing mine, will have an impact on the sightlines from the area that immediately surrounds it.

Mr Mathwin: And the river, too?

The Hon. D.J. HOPGOOD: I have no doubt that arrangements could be made, for example, to ensure that no spoil from the mine could go into the river or anything like that. I am sure that that is one of the conditions already written into the private mine, but I am sure there is no reference to the Worthing mine in the conditions that were written under the private mine. If, for example, mining operations were not substantially exempt under the Planning Act, all that would be necessary would be to bring down the supplementary development plan or to list a specified area under the heritage legislation, which amounts to the same thing because the heritage legislation gets its teeth from the Planning Act. That would resolve the question.

On the other hand, if we were talking about a tenement and rights yet to be issued, all that would be necessary would be for my colleague the Minister of Mines and Energy to so word the conditions of the tenement or the rights to be issued to take account of the concerns that the honourable member has. But the combination of the two—the exemption under the Planning Act and the fact that the private mine was issued as far back as 1974 and that the company has continuing rights under that private mine—means that if we were to support the honourable member and to pass this motion we would do something that would have no effect whatsoever unless by some legislative means

the Minister of Mines and Energy was able to abrogate the private mine.

The Minister of Mines and Energy, in relation to a broader matter, is currently in the process of seeking approval for certain (what some people call) contractual obligations to be set aside in relation to gas supply and prices, but most people would consider that something as localised as this, although important, should not admit of that rather drastic legislative treatment.

Probably the best way around this would be for further negotiations to take place to secure some sort of agreement about that directly with the company, while understanding that the company under the law has a perfect right to move into that area of section 505, which people are concerned about. I wonder whether the best way to treat it—because I really believe that to pass this motion at this stage would be to leave us all in a situation where we had passed a motion about which we could really do very little, if anything, at all—is that I seek leave to continue my remarks and enter into further closer consultation on this matter with the Minister of Mines and Energy. The honourable member would be aware of the fact that but for the necessity of the select committee on that other piece of legislation to which I have referred it would probably be my colleague who would be speaking to this motion today.

The advice that I have shared with the House from the Department of Mines and Energy is as much as I have in the short time available been able to get hold of. I am sure that the advice that I have given to the House in relation to the Planning Act and the heritage legislation is absolutely correct, and I am pretty certain of my grounds in relation to the Mining Act as well.

However, it may be that my colleague needs to look a little more closely at the legal advice coming forward. On the other hand, the member for Glenelg may prefer that the debate proceed through other channels or that other of his colleagues take the adjournment; I do not know. However, if the member is happy that I take the adjournment, I will ensure that further matters of substance in relation to this issue are brought up next week. I will leave the debate at this point.

The motion refers to the fact that the mine is on the interim list of the State Heritage register and I have simply indicated that, although that may have an educative function, and it is good that people have drawn to their attention the heritage value of it, under the Planning Act, it does not amount to anything. It calls on the Government and the Minister for Environment and Planning to ensure that the surrounding land (which is described) is not disturbed by any mining lease and that no tenement be issued under the Mining Act to allow further mining. Substantially the company already has this permission under a form of tenement issued as far back as 1974. With that in mind and with the undertakings that I have given, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOTOR VEHICLE TAX

Adjourned debate on motion of Hon. D.C. Brown:

That this House deplores the move by the Federal Government to tax the use of motor vehicles supplied to employees by employers and the adverse effect it would have on the motor industry and its employees in South Australia, and calls on the Government to forward these views to the Prime Minister.

(Continued from 23 October. Page 1479.)

Mr MEIER (Goyder): Last time I spoke to this motion I made a few remarks, first, in relation to some of the points that the member for Hartley raised on this matter and, secondly, on the debate generally. I hope that all members here recall the motion. Since that time I have noticed that a few other people have voiced their objections as well and, in fact, in today's *News* we find an example of the latest outcry on the motor vehicle tax. In fact, it comes from a winemaker and I will quote the article:

Leading wine producer, Thomas Hardy & Sons, will join the growing list of SA companies... which have taken this action.

That refers to the action to review plans to buy company cars because of the Federal Government's planned fringe benefits tax. It further states:

Thomas Hardy company secretary, Mr Angus MacMillan, said the tax could cost his company $100 000 a year. The company had a fleet of about 100 cars valued at $1.2 million. 'The tax is a burden on an industry which simply cannot afford it', he said. 'It is an addition to our operating costs and the wine industry cannot simply just raise prices of wine. Consequently, we have decided not to replace any of our existing vehicles until we know precisely the ramifications of the new legislation.'

Later, the article refers to the fact that there could be between 10 000 and 20 000 jobs lost. It is interesting that a Government that says that it supports the working class and the objectives of many of the unions is prepared to throw the union movement to one side in the case of the fringe benefits tax on motor vehicles. In fact, it looks as though it will be up to the union movement to pull things together in conjunction with the Liberal Opposition.

I hope that most people realise that the Liberal Party is the party truly representing all people, be it at State or national level. Evidence of that comes from a wide area, but again we can see it in this very debate, when we realise the consequences to the many people employed in the motor vehicle manufacturing industry. We notice how the union movement is taking up this issue, not only in this State but in New South Wales. I will quote from the *Weekend Australian* of 19-20 October this year:

In another development, the New South Wales branch of the Vehicle Builders Employees Federation (VBEF) launched a petition calling on the Treasurer, Mr Keating, to abandon the company-car tax. The union, representing 8 000 members, intends to enlist the support of other State branches and stage a march by workers on Parliament House to deliver the petition.

We have a national membership of 50 000 people, the secretary of the New South Wales VBEF, Mr Bill Taylor, said. We believe taxing of company vehicles, as proposed will dramatically reduce employment levels in our industry and have serious adverse effects on the economy. Mr Taylor, who lives in Mr Keating's electorate, said the VBEF was convinced that up to 25 000 jobs could be lost in the motor, financial and banking industries.

Yet, we found that a member of the Government, none other than the member for Hartley, last week was going against this motion and saying that the Federal Government had every right to bring in the tax on employers for company vehicles. I wonder how he answers the accusation that thousands of unionists will be losing their jobs as a result. It is an indictment, first, on the State Labor Government and, more importantly, on the Federal Labor Government.

Mr Groom: You tell me why Adelaide Steamship, with a profit of $34 million, pays $39 000 in tax.

Mr MEIER: The member for Hartley is not prepared to face the issue at hand. He could not care less about all these workers losing their jobs. He is only interested in bringing down big companies: he thinks the profits they are making are unfair. If it is going to mean thousands of workers losing their jobs, so be it. He is quite happy to wear that. I do not want to wear that under any circumstances and I know that we, the Opposition, will fight to see that the workers do not lose their jobs as the Federal Labor Government seems quite happy to let them do.

Mr Groom: Answer the criticism about Adelaide Steamship.

Mr MEIER: Rather than answering the criticisms, let me say that the member for Hartley well knows that that has very little if anything to do with this debate. The profit of companies—

Mr Groom: Adelaide Steamship said it wouldn't buy more fleet cars from July 1986 because they have to pay some tax and all it's paying on $34 million is $39 000—you justify that!

Mr MEIER: The honourable member brings forward one example, the Adelaide Steamship Company.

Mr Groom: One—I'll give you 20.

Mr MEIER: If he wants to bring forward 20 examples, fine; he can go ahead. It has nothing to do with the issue.

The DEPUTY SPEAKER: Order! If the member for Hartley wants to bring up two examples, there will be trouble. Interjections are definitely out of order.

Mr MEIER: Thank you, Mr Deputy Speaker, for your intervention. It does not matter how much we look at company profits. Companies are there to make profit. One would be mad to be in business if one did not make a profit. One has to make a profit to keep expanding or at least be able to produce more and to continue to look towards a positive future. The crux of the matter here is jobs and, at a time when Australia is desperately trying to come to grips with the unemployment problem, a Federal Government says that it does not care if tens of thousands more people go on the dole queues. It wants to tax the people who have company cars at present. Why should they have the right? The Government does not realise the implications of that tax.

I draw to members' attention further comments that appeared in the same article in the *Weekend Australian* in which Mr Doug Donaldson, chief executive of the Sydney Based LNC Industries group, said that the market has already been stopped 'as if it has hit a brick wall'. That is in relation to the Federal Government's proposed tax on company vehicles. What an indictment! He is further reported as saying:

> Any change in sales tax following the fringe benefits taxes and the proposed tax on company cars will cause a collapse.

Further in the article he cited examples of some Ford Motor Company dealers whose sales have been halved in the past few weeks. In fact, he believes that we are facing a slump in the motor vehicle industry of the same magnitude as the two worst lows in our history—1951 and 1961.

I hope that the Federal Government will take note of the great concern in this State and throughout the Commonwealth that this tax will do untold harm to our motor vehicle industry. Although we saw headlines in the *Australian* on 23 October such as 'Burke urges backdown on lunch tax' what headlines do we see from our own Premier? None. It is time that this Government took notice of this motion and made its comment known throughout this State and nationally.

What have we seen? The response from the Government has been entirely the opposite. It has said, 'Bravo! It is a good thing, Mr Hawke.' I hope it will reassess the situation and look at it realistically. I also hope that the Government remembers that South Australia is one of the key motor manufacturing States. Unless it does, it will ruin it for all South Australians. The Government has only one option—to reconsider this motion, to ensure that it looks at the facts as they stand and that the Federal Government is made to back down on this negative tax at a time when Australia cannot afford it. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

DOG CONTROL ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 11 September. Page 839.)

The Hon. G.F. KENEALLY (Minister of Transport): The Government supports this Bill. I commend the honourable member on his second reading explanation when introducing it. It is certainly a credit to him. I second his commendation of the Lions Club involvement with Guide Dogs for the Blind and for those with hearing difficulties. It just goes to show that if you have a good idea, you should do something about it.

When I was Minister, the Dog Advisory Committee went to the honourable member's electorate and looked at the training centre at Verdun. Its members were very enthusiastic about the benefits of having a trained dog to assist the deaf. A recommendation was then made. The Government has been waiting to present a local government Bill which would incorporate the amendments included in this Bill. It would be churlish of the Government not to support what is a very worthwhile move to assist a group within the community with particular difficulties, as outlined by the honourable member. The Government will support this Bill.

Mr S.G. EVANS (Fisher): As a member of the Lions Club that initiated the project, I am thrilled that this Bill is now before the House. We recognise that a hearing dog is an asset to many people. Even though I have not put in much work myself, I congratulate the club that did the work and the staff at the centre. Although it is just outside my district, I appreciate the work that has gone into it by some very dedicated people to help those who are disadvantaged.

When this idea was first promoted I was on the Guide Dogs for the Blind State Committee. At that time some doubts were expressed about the real benefits of hearing dogs. I heard discussions and contributions from both sides of the spectrum on this issue. So, I congratulate those who have brought the matter forward. I am pleased that the Bill is before the House and thrilled that it will have a quick passage.

The Hon D.C. WOTTON (Murray): I thank the responsible Minister and the Government for their support of the Bill. As indicated by the member for Fisher, it is a very important measure. Attempts have been made previously to bring forward amendments to the Dog Control Act. As these amendments have been approved by the Government, they will now become law. I spoke in some detail at the second reading stage, but I do not need to remind the House that those people involved with the hearing dog centre at Verdun will greatly appreciate this move.

As I said at that time there has been tremendous support from the voluntary sector in achieving some assistance for those with hearing deficiencies. It is a very new concept, involving a number of dedicated people, with considerable support from the Lions Club—particularly the Hahndorf branch. Once again, on behalf of those people involved I thank the Government and look forward to a speedy passage of this legislation.

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

SELECT COMMITTEE OF INQUIRY INTO STEAMTOWN PETERBOROUGH RAILWAY PRESERVATION SOCIETY INCORPORATED

The Hon. G.F. KENEALLY (Minister of Transport) brought up the final report of the select committee, together with minutes of proceedings and evidence.

Report received. Ordered that report be printed.

The Hon. G.F. KENEALLY: I move:

That the report be noted.

Before dealing with the specifics of the recommendation that the select committee now makes to Parliament, I would like to record my thanks to Mr Gordon Thompson, an officer of this House, who has rendered sterling service to the committee. I would also like to thank the members of the committee—the honourable members for Eyre and Coles, Albert Park and Henley Beach, for the energy, diligence and attention that they have shown during the hearings in what, on the face of it, should have been a seemingly easy problem to solve, but what proved to be one of great difficulty. I might say (and I suspect that my colleagues on the select committee would agree with me) that our experience shows that perhaps the select committee system may not be the most appropriate way to deal with this type of problem. We would not have known that, of course, unless we had the opportunity to proceed through the hearings and consider what recommendations we might bring to Parliament.

It is true to say that the situation that applies currently, although still very difficult, is somewhat better than that which applied when we started. What we sought to do was act in a way of a conciliator. We thought that we would be able to bring the disputing parties together and that an amicable result could have been achieved for the best interests of the society, of the residents of Peterborough and of Peterborough itself. Unfortunately, that was not the case as our report to Parliament shows.

Recommendation 3 shows that the select committee has not been able to resolve the dispute referred to it and notes that recommendations 2, 4, 5 and 6 contained in the interim report have not been complied with. That is a matter of some regret to the committee, because we felt that all the work that went into this—not only by members of the Select Committee but also by members of Steamtown Peterborough and citizens of Peterborough—ought to have achieved a better result than was achieved.

However, there have been some gains. For instance, the society has quite clearly stated that it can see the future of its operations in Peterborough, and I think it is fair to say that the most difficult aspect to resolve has been one of membership.

Recommendation 4 of the report shows that judicial proceedings are available to resolve matters relating to the expulsion of members and the rejection of new membership applications, and the select committee recommends that such litigation be proceeded with. We put to the President of Steamtown a suggestion which it might have considered and which we felt would have solved the problem as to membership entry and the rights of members. It is fair to say that the society came some way in trying to meet the request or the expectation of the select committee, but it felt unable to come far enough. We as a committee were not prepared to accept their proposition that new membership should be provisional. In a way, we did not believe that a citizen such as the Mayor of Peterborough, for one, and others should have to go through the stages of provisional membership before they were able to be granted full membership.

The select committee did not feel that it was appropriate for it to recommend to the Parliament that Government should legislate for the resolution of this type of dispute. We did not want to set a precedent. We do not believe that Government legislation is the appropriate way to go because there are some 6 000 or 7 000 incorporated organisations in South Australia, many of which are constantly in dispute: we did not want to set a precedent where the Government felt that it could legislate to resolve those disputes. We considered, however, that the matter was always open for a private member to pursue. If any members of Parliament wished to pursue the interim recommendations and the final recommendations of the select committee, we believed as a select committee that such action should be supported. In fact, recommendation 5 of our report states:

The select committee does not recommend Government legislation for the resolution of this type of dispute. However, this option remains open for any private member to pursue. If such action were to be taken, it would have the support of the select committee.

In closing, because time is of the essence and other members want to make their contribution, it was with regret that we had to bring down this report to the Parliament. It was our intention to resolve this matter in the best interests of all concerned. We wanted to preserve the rights of the Committee of Steamtown who had worked so hard for so long to create an asset for Peterborough and a tourist attraction. On the other hand, we wanted to preserve the rights of the citizens of Peterborough, because I believe that it was in the interests of Peterborough as a community that the initial Government and community support was given to this project.

I would like to pay a tribute to all those people who assisted the select committee in reaching its conclusions, although those conclusions are not as we would have wished them to be. I commend the report to the House.

Mr GUNN (Eyre): I support the remarks of the Minister of Transport. I want to say from the outset that I am extremely disappointed that the committee has had to indicate that it will support private legislation. I inform the House that it is my intention to introduce a private member's Bill in an attempt to resolve this matter in a manner which I think will meet the wishes of the overwhelming majority of residents of Peterborough.

Instructions for that Bill have already been given to Parliamentary Counsel. They are, briefly, that it will allow the Commissioner of Corporate Affairs to receive new members; it will allow the Commissioner of Corporate Affairs to conduct a special annual general meeting; and it will allow him to present an updated balance sheet of the financial affairs of that organisation. Before the Commissioner could exercise those particular provisions, he would have to have a certificate from the Attorney-General. The Bill will contain a sunset clause that, six months after the matter has been resolved by the Commissioner of Corporate Affairs, it will expire.

I am one of those people who is very hesitant to recommend or bring in legislation to resolve disputes. I have always supported the concept that difficult cases create bad legislation. However, I am fully aware of what has taken place at Peterborough, and it is unfortunate that certain people have failed to accept the inevitable, that is, that the Peterborough Steamtown concept was designed and set up to assist the local residents of Peterborough. It had the support of the community. It received Government backing from the then Government, headed by Mr Dunstan, and I recall having made some representations to obtain the original $20 000. It has since been supported by another Government, and there is no reason why those citizens of Peterborough who wish to support the organisation by way of membership and involvement should be denied the opportunity to become involved.

I believe that, if the current executive council of Peterborough Steamtown had been able to understand that they were not under threat, and if they had accepted the suggestions put forward to them by the select committee, the matter would have been resolved and Peterborough Steamtown would have been back as an operating organisation

again. It is unfortunate that those people adopted such a belligerent and arrogant attitude. In my dealings as a member of Parliament I have found certain individuals in Peterborough Steamtown to be the most difficult people whom I have come across.

In the 15 years that I have been a member I have run into some difficult people, but these people were quite unreasonable. It was amazing that people would come before a select committee and adopt such a stance, virtually reflecting on the membership of that select committee in a manner that was uncalled for and unecessary. Whatever they thought of the members of the select committee, we had a resolve to sort out the matter in a fair and reasonable way. We did not have preconceived ideas. When people address themselves to a committee in such a manner, I am quite at a loss to understand what motivates them.

I am prepared to give credit to some of those people who have been so difficult because they have done an excellent job of restoring and getting Steamtown off the ground, but the stance they adopted in recent times has undone a great deal of that excellent work. I am disappointed when people like the Mayor are refused membership or when people who have received life membership are expelled from that organisation. I want to say one other thing—it is not necessary to say much more. Some rather unique financial arrangements have taken place, and I believe that, if the individuals involved in the matter want those funds returned to them, arrangements should be made in that regard. I do not want to put the details on record, but I believe that very strongly.

I sincerely hope that this matter can be sorted out quickly and effectively, because I believe that Steamtown would be eligible to receive funding from the Government. But, while this exercise is continuing, no money will be forthcoming—if it was forthcoming, in my judgment that would be unwise. Peterborough Steamtown has a very large collection of rolling stock and other equipment which, in my judgment, ought to be available for public view. A lot of tourist buses go through Peterborough, and the carriage that is on display there attracts a lot of attention from the public. Arrangements should be made to display some of that equipment either at the depot or at another static museum. I want everything possible done to assist Peterborough, because it has suffered an unfortunate downturn due to the policies of Australian National. Peterborough Steamtown was originally set up because of those policies, with the strong support of the then Commissioner of Railways, Mr Smith. I led a deputation to him regarding the future of the Orroroo to Peterborough line, and the Commissioner indicated full support for the continued operation of that line.

I want to join with the Minister in saying that members of the select committee did their utmost to resolve this matter, and I commend the secretary for the work that he did in preparing reports and organising the committee. It was not an easy exercise. I also commend the Chairman for the great tolerance he showed in chairing some of the meetings where, I would say, he was under severe provocation, to put it mildly. He showed more tolerance than one or two other members of the committee would have shown under the circumstances, and it is as well that he was tolerant. I support the adoption of the report and I hope that arrangements can be made so that I can introduce my Bill next Wednesday. I also hope that it passes speedily through the processes of both Houses.

Mr FERGUSON (Henley Beach): I, too, support the recommendations of the select committee. I was at something of a disadvantage as a member of this committee as I knew nothing of the area, I knew nothing virtually about railways (even though my grandfather worked at Peterborough for some time), and I had never visited Peterborough. However, I found it to be a charming place and a potential tourist spot. It became obvious during the hours and hours of evidence that the money that was provided by the two Governments of different political shades towards this project was provided for the town of Peterborough.

Peterborough has a problem regarding the declining workforce due to the vagaries of the railway system. It did not take me long, after listening to the evidence, to adopt the attitude that both Governments had provided money for this project, for Peterborough, so that Steamtown could remain at Peterborough, and by way of assistance from a tourism point of view to the people of Peterborough.

I have been involved in organisations, clubs and various activities (perhaps 100 such bodies), as have other members. Some of those organisations were of a political or an industrial nature. But, never in my life have I been in a situation where, in order to try to win an argument, one excluded the opposition. Except where someone committed a major misdemeanour, anyone could become a member of those clubs and one could convince the other members by weight of numbers in a democratic way that one's point of view was right.

Therefore, I found it quite unusual to go into a situation of almost warfare, with members being excluded from membership even though there were legitimate reasons why they should be a member of a certain organisation. We tried to conciliate on this matter, bearing in mind that the present office holders of Steamtown had done a lot of work and provided voluntary labour towards that organisation. That was to their great credit. We did not want in the first instance—or indeed at any time—to force on them a solution in view of the amount of time and effort that they had put in to the original Steamtown organisation.

However, I am forced to say that I was very unhappy with the Steamtown officers when they were not prepared to accept the suggestions that were put forward. Time does not permit me to refer to the report at any length: suffice to say that I would be prepared to support the private member's Bill proposed by the member for Eyre when it comes before this House. We are in a difficult position. To my knowledge there has never been special legislation in this House in regard to incorporated bodies or legislation of the kind that we considered regarding changes to the rules. That would have resulted in a lot of difficulty, bearing in mind the number of organisations in this State.

I agree with the member for Eyre in regard to the way in which the Chairman handled the meetings. He showed the sort of patience that, I am afraid, I would not have shown. I thank the other members of the committee, and I support the motion.

Motion carried.

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

PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT BILL

The Hon. T.H. HEMMINGS (Minister of Public Works) obtained leave and introduced a Bill for an Act to amend the Public Works Standing Committee Act 1927. Read a first time.

The Hon. T.H. HEMMINGS: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to amend the Public Works Standing Committee Act to achieve much needed reforms. For the most part the amendments are simply good housekeeping. I believe that this Bill will have the general support of all members as it achieves objectives members on both sides have sought. Members will be aware that the previous Government was also considering changes to the Act, and this Government has reviewed those proposals in light of this Government's program to reduce red tape while ensuring effective Government administration. I believe the previous Government's Minister of Public Works, the member for Davenport, will agree with the proposals of this Bill, and I as Minister appreciate the member's previous efforts. Accordingly, I believe this Bill will be supported.

The Bill has the following points:

(1) It raises the declared amount the Minister may appropriate to any project without going to the Public Works Standing Committee from $500 000 to $2 million. This figure is in line with the Act's $500 000 after allowing for inflationary changes. In other words, this amendment carries out the intent of the original Act.

(2) Adding to this is a change to allow future Governments to adjust this figure for inflation by proclamation. I believe this makes good administrative sense and carries out this Parliament's wishes.

(3) The Bill also strengthens the original intent of the Act to describe works as all the costs associated with finishing the project, including its fittings and furnishings. The Government believes this is important in today's technological environment in which, for instance, a building to house computers may well be worth less than the computers.

(4) The Bill also tidies up the difficulty arising from the Appropriation Bills being passed by this House prior to all proposed projects being examined by the Public Works Standing Committee. With the need for long-term planning for capital works, governments need to make allocations in budgets, but must also ensure Parliamentary accountability. The Bill achieves these aims.

(5) The Bill does not broaden the net for the Public Works Standing Committee to include statutory authorities. The Government believes that statutory authorities have, by and large, been established to carry out tasks in the commercial environment unrestricted by governmental regulations. Examples such as the State Bank, SGIC, ETSA, etc., spring to mind. Thus the Government believes that only where an organisation obtains funds directly appropriated by the House, should that organisation be examined by the Public Works Standing Committee.

(6) The Government is also of the view that the Public Works Standing Committee should not encroach upon the work of the Public Accounts Committee. The roles are quite separate, one in examining proposed public works, the other in reviewing Government expenditure. Accordingly, the intent of the original Act will continue in this regard.

(7) Finally the Government believes the committee should have regard to all the associated costs of the proposed expenditure. Accordingly, this Bill seeks to ensure that the committee reviews the ongoing recurrent costs of a proposed public work.

These changes are the very essence of this Bill. I believe they are necessary and timely, and I commend them to this House. The provisions of the Bill are as follows:

Clause 1 is formal.

Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation.

Clause 3 amends section 3 of the principal Act which provides definitions of expressions used in the Act. The clause inserts new definitions of 'work', 'construction' and 'public work'. 'Work' is defined to mean any building or structure or any improvements or other physical changes to any building, structure or land. 'Construction' is defined as including the making of improvements or other physical changes to any building, structure or land and the acquisition and installation of fixtures, plant or equipment when carried out as part of, or in conjunction with, the construction of a work. 'Public work' is defined to mean any work that is proposed to be constructed where the whole or part of the cost of construction of the work is to be met from moneys provided or to be provided by Parliament. The new definitions are intended to clarify and widen the scope of the Act in several respects:

(a) the present definition of 'public work' is limited to works that are constructed by the Government or any person or body on behalf of the Government—the new definition requires that it need only be shown that moneys provided or to be provided by Parliament are to be applied towards the work;

(b) the new definitions make it clear that a work is a public work although only part of the cost is to be met from moneys provided or to be provided by Parliament;

(c) the present definition includes only construction or the continuation, completion, reconstruction or extension of a work or any addition to a work—the new definitions make it clear that the Act extends to any improvements or physical changes to a building, structure or land and to the acquisition and installation of fixtures, plant and equipment when forming part of the overall project;

(d) the present definition excludes repair or maintenance—this exclusion is not retained but instead the Act will apply to any work that constitutes an improvement or physical change to a building, structure or land subject to the monetary limitation fixed by or under section 25.

Clause 4 amends section 24 of the principal Act which sets out the matters to which the committee is to have regard when considering and reporting upon a public work referred to it. The clause adds to the matters presently listed in the following matters:

(a) the recurrent costs (including costs arising out of any loan or other financial arrangements) associated with the construction of the work and its proposed use.

(b) the estimated net effect upon Consolidated Account of the construction of the work and its proposed use.

Clause 5 amends section 25 of the principal Act which contains the requirement for works to be referred to the committee. The requirement is presently imposed by rendering unlawful the introduction of a Bill either authorising the construction of a public work estimated to cost when complete more than $500 000, or appropriating money for expenditure on a public work estimated to cost when complete more than $500 000, unless the work has been first inquired into by the committee. Under the clause, no amount is to be applied for the actual construction of a public work from moneys provided by Parliament, where it is estimated that the total amount applied for the construction of the work out of moneys provided by Parliament will, when all stages of the work are complete, be more than the declared amount, unless the work has first been inquired into by the committee. The clause defines the declared amount as being $2 000 000 or such greater amount as is fixed by proclamation. The clause inserts a transitional provision applying the present provisions of the section to any work where

construction has commenced, or a contract for construction has been entered into, before the amendments come into force.

Clause 6 repeals section 25a of the principal Act which permits a Bill relating to a public work to be introduced without the work having been first inquired into by the Committee in the circumstances of war or where the Bill itself provides that the Act is not to apply. This provision is no longer required in view of the changes proposed to section 25 under which the introduction of such a Bill will no longer be affected by the section.

Clause 7 substitutes a new provision for section 27 of the Act. Section 27 presently enables a newly constituted committee to take into account evidence on a public work presented to the committee as previously constituted. The new provision has that same effect but also makes it unnecessary to again refer a public work to a newly constituted committee where the work had been referred to the committee as previously constituted but the committee had not completed its inquiry into and report upon the work.

The Hon. D.C. BROWN secured the adjournment of the debate.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 October. Page 1223.)

Mr OLSEN (Leader of the Opposition): The Opposition supports this Bill, which seeks to extend guarantees now able to be given by the Government. At present the only guarantees that may be extended relate to loans that might be taken out by a business, but other financial commitments that might be made by business cannot be given a Government guarantee. In that respect it is restrictive. The main problem with this matter has been the possibility of South Australian businesses missing out on chances to expand and invest in new ventures because of those financial commitments, other than loan commitments, which could not be guaranteed under the IDC legislation.

By allowing the guarantees to be extended to cover real or contingent liabilities of businesses, this situation will in future be avoided. The Treasurer's ability to allow guarantees to be extended will of course remain subject to the recommendations of the Industries Development Committee, and so this matter will be one of direct accounting to Parliament. The Opposition supports this aspect of independence of the IDC. It is very important that, in dealing with such an important area of our economic development, a separate body such as the IDC should be able to operate effectively and scrutinise those investment decisions.

The Bill also provides for the Treasurer to require the person or businesses receiving a guarantee for a loan to raise capital to repay that loan when possible and when the Treasurer is satisfied that it will not adversely affect the business concerned. We support this aspect of the legislation, because it will mean a lessening of the State's liability through guarantees made to businesses. The Opposition supports the Bill.

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

HOLIDAYS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 29 October. Page 1599.)

The Hon. B.C. EASTICK (Light): The Opposition supports the Bill. It is unfortunate that the inference could easily have been drawn from the consideration of this Bill in another place that it was introduced specifically for the benefit of the State Bank of South Australia. The Minister subsequently indicated that it was competent for any bank, be it the State Bank or one of the other commercial banks, or indeed the Commonwealth Bank, to operate under this measure if they so desired. I am led to believe that the other banks at this stage have not given any indication that they want to benefit from the trading operations. At least the Opposition would have demanded that the provision be of a blanket nature had that not been the intention of the Government. We support the Bill.

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

GROUNDWATER (BORDER AGREEMENT) BILL

Adjourned debate on second reading.
(Continued from 24 October. Page 1531.)

The Hon. P.B. ARNOLD (Chaffey): The Opposition supports the Bill. It is a measure that has been considered for a considerable period by Victoria and South Australia, and certainly during the period of the previous Liberal Government. From my involvement at that stage as Minister of Water Resources, I can well recall the discussion and debate that proceeded between officers of the E&WS Department and the corresponding department in Victoria.

It is logical to reach an agreement prior to any real pressures being exerted on the underground aquifer along the Victorian-South Australian border. There have been examples overseas involving an international border situation between countries where one country may have had greater resources than the other and developed the underground water resource for irrigation and other purposes to a much greater degree.

In those circumstances, when the other country involved has come to make use of what might be described as its fair share of the water resource, it has been found that the draw down by the country which got in first has been such that for a considerable distance back from the international border there has been no water available to the second country involved. A good example of that involved the international border between the United States and Mexico. Extensive development was undertaken by the US, and when Mexico tried to develop its share of the water, although it had not been defined at that point, the draw down had been such that there was literally no water there for the Mexicans to develop.

Therefore, to reach agreement well in advance of pressure being applied to the resource is the logical thing to do. The agreement provides for a distance of 20 kilometres either side of the State boundary, and the amount of water available to South Australia will be 137 megalitres per annum. Utilisation at this stage is nowhere near that amount, but, as I have said, it is far better to reach an amicable agreement between the two States at this stage than have arguments at a later date when the pressure is on the resource.

This is a comparatively short Bill. Most of the working provisions of the Bill are contained in the schedules. I refer to Part IV of the second schedule—'Management Plan', and I ask the Minister to note clause 24, which is headed 'Designation of border area and potentiometric surface levels'. The word 'potentiometric' is interesting in that context: that word does not usually stand by itself, and I am not exactly sure what the draftsman had in mind when using it. For example, we are aware that potentiometric titration refers

to chemical titration in which the end point is determined by measuring the voltage of an electric current of given amperage passed through a solution.

However, in relation to the Bill, I have difficulty in understanding exactly what is meant by using that word by itself. Perhaps it is being used in that manner by engineers in the E&WS Department who know quite clearly in their own minds what is meant. I am not sure whether they are referring to the salinity level of water, and I will be interested in hearing from the Minister what it means. I am sure that other words could be used instead, such as 'electrical conductivity level of the surface water'—if that is what we are talking about. But certainly the massive volumes of the *Oxford Dictionary* in the Parliamentary Library do not show that word on its own: it stands in conjunction with other words.

Perhaps in his reply the Minister could provide us with a clear indication of what that word means. I am certain that there would be many people in the community who will have to study and operate by this Act and who will not have any more idea of what the word means than, I would venture to say, most members in this Chamber. That is the only concern that I have in relation to this legislation. I believe that it is a good move and that it is appropriate that it be enacted at this time. The Opposition supports the Bill.

The Hon. B.C. EASTICK (Light): I wish to enter the debate briefly to indicate that I have a beneficial interest in the passage of this Bill. In conjunction with my son and his wife, my wife and I have a property in the hundred of Comaum, within one kilometre of the Victorian-South Australian border. The property is on section 348, hundred of Comaum and is registered in the name of B.C. and M.D. Eastick and A.B. and P.K. Eastick, trading as Wirreebilla Proprietors. I further indicate that I am also involved with a property in the State of Victoria which has as its western boundary the South Australian-Victorian border. That property is in the parish of Tooloy and, obviously, being adjacent to the border, it is relevant to be mentioned in terms of this Bill. The ownership of that property is the same as I have just indicated in relation to the property in the hundred of Comaum. The pecuniary register of interests indicates this interest under my name, and being a beneficial interest I feel that that should be pointed out.

The SPEAKER: I now call the member for Eyre.

The Hon. T.H. Hemmings: He owns the Far North!

Mr GUNN (Eyre): He ably represents the Far North! I am very happy to take all the credit in that regard, even though I am a pretty humble fellow. At the outset I indicate my strong support for the Bill, because as one who represents areas that rely on underground water to supply stock and household needs, I believe it is very important that difficulties be sorted out well in advance of any major problems arising.

Having had explained to me in detail some of the problems in relation to underground water supply in my electorate, I am fully aware of what can happen when those resources are overtaxed. I am aware of the problems that the Engineering and Water Supply Department has had in the Streaky Bay area. I believe that the Victorian and New South Wales people have not treated us particularly well in the past in relation to utilisation of the Murray River, and I think their track record in that respect leaves much to be desired. I therefore believe that it is important that matters such as those dealt with in the Bill are put on a firm basis once and for all, thus protecting the welfare of South Australians. I do not want to say any more at this stage. My colleague the member for Mallee has a number of comments to make.

Mr LEWIS (Mallee): I will not detain the House very long with the remarks that I want to make about this measure. It has been pointed out that the measure is simply to ensure that the underground water existing in aquifers underlying the State border between South Australia and Victoria is not quarried but rather harvested at a rate which does not exceed the annual replenishment rate. This will ensure that neither State exploits the underground water resource to the detriment of the neighbouring State. Indeed, as Australians we can look upon this as being a Bill which, when it becomes law, will ensure that we do not treat that resource as irresponsibly as we have treated similar resources, say, in the Adelaide Plains area.

Here underlying the city of Adelaide, and more particularly just north of the metropolitan area, within the extent of the greater metropolitan area this side of the Gawler River, there are aquifers. The one to which I am referring and which is of the greatest concern to me is the aquifer from which irrigators in the Virginia/Salisbury/Two Wells/Gawler River area have drawn their water for irrigation purposes since its discovery as water suitable for irrigation purposes three or four decades ago.

People went there from the Adelaide Plains market gardens along the Torrens on finding that two phenomena had squeezed them out: first, their land was worth more to other people to occupy simply as homes and factory sites; and, secondly, the underground water supply that they had been using was over-exploited. The salt water from the margins of that aquifer adjacent to the Torrens River on either side, north and south of it, had flowed towards the Torrens, reducing the area from which suitable water for irrigation could be withdrawn from the shallow wells as the salinity levels rose. They had to get out and they went out on the Northern Adelaide Plains and did the same thing, not actually knowing what they were really doing. They quarried the resource rather than harvested it at the rate at which it was replenished annually.

There used to be a whole lot of folklore amongst dowsers and other people as to where the water came from. I remember being told as a child that the water came from as far away as New Guinea under the continental shelf and underneath the whole of the Great Australian Shield to find its way close to the surface in this general locality. Others said that it came from subterranean caverns in the South-East, or there was a combination of both these theories. A few nuts even suggested that it was naturally filtered from the sea as it passed through rocks and became fresher in the process. What a remarkable piece of physics that would be if we could only discover it! Clearly, it was nonsense!

So, the Northern Adelaide Plains irrigators over-exploited that aquifer by at least a rate of four to one exceeding the annual replenishment rate. This measure will ensure that neither Victorian nor South Australian irrigators on the Otway Basin or the Murray Basin, where the aquifers come close enough to the surface to provide irrigation water at sufficiently low costs to make the irrigation enterprises viable, will be exploited in excess of the annual recharge rate: that is vital. It is particularly vital in the Murray Mallee area overlying the Murray Basin, where there is a break in the Hindmarsh clays that enables the water from the intake areas further east in Victoria to rise close enough to the surface under the head of pressure that they obtain from

the greater elevation of the topography in the area in which they enter the porous aquifers some hundreds of kilometres to the east.

The end consequence of this sensible approach to the exploitation of this resource will be that we will ensure the survival of it into perpetuity, harvesting it at a rate which is no greater than the annual recharge rate. We in South Australia, in so far as the Murray Basin is concerned, have most to gain from that, because the water rises near to the surface in South Australia through that break in the Hindmarsh clays which I just spoke about and spreads in all directions from a sort of central point just north of Lameroo and Pinnaroo. It has over the millions of years that it has been there gradually leached the salt radially, away from the point of entry into the aquifer from which it can now be drawn by the people who sink wells into the aquifer.

I hope that, subsequent to this measure passing this Parliament and becoming law, and likewise in Victoria, we withdraw water in the Murray Mallee area for irrigation purposes only where we get a combination of not only water of low total dissolved salt level but also withdraw water of that kind where it can be used on soil types that are admirable for the purpose of irrigation. Thousands of hectares out there are suitable for irrigation. Those soil types are not the best suited to dry land rain-fed agricultural farming practice of cropping and grazing animals. Those soils are the coarsest, deep well-drained sand. They are regarded as the poorest agricultural soils and have been left uncleared in the main because of their poor fertility and water holding capacity. They are certainly the soils best suited to irrigation. There will never be a problem of increasing watertables, nor should there be for other reasons. We know enough about the technology of irrigation and its effect on soil various types these days to avoid that problem.

Secondly, they do not require high levels of, if any, natural fertility. Irrigators now understand that the things that we seek from the natural surroundings are soil deep and well drained, water low in salt, and sunlight in abundance. The nutrients have to be added: there are no soils in our State, other than the volcanic soils in the Lower South-East which that are sufficiently fertile in their natural state to be able to rely to any degree at all on that natural fertility for the nutrients that the crops grown on them require.

So, natural fertility is not one of the features of the ideal soil types that this irrigation water should be applied to. I therefore urge the committee presently charged with the responsibility of determining policy recommendations to Government for the exploitation of the Murray Basin to bear in mind that important factor. It is perhaps understandable that the committee comprises people who are delegates from the local communities, who have a long-standing insight into the way in which those communities have developed and who are trusted by their fellow citizens within those communities. That advisory committee to which I am referring has tended to focus its attention on merely the retention of water for stock and domestic purposes. It needs to understand that the annual recharge rate, from what geologists have told me, is way in excess of anything that will ever be needed by livestock, householders and the towns in that area.

Accordingly, they can address themselves to the proposition that they ought to expand the economy of their region, enabling some repopulation of those towns in the Mallee by encouraging intensive irrigated agriculture and horticulture, using that water for the purpose. They should do that only on the criteria that I have just referred to, namely, deep well-drained soils overlying the very best quality water, which is there in abundance.

If they do that sensibly they will find that it will be of enormous benefit to their communities. It will spread the council's rate burden around over a greater area of land and will also increase the income derived by people living in the area, thereby enabling more people to live there, promoting the businesses which supply them with the services they require, such as their weekly shopping list requirements and so on, increasing the market for those services as well as the competition, and everyone will be better off, including the State of South Australia, as we will expand our economic base by that means. If it is done sensitively, sensibly and in recognition of those factors, we stand to gain a great deal and lose nothing.

Turning now to the northern part of the Otway Basin, the irrigation industry that has developed around Keith has been very successful in less than two decades in establishing a multi-million dollar market for its products, not only within Australia but around the world. We have an outstanding reputation as a supplier of fine seed harvested on the irrigated crops of lucerne and other pasture species grown on the water derived from that basin. We have now reached a crisis point and a great deal of research must be undertaken immediately as to the consequences of the exploitation of that water and the irrigation technology by which it is applied to the crops using it.

It seems to me that a very serious problem has arisen again in the annals of the history of irrigated agriculture in Australia. There is an increasing watertable. There is also associated with that rising surface watertable in the Keith area an increasing surface watertable breaking the surface in low lying areas around Tintinara and points further north and west. Whether that is connected to the recent substantial irrigation of the Keith area I do not know, but quite clearly it is a problem of considerable dimensions not known to many people, because the area is not densely populated but is covering vast areas of land. By 'vast' I mean thousands of hectares and it is growing annually.

We must discover the reasons for the rising watertable above the surface in that locality north of Keith and north-west of Tintinara and address the problem in a sensible fashion. Moreover, the water level in the aquifer from which the water is being drawn for irrigation purposes in the vicinity of Keith and Bordertown is falling. That can be for one of two reasons or for a combination of both.

The first reason that people tend to consider is that the amount of water being withdrawn from that aquifer for irrigation purposes is in excess of the annual recharge rate of the aquifer. That is probably right. However, it may be that the annual recharge rate has been adversely affected by the rapidity with which water from natural precipitation—rainfall—in the immediate vicinity of that locality—Keith, Bordertown and just across the border in Victoria where it is believed recharge takes place—has run off too quickly. The rate at which rainfall runs off now is much faster than it has ever been before, because the stands of native vegetation have been removed. The native vegetation tended to slow down the rate of movement of that water away from the locality in which it fell. Its progress across the very flat surface, very slightly graded toward the west and north, is much faster now.

Farmers have constructed levy banks and dug small drains across their properties to enhance the rate at which they can move the water on, as they put it. The regrettable consequence of doing so is that perhaps the water is not able, in the Cannawigara Creek, Mosquito Creek and Bordertown Creek to flow down the sinkholes at hundreds of thousands of gallons an hour, as it did years ago and as it did as recently as three years ago when we had those heavy rains. It rained almost non stop for eight weeks and everybody in that locality became terribly concerned about floodwaters which swept across the Victorian border from points east, out north of Leeor into the District Council of Tatiara. Where it flowed through all those old water courses, which

are very low in gradient, it came in considerable volume at what happened to be an innocuous pace initially, but came it most certainly did at depths of 18 to 24 inches. It moved across the land and poured into those sinkholes, many of which people had forgotten about. Indeed, some had been covered in, but the covering soil quickly became saturated and the odd bit of stuff that had been rammed into them and over which dirt had been pulled to obscure their presence simply dropped away and water was pouring down those holes more than 2 feet or 3 feet across constantly for weeks on end. That clearly was going into the aquifer as a recharge.

This is illustrated by the fact that water levels in the wells and bores from which irrigation water is drawn by the irrigators rose immediately following that wet year. I do not know whether or not the Otway Basin's recharge as far it affects the irrigators at Keith takes place further afield than that. That is another thing now which, following the passage of this measure through the Parliaments of South Australia and Victoria, ought to be jointly investigated by these two States so that we know from where the water comes and what affects the annual rate of recharge.

When we do that we will also be able to measure the rate of annual recharge fairly accurately. I think we are doing that now by first measuring the rate at which our bore levels (that is, the wells we punch in the ground, with percussion drills or those driven pneumatically) fall when we pump from them. We have a rough idea of the total annual withdrawal rate from that aquifer and we know the amount by which the water level tends to fall. Calculating the transmissivity—the geologists' term for the aquifer porosity—we can calculate the amount of water that has been withdrawn from that aquifer, given that the aquifer is contiguous. I believe it to be so. There was once and still is in some people's minds the theory that granite horst crosses the Upper South-East through Padthaway north of Kingston and just south of Keith, and that it is an impervious barrier to the flow of water from one side to the other.

That is pure piffle. The granite horst is not continuous: it varies in depth from being raised above the surface of the surrounding landscape (and limestone) by 100 feet or so. At other points it cannot be found in existence between two such granite knolls like Gip Gip and Mount Monster by drilling with boring equipment within several hundred feet of the surface. So, it is like a mountain range of granite. There are some peaks and valleys. Clearly, the water moves through a limestone aquifer which is very porous coral material. I think that is what geologists have told me it consists of. It is very porous indeed and is the same substance as Mount Gambier building stone. That material overlies the granite, and the water can move through it at considerable rates. That is why bores sunk into it yield more water per hour since water from the surrounding rock material can run into the hole more quickly than is the case with the tighter aquifers of the Murray and Northern Adelaide Plains basins which do not have the same courseness in their water bearing strata.

Having made those explanations to the House as a background against which we in this State and Parliament must begin now to take a responsible view on how we treat the resource available to us, I have only a couple of other points to make. Both State Governments are to be commended for having engaged in these discussions, which have resulted in the presentation of this Bill to the House. I commend the Victorians for agreeing for once. It does happen sometimes: they do get reasonable.

The Hon. H. Allison: They are worried.

Mr LEWIS: It is usually a self-interest, I must confess. I wonder what the VFL is worrying about now. However, I want to pay credit to members of local government on either side of the border who identified the need for those consultations to be undertaken and who pressed public servants and Ministers alike to participate in those discussions and produce this measure. One of those local government representatives of the day during the term of the Tonkin Government, when the Premier, and particularly Ministers of that Government (indeed the member for Chaffey is one of them) got this thing going, pressed for it to my certain knowledge and promoted it among a good many others who put in just as meritorious an effort as he did. That person will be a member of Parliament in another place after the next election. Honourable members can count on that.

I refer to Mr Jamie Irwin—a long time member of the Tatiara District Council and its immediate past Chairman but one—who always had a very sensible, level-headed approach to consultation and negotiations of this kind, encouraging people to do what is in the best interests of the majority. That dedication from Jamie Irwin and others like him—like-minded, too—having the public interest and welfare uppermost in their minds are the people whom we can thank for this legislation.

It is a real breakthrough in pre-federation and post-federation negotiations. We had that awful bloody mess with which we are still cursed today, perpetrated by the ignorant indifference of the Victorians and New South Welshmen, which means that we do not have a railway network with a standard gauge across the country: we are still paying for that. South Australia wanted 4′ 8½″ and they wanted broad gauge at 5′ 3″. We ordered 5′ 3″: they then changed their minds and got 4′ 8½″ after we had started to install our tracks.

On this occasion they have at least got together in the true spirit of national responsibility by recognising that Australians are citizens of this country, on whichever side of the border they live, and that it is the common welfare of the people that needs to be uppermost in their minds. I commend the measure to the House and I hope that this Minister and subsequent Ministers and public servants on this side and the other side of the border take account of the remarks I have made. This will enable us more effectively to develop and exploit those 137 000 megalitres of irrigation water which are available to us but which might otherwise have been lost, were it not for the cooperative effort now implicit—indeed explicit—in this legislation.

The Hon. H. ALLISON (Mount Gambier): I, too, rise to applaud this legislation, because back in 1969 when one of the Bonython family suggested that water from the South-East might easily be piped from Eight Mile Creek and the area adjacent to Mount Gambier for use in Adelaide we established the South-East Water Protection League, of which I have ever since held a quiet secretaryship. We have rarely had to move with any haste apart from the recent problems that arose from the possibility of opening up a coal mine at Kingston, when some local furore was created.

However, I point out that we have been aware that the original estimates that the South-East could quite comfortably lose vast quantities of water to Adelaide were, in fact, very far from the truth. Over a period of four or five years from 1969 onwards, a series of hydrological symposia—two of which specifically addressed problems of the South-East—were held, and more recently in about 1972 it was estimated that the South-East could support a population of about 250 000 people.

Originally, I believe it was estimated that there was water in the underground table equivalent to the volume of water in Sydney Harbor or the Adaminaby Dam, with a vast quantity for removal each year, which was of course a nonsense. Obvious signs of the nonsensicality of claims such as that lie in the fact that in 1840 when the Hentys arrived

in Mount Gambier from Portland on their way to Adelaide with thousands of head of cattle along the track pioneered by Mr Bonney, Henty established in the pit of Brownes Lake a cattle holding paddock.

Vestiges of the original fence are still to be found in what is now the bed of the lake which has some water in it. But, between 1840 when we assume that the water level was at its lowest on record and 1912 the rainfall and water capture was such that the level of the water in the Brownes and Valley Lakes area rose to an all time high. Photographs taken in 1912 and now in the collection of Mr Les Hill (the Mount Gambier archivist) show that those two lakes were, in fact, joined together.

However, since 1912 we have had several factors combining to change the situation quite radically. Since that time E&WS graphs have shown a very steady decline in the water table around Mount Gambier in the South-East; that has been in spite of the fact that over 10-year periods from 1912 to 1985 we have had far above average rainfalls for up to 30 or 40 of those years. Those excessive average rainfalls have not resulted in any massive recharge of the watertable.

They have not resulted in the lakes joining together again. Instead, the watertable graph has steadily gone down and down until the level of water in the Brownes Lake must be very close to the level that was evident in the 1840s. In other words, it is reaching an all time low. I suggest that the measure currently before us is an attempt to observe, control and conserve water reserves in the South-East of South Australia and Western Victoria, in that 40 kilometre area on both sides of the boundary from the Southern Ocean to the river valley, is a most appropriate piece of legislation. I say 'appropriate' because not only has the watertable been falling steadily from 1912 until today but also other factors are militating against the watertable rising again. Those factors are that we have about 300 000 acres of pine trees, more than 200 000 acres of irrigated crops (including potatoes, vines, orchards and vegetables) and tens of thousands of acres of improved pasture.

It is common knowledge that the pine trees use every drop of water that falls on them. There is leaching downwards in the heavy winter rains, but in the summer water comes back up and is used by the pines. In other words, there is no recharge: rather, there is growth of trees and evapotranspiration. The water goes back into the atmosphere. Also, in the case of improved pasture and other vegetable and plant irrigation there is a loss: there is no recharge, because evapotranspiration uses the moisture that falls on those areas and once again gives off moisture to the atmosphere.

There has also been irresponsible use of water in the area referred to by the member for Mallee, that is, the Keith and Padthaway area, where uncapped artesian bores were literally pouring water away on the surface year after year. It is less than a decade since the Labor Government, through Des Corcoran as Minister of Mines and Energy, insisted that these artesian bores be capped and that people must obtain a licence before drilling occurred in the South-East. That was a sound measure to control the irresponsible use of water.

However, there are factors apart from the pines, irrigation of vegetables and improved pastures that also create a long term and continuing water loss. Since the 1880s extensive drainage systems have been established throughout the South-East mainly to the north of Mount Gambier towards Millicent so that water that might have soaked into the watertable during the summer months has in fact been channelled off the surface and taken out to sea. Admittedly, in many cases, such as the Blackford drain, large quantities of salt that might have impaired agriculture and pastoral development were also taken away. Nevertheless, there is a great loss of water to the sea.

Once again, it was in the last decade that it was suggested that weirs be reintroduced into those canals and dykes to control the unlimited flow in the summer months and that suggestion has been taken up. It has also been suggested that some of those canals might be closed permanently to prevent loss of water to the sea. Be that as it may, extensive controls have been introduced in the past 15 years since the South East Water Protection League was established and since the Hall and Dunstan Governments (or perhaps it was the Walsh and Dunstan Governments) decided to spend a few hundred thousand dollars on research into the underground watertable, its potential and its quality. That research stopped after a few years, but at least it was a start, and it alerted us to the fact that unlimited water was not available in the South-East.

I am pleased to note from the Minister's second reading explanation that 137 000 megalitres of water is available for each State but that the South-East currently uses only about 35 000 megalitres of that reserve a year, indicating that there is potential for future settlement—people, industry and irrigation—provided that the use of that water is controlled and that it is not used irresponsibly. I would also like to point out to the Minister that recently, by way of address in the House, I expressed my displeasure regarding what I regard to be eccentric decisions taken by the E&WS Department, and I will refer to three of them.

A number of small subdivisions that were proposed to the north of Mount Gambier at the end of last year were canned by the E&WS Department. The department persuaded the Mount Gambier District Council that small holdings to the north of Mount Gambier were not to be subdivided because of the potential pollution of the lakes and the water supply. One of those small holding subdivisions was in relation to removing a dairy and would have diminished the pollution potential. But that is not really a major concern.

At the same time, the Department of Agriculture was writing to dairy farmers throughout the South-East telling them to improve their practices for getting rid of dairy effluent and making sure that it is properly spray irrigated over broad acres instead of just being concentrated in small areas and allowed to soak down into the aquifer with the possibility of creating an excessively high nitrate content in the underground watertable. The water moves extremely slowly throughout the South-East—there is not a fast movement—so excessive nitrate content may not spread quickly or be easily detectable except in the area where the pollution is occurring. That applies to any pollution since the water moves so very slowly.

In addition, the Government arrived at another decision, a decision which we considered when we were in government, relating to the possibility of using whey—much of which is spray irrigated by one of the South-East factories, again on broad acres—to feed pigs so that the pigs would remove the whey content from the South-East sewerage system discharged at Finger Point. I am informed by the Waste Management Commission, with which I had direct contact several months ago, that it was not consulted when a decision was taken at the end of last year to establish a very large piggery in the South-East.

I wonder whether members can see the anomaly. There is potential for a piggery of 10 000 pigs to be established within this 40 kilometre zone on the edge of a proclaimed water area, but 17 small holdings to the north of Mount Gambier, which obviously will not pollute the watertable very much because only 17 families are involved, will not be allowed. The difference between 10 000 pigs and 17 families is perfectly evident when one listens to the figures of the Waste Management Commission, which says that the effluent of one pig is equivalent to the effluent of 10 people

when it comes to getting rid of it, removing the nitrate, and making it suitable for acceptance in any water, whether it is discharged to the sea or into the watertable. So, we are establishing the equivalent of a city of 100 000 people outside Mount Gambier but denying 17 small holding subdivisions to the north of the city.

The Hon. B.C. Eastick: The Health Commission would want to know about *Tanea Saginator* too.

The Hon. H. ALLISON: Yes, and the *Escherischia Coli,* the Faecal Coliforms, *Tanea Saginator* and human tape worms. I missed them completely—fortunately. As the member for Gawler says (and he was one of South Australia's eminent veterinarians), there are problems associated with the discharge of animal effluent into the watertable. The E&WS Department has reassured us that the method of dispoal of that equivalent of 100 000 people by way of 10 000 pigs is simply to spray irrigate on the forest floor. I have already admitted that the pine trees will absorb all the water that can be discharged on them by the 28 inches of rainfall in the South-East, but this does not happen at the same time as the rain falls. There is leaching through the watertable into the underground in the winter months, and in the dry summer the pines will absorb that winter rainfall into their stems and leaves.

I suggest to the Minister and his five advisers that there is a potential danger (and in spite of constant reassurances, I refuse to retract this suggestion) of leaching that pig effluent into the groundwater, which is cavernous on the very point where the piggery has been established. I believe that the establishment of that piggery represents a threat to both Victorian farmers and the Mount Gambier community.

The Hon. B.C. Eastick interjecting:

The Hon. H. ALLISON: As a matter of fact, that was my next point. There are suggestions that the minerals being discharged into the watertable at Coonawarra through a timber processing plant are satisfactory and harmless. One gentleman actually consumed some of the liquid in the Penola District Council chambers and yet that very same chemical was recently discharged into the Port River to the disadvantage of both the fish there and the fishermen who frequent that immediate area. Yet we have a gentleman in the South-East saying that there is no real threat. I suggest that that is something that really needs to be investigated and that the method of disposal of the chemical has to be closely supervised if it is to be permitted.

The Hon. B.C. Eastick interjecting:

The Hon. H. ALLISON: I am not sure whether the E&WS Department is still in the process of investigating, but as one who lives on the watertable and who believes that the watertable must be protected for the future development of those 250 000 people, with water being the single most precious asset that an arid continent has, I stress that every possible means of pollution should be monitored and controlled. Many of those pollutants have been discharged into the watertable for literally decades. Perhaps even the Woods and Forests Department undertaking in Mount Gambier has a pollution potential as a result of the arsenates that are used for forestry timber treatment curing under the Celcurised process.

I am not sure whether those chemicals are all discharged into the sewerage and out to Port MacDonnell through the sewerage pipeline. Perhaps that is something else upon which the Minister can give a reassurance. I hope that I have made it reasonably clear that I am concerned not only about this 40 kilometre zone but also about the whole of the South-East. The South-East Water Protection League is an all-embracing organisation and, while we are well aware that this extreme South-East area from Kingston south of Naracoorte and down to Mount Gambier has a recharge rate that exceeds the evaporation rate, that is the only area in the South-East of South Australia which is reasonably comfortable.

The rainfall from Kingston through to Port MacDonnell and up to around Penola is between 26 and 28 inches per annum in that triangle, with an evaporation rate of roughly the same: but, as we move north towards my colleague's place of abode in the Murray River area, the rainfall declines to around the nine or 10 inch level and the evaporation rate is around 56 inches, so I believe that you have very little chance of the surmise of my colleague the member for Mallee being true and that is that there is a recharge in the area as we progress north towards the Murray River itself and beyond.

If there is a low rainfall and a high evaporation rate, I would suggest there is a very strong case to argue that those regions are in fact using fossil water. For the past 15 years I have been propounding the theory that in the Keith-Padthaway Basin, where there is continual viticultural expansion, it is quite possible that these people are using fossil water and that they, too, in decades to come will experience exactly the same problems which have been experienced in the Virginia-Two Wells area, where the people away from the centre of that water basin gradually experience down draft until finally even the people in the centre of the water basin no longer find any water for their plant and animal husbandry.

I believe that that is something that has to be very closely investigated, because theories have been put to me that areas like Naracoorte Creek and Mosquito Creek might in fact be draining in a subterranean way and finding their way into that Keith-Padthaway Basin. When there is such a high evaporation rate and such a low rainfall recharge, I believe that it is highly unlikely that there is anything other than fossil water unless we can quite clearly demonstrate that districts as far away as the Grampians in Western Victoria are in fact responsible for quite massive underground recharge. However, we will have to do far more research throughout Western Victoria and South Australia and spend millions of dollars on such a program to demonstrate that our water supplies are secure.

I am not arguing this on the short-term basis. I believe this is something that we, as a responsible group of people in South Australia and Victoria must be looking at in the very long term. By enacting legislation such as this we are really protecting the well-being of generations to come, not just 50 or 100 years hence, but maybe 200 years down the track. As I said, Australia, which is the driest and most arid continent on earth, has to protect the greener pastures of areas such as the South-East and Western Victoria. We cannot always rely on the quality or quantity of water coming down the Murray River. It may be that we will ultimately have to turn some of those eastern rivers like the Clarence and the rivers of northern New South Wales and southern Queensland back inland and down the Murray-Murrumbidgie system, but again that is a long way off.

The propositions that the South-East has water to spare have been demonstrated to be incorrect. I believe that over the past 10 to 15 years we have discovered far more than we have previously. I simply point out to the Minister and his colleagues in the E&WS Department that they already have the vital statistics at hand to demonstrate clearly and unequivocally that the water reserves in the South-East of South Australia are in trouble. There was the peak in 1912. They have their own rainfall graphs and the Blue Lake graph which until 10 years ago they were keeping quite religiously and which, for some reason, over the past decade they have discontinued. I do not know why they did that, because that single graph alone shows the continuing decline in the watertable from 1912 to 1985. It shows the decline in the Blue Lake level. In the 30 years that I have been in

the South-East 16 to 18 feet of water has disappeared. That is the extent to which the table has gone down.

If you examine those graphs and statistics in correlation with the rainfall you will find that peaks of rainfall, whether an average of 30, 35 or 40 inches in a 10 year period, did not give a peak coming back in the watertable levels. There was instead a constant downgrading. It has been suggested to me by experts in the E&WS Department that their figures clearly show that it is possible that from 1840 to 1912 to 1985 we had unusual patterns of rainfall and that in fact it can be demonstrated that the levels will again rise.

I have listed the reasons why I believe that the levels will never rise again and they are the continuing development of the South-East, with an increasing population, growth of cities, irrigation, pine trees, improved pastures, industry, simple use of water by people and the artificial drainage from the 1880s. They are reasons why these controls should be implemented and the pollution of the area is increasingly critical. As the watertable declines the pollution concentrates are much more dense and much more liable to damage the water for human and animal consumption.

The Hon. B.C. Eastick: How many hundreds of millions of gallons go out to sea each day?

The Hon. H. ALLISON: The E&WS Department has estimated that 50 million gallons of water goes out to sea down the Eight Mile Creek alone. That sounds like a lot of water, but when one considers that the late Sir Thomas Playford gave permission for yet another paper mill to be established at Yahl to the east of Mount Gambier by a company called McMillan, Bloedel and Powell River, with land acquired at Yahl, that single industrial concern intended to use 50 million gallons per day, bring it back to Mount Gambier and discharge the effluent into the sea by way of another pipeline. That would have absorbed the complete discharge of crystal clear water which might otherwise have been used for human purposes, but of course that scheme fell by the wayside, partly because of the sirex wasp radiata scare and partly because there were no guarantees of sufficient timber for the mill, anyway. That was in 1964-65, some 20 years ago.

Much work has already been done on the investigation of water reserves in the South-East by the E&WS Department, under a succession of Governments. However, I believe that in recent years—in the past decade and probably more—there has been less research than the area merits, in view of the fact that it is one of the few areas in South Australia which is capable of sustaining a much more substantial population and industrial and agricultural growth due to its single most precious commodity, abundant fresh water. Perhaps that is an aspect which the Minister and his colleagues can investigate and which we ourselves will have to investigate.

The Hon. B.C. Eastick: You wrote the book on this, didn't you?

The Hon. H. ALLISON: I am in the process of writing a second one: it is going into *Hansard*, and this is simply on the South-East water reserves.

Mr Trainer: Instead of talking about water, you talk under it.

The Hon. H. ALLISON: The honourable member might be joking, but I remind him that in the South-East walking on water is in fact a recreation.

Members interjecting:

The Hon. H. ALLISON: It does have biblical connotations for some, but in fact the South-East Walking on Water Championship, conducted on Valley Lake, was won for three consecutive years by an employee of Softwoods, Mr John Kessel. So, if members believe that that is funny, it is true—we have a walking on water competition, when we put great boats on our feet and walk on water.

The SPEAKER: Order! The debate is getting very esoteric.

The Hon. H. ALLISON: I thank you, Sir, for drawing my attention to the fact that we are straying from the Bill. I applaud the Minister and his Victorian ministerial colleague for introducing the legislation. I wish it well through the House, and I indicate my full support for it, interested as I have been in the South-East water supply and its protection for the past 30 years.

The Hon. J.W. SLATER (Minister of Water Resources): I have listened carefully to the comments made by Opposition speakers on the Bill, and I thank them for their support. We are dealing with a very important subject, which from time to time in this House is not treated too seriously. Nevertheless, to South Australians water is a very important commodity, as has been pointed out by members opposite. Geographically, South Australia is disadvantaged to some degree, and underground water is of particular significance to us all.

The agreement that has been reached is the culmination of long and tedious discussions between representatives of the Victorian and South Australian Governments. Looking back through the file, I note that discussions have been undertaken over some years. We have now arrived at a position where we can approve and ratify this agreement. It is important to both Victoria and South Australia that various areas are not exploited. As the member for Mount Gambier pointed out at some length, such activity could have a big impact on the underground water supply in the South-East particularly.

This measure is a milestone in regard to interstate cooperation in this matter, which I hope will lead to further cooperation in respect of water resources, particularly regarding the Murray River. In this case, the designated area extends for only some 20 miles each side of the Victorian-South Australian border. This should remind us that, regardless of State borders, we are all Australians. Of course those with parochial attitudes believed that interstate cooperation could not be achieved in this way. I think we have proved that it is possible to achieve interstate cooperation in the interests of Australia generally.

The member for Chaffey asked for a technical explanation of the word 'potentiometric', which is referred to in relation to the management plan arrangements, contained in Part IV of the second schedule of the Bill. I do not have the advantage of being able to obtain advice at the moment, but I suggest to the honourable member that that word refers to the actual water levels of both the confined and unconfined aquifers. Nevertheless, for my own edification as well as that of the member for Chaffey—

The Hon. P.B. Arnold: I think it is a matter of interest to all people who will have anything to do with this legislation.

The Hon. J.W. SLATER: Yes. I have confidence in the technical experts from both Victoria and South Australia who compiled the management plan and who I am sure could easily give a technical interpretation of that word. My interpretation is that it covers both the confined and unconfined water levels in the aquifers. I do not think I need go into any other matters in detail. Water is of importance to us all, and this is especially so in times of shortage.

Because of the geographical nature and hydrology of South Australia, members representing country areas make representations in various ways to Government relating to the provision of a water supply, but there are limitations on them in that regard. The water available in this State is very important to every citizen and must be conserved and utilised in the best possible way. The Bill establishes the way in which the area adjacent to the border can be looked after in the best interests of the community generally.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

Mr BLACKER: I seek information from the Minister. By way of explanation, I fully support what is being said, but I wonder why the basic content of this Bill does not refer to Victoria and South Australia except in the title. I would have thought that if it were a general Bill and we had agreement between the respective States, as is set out in the schedules, it would be applicable in the same way should it become necessary at some future date that we have a South Australia-Western Australia or South Australia-Northern Territory arrangement. I realise that it has no import on the Bill on the South Australia-Victoria border situation, but I wonder why it was worded in that way when it may have been all-embracing for other States just by the addition of additional schedules.

The Hon. J.W. SLATER: I will have to seek information and provide that information at a later date.

Mr BLACKER: It does not have any great significance, but I wondered why the only reference to South Australia and Victoria was in the long title; there is no other reference in the remaining part of the Bill other than in the schedules. It is really just the wording of the long title that raises the question.

Clause passed.

Remaining clauses (3 to 14) and first schedule passed.

Second schedule.

The Hon. P.B. ARNOLD: Referring to the second schedule, Part IV—Management Plan—I come back to this heading of 'Designation of Border Area and potentiometric surface levels'. The Water Resources Act in South Australia was an excellent draft, in layman's terms, so that any person involved in the water industries or anywhere else could readily pick up that piece of legislation, read and understand it; it was not in the normal legal jargon that is in many instances deliberately designed to confuse. However, here the second schedule states:

> Designation of Border Area and potentimetric surface levels.
> 24. (1) This Agreement shall apply to all lands and to all groundwater within the Designated Area.
> (2) For the purposes of this Agreement, the potentiometric surface levels of groundwater within any zone shall be determined by reference to, and shall be deemed to be as at 1 July 1982, as indicated in the Third Schedule.

The third schedule states:

> The plan of potentiometric surface levels referred to in subclause 24 (2) shall be—
> *(a)* in the case of South Australia, the plan entitled 'Border Groundwaters Agreement Plan No. 2, which is deposited in the general registry office as G.R.O. number 371/1985;

If anyone has any idea what that means, I will eat my hat. There may be someone—some engineer—somewhere who knows what it means, but certainly no-one in this Chamber has the foggiest notion. I venture to say that 99 per cent of the population outside would have absolutely no idea. I suggest that the Minister get a clear explanation that can be made available to the members in another place and incorporated in *Hansard,* so that at least we may have some idea what it is about. It is unfortunate that we have this sort of drafting because, as I say, the Water Resources Act in South Australia is excellent: everyone can understand it, but I venture to say that no-one in this Chamber this evening has any idea what that means.

The Hon. J.W. SLATER: I take exception to that remark.

The Hon. P.B. Arnold: You can't explain it!

The Hon. J.W. SLATER: I have given an explanation. I said that it is the water levels of both the confined and unconfined aquifers.

The Hon. P.B. Arnold: You're guessing!

The Hon. J.W. SLATER: I am not guessing, but for the purpose of the request by the member for Chaffey I will obtain an opinion. The actual agreement has been drawn up by parties from both States, who obviously had no exception to that phraseology, which explains—perhaps not in layman's language—in the best expression that could have been used in regard to the management plan.

The Hon. P.B. Arnold: You're guessing!

The Hon. J.W. SLATER: No, I am not guessing; I am just stating the facts as I believe they exist. For the benefit of the honourable member and every member in the Chamber, and particularly for the members of the Upper House, I will obtain a full and scientific explanation of the word 'potentiometric'.

Second schedule passed.

Title passed.

Bill read a third time and passed.

EVIDENCE ACT AMENDMENT BILL (No. 2)

At 8.58 p.m. the following recommendation of the conference was reported to the House:

> That the House of Assembly do not further insist on its amendment.

Consideration in Committee of the recommendations of the conference.

The Hon. G.J. CRAFTER: I move:

> That the recommendation of the conference be agreed to.

In so doing I wish to thank the conference managers of the House of Assembly for their contribution. This has not been a simple or easy matter to resolve. Some fundamental issues are at stake in this legislation and it is with reluctance that I report to the Committee as I have just reported. The Government has, throughout its term of office, been concerned to bring about reform in the law of evidence relating to the provision of unsworn statements, yet to do so without destroying some very fundamental rights that exist in our law with respect to the onus of proof and the ability of persons to be heard in their defence before our courts of law and, in particular, with respect to those persons who are in some way disadvantaged, and in this case disadvantaged by way of a physical or intellectual handicap or a cultural disability.

It is in this instance very difficult to find a compromise with respect to the stands taken between the two Houses on this occasion. It is obvious that the majority of members of the other House—that is, the non-government Parties—are committed to the total and absolute abolition of the unsworn statement in our courts, and that that is the prevailing attitude in that place. To find a compromise, I believe, is simply not possible in the circumstances and the Government certainly does not wish to see this very important law reform thwarted because of a disagreement between the Houses. In those circumstances it reluctantly accepts the amendment insisted upon by the other place.

I have to report to the Committee that the conference, however, did consider a number of proposals relating to ancillary law reform and in the other place the Attorney-General and shadow Attorney-General, I understand, will make some statements with respect to a proposed inquiry into law reform in relation to certain criminal law procedures.

First, with respect to the right of counsel for the accused to open its case to provide addresses, if the accused calls witnesses to facts other than his character, he can address the jury before or after doing so on both occasions. Section 288(3) of the Criminal Law Consolidation Act provides:

Every accused person, whether defended by counsel or not, shall be allowed to open his case and, after the conclusion of the opening, or all of the openings if more than one, to examine such witnesses as he thinks fit and, when all the evidence is concluded, to sum up the evidence.

The position in South Australia, however, seems to be clear that the accused or his counsel cannot give an opening address if he is the only witness or if his witnesses are as to character only.

With respect to the right of reply, if the accused calls witnesses to facts other than his character he can, as I said before, address the jury before so doing, but the prosecutor has the right of reply. Section 288 (4) of the Criminal Law Consolidation Act provides:

The right of reply and the practice and course of proceedings shall be the same as on the trial of an action, but (subject to the provisions of section 20 of the Evidence Act 1929), no right of reply shall be allowed to counsel for the prosecution unless the accused or some of them have called evidence.

Section 20 of the Evidence Act provides:

In cases where the right of reply depends upon the question whether the evidence has been called for the defence, the fact that the person charged has been called as a witness shall not of itself confer on the prosecution the right of reply.

In Victoria the position appears to be different to that in South Australia in that, in all trials for indictable offences, the second speech of the prosecutor precedes the final speech of the accused, save where that speech asserts new facts. This would seem to be the position which might be considered for adoption in South Australia.

It is in those two areas that the Government, and I understand the Opposition also, supports further inquiry into law reform in this area which may provide some balance to the rights of the accused in the circumstances. I also suggest to the Committee that all members, as well as obviously the Government, watch with interest the implementation of this law in our courts and, if it is seen that a group, albeit a small group, of people are disadvantaged by the passage of this legislation we should all be willing to bring this law back into this place so that we can remedy that situation, unfortunate though that may be if it does eventuate. Of course we hope that it will not eventuate. I commend the report to members.

The Hon. H. ALLISON: I will speak briefly, first, to express great pleasure on behalf of the Hon. K.T. Griffin in another place who, on five occasions in the past six years, has introduced legislation that failed to make its way through both Houses in order to abolish completely the use of the unsworn statement under the Evidence Act. After six years the Government, and in this case the Opposition, finally reached not a compromise but a capitulation on the part of the Government, and the Bill has at last been put through both Houses. It probably is significant that this is an election year and members on both sides of the House are subject to a considerable amount of pressure from women's lobby groups. We have acceded to their requests on previous occasions during the past six years and I wish to again express my pleasure that the Government has seen fit to abolish the use of the unsworn statement.

The Minister is quite correct in saying that, as part of a compromise which is not a commitment but an undertaking to investigate, members on both sides of the House of Assembly and the Legislative Council recognise that under present criminal law there were some anomalies, particularly in the manner in which the addresses of counsel were made. With some legal expertise on the conference from both sides we were unable to reconcile those anomalies and find suitable reasons for them to remain in existence. In simple terms, we decided to investigate, as the Minister has said, the possible rights of a defendant always to open, should he choose to exercise that option, and the possible right of the defendant always to close. In both instances I am referring to matters under criminal jurisdiction.

As the Minister has explained by reference to the specific Act, which we were unable to itemise during the meetings of the conference, I believe the Attorney-General and shadow Attorney-General will at some time in the not too distant future investigate the matters raised by the conference with a view to legislating further necessary reform. Again, I thank the Minister for the way in which the conference was conducted, for the manner in which he put the House's viewpoint and, ultimately, the graciousness with which he accepted that the legislation should go through in its amended form.

Mr KLUNDER: I express my extreme disappointment at the fact that the very limited right of an unsworn statement that might have been given by leave of a judge for those who, by reason of intellectual or physical handicap or cultural background, would be unlikely to be satisfactory witnesses in defence of the charge will be removed. To me, it is quite disgraceful that this has not been maintained in the legislation.

The Parliament, the conference of managers and particularly the other place have abdicated their responsibility to those who are not by their own efforts able to secure themselves a fair go in the courts—not through their own fault, but because nature did not give them the basic equipment to defend themselves. On admittedly infrequent occasions people will be tried who are neither able to defend themselves nor to direct others to defend them, and they will consequently be found guilty, not because they are guilty but because they cannot defend themselves.

I can speak for only a very limited group of those people, because I am in contact with and have been for a very long time in very close proximity to one such person and group. I am talking about the group of the deaf or the hearing impaired. I think I will have to give this Committee some insight into the problems of the deaf and hearing impaired. I am only sorry that I cannot speak in another place to give members there on the opposite side the benefits of my insights.

The deaf or hearing impaired are not less intelligent than anybody else. In fact, on non-verbal tests they do as well as the average person, and in sport they do as well as the average person. But, they are unable, due to lack of concentration and practice, to form very large vocabularies. It is not unusual for a deaf person to have a vocabulary of only 100 or 200 words, which compares with thousands that the average person has. Consequently, they cannot form anything but the most basic concepts and they cannot verbalise anything but the most basic concepts. It is perfectly reasonable for a deaf person to know what a chair is because one can point to and say 'chair'.

I ask honourable members when next they talk to somebody who is deaf to ask them to ask them about less concrete concepts, such as beauty or patriotism. They will suddenly realise that they run into a total blank wall: people cannot help explaining what those concepts mean. Deaf people cannot understand sentence structure; it is too complicated for them. They cannot form complex language sentences; they cannot understand complex language.

One of the ways in which they defend themselves from this is to pick out of a sentence one or two words which they think have meaning or of which they can understand the meaning, and they then try to guess the meaning from those words. If honourable members have ever spoken to somebody who is deaf they will not hear that person say, 'The cat sits on the mat': they will hear them say 'Cat sits mat,' because those are the words that matter in that sentence. If one feeds a person in a trial a conditional sentence such as, 'If you are innocent, you will have to reply "No"

to this question,' that person will only pick out 'innocent' and 'question', and, having learnt the word 'innocent' for the purposes of that trial, he will say 'yes' instead of 'no', condemn himself, and not be aware that he has done it.

It is a little bit like keeping people in leg casts from the time of their birth, and then at the trial saying, 'You can prove your innocence by running a marathon.' It is that sort of equivalent. One is asking people to defend themselves, having given them no tools, skills or ability to do so. One can translate concepts into another langauge, but a deaf person does not have the concepts that one can translate for him and, consequently, cannot help himself. The Liberal Party in another place has covered itself with a particular kind of dishonour—the dishonour that comes from refusing to assist the weak at a time when they need assistance.

The CHAIRMAN: Order! The Chair appreciates the matter that the honourable member is raising, but he must not reflect on members of the other place. I ask him not to pursue that matter.

Mr KLUNDER: Thank you, Mr Chairman. I had very nearly finished, anyway. I urge this Government whenever it can to redress this wrong and try to help those people who in a court situation would be as defenceless as babes in the wood. I ask the Opposition to assist the Government in that endeavour.

Mr MATHWIN: I take this opportunity to congratulate the Upper House on its action. It has taken a long time to get this far—six years or thereabouts. The remarks of the member for Newland involved a one-sided argument, as far as I was concerned. In my district I have many people suffering in a similar way at Minda Home and Townsend House. However, in relation to the honourable member's argument about deaf people in court, I say that interpreters would be provided to assist with sign language.

Mr Klunder: Sign language merely gives you words; it does not give you concepts.

Mr MATHWIN: The honourable member has had his go: he has overstepped the mark, and he now wants to continue. His remarks showed no feeling at all for the victims of crime. The judge in a court has the duty to protect witnesses and the accused, to give advice to them, and to ensure that advantage is not taken of them. It is no use the member for Newland's arguing about that, because he knows nothing at all about courts.

Mr Mayes: How much do you know about courts?

Mr MATHWIN: I know a damn sight more than the member for Unley.

Mr Trainer: Mathwin, QC!

Mr MATHWIN: Quite right: how clever is the member for Henley Beach!

The CHAIRMAN: Order! It might be better if the honourable member dealt with what came out of the conference, rather than getting into personalities.

Mr FERGUSON: I rise on a point of order. I have just been accused of interjecting on the honourable member. However, I have been sitting here quietly all this evening listening to him. I refuse to take the blame for saying something that I did not.

The CHAIRMAN: Order! There is no point of order. I am only asking the member for Glenelg to come back to the realities of what happened in the conference and to stick to that.

Mr MATHWIN: Thank you, Mr Chairman. You are very kind to protect me from the bully from Henley Beach.

Mr Becker: But it wasn't he who interjected.

Mr MATHWIN: Was it not? I apologise to the member for Henley Beach and say 'the bully from Ascot Park'. However, the remarks from the member for Newland are incorrect. I understand his concern, but that does not actually apply to that type of person in the courts. The honourable member gave no thought at all to the plight of the victim: that is one of the most unfortunate parts of the whole system. In regard to illiteracy, those people can be represented by legal aid. That is done generally. The history of the unsworn statement is well known: it goes back to the early 1800s when it was appropriate. However, thank heavens the time has come for this move to be made after six long weary years in this place of trying to get it through. We now find that one of the wisest people in this country, Justice Mitchell, has said that the unsworn statement should be abolished. I am sure that the honourable lady will be glad that it is all over and that it has been accepted by the Government and the Opposition.

Mr KLUNDER: I want to state quite clearly, so that even the member for Glenelg can understand it, that I do not object to the abolition of the unsworn statement. I am perfectly happy in general terms with the fact that that has happened. However, I wanted to ensure that we kept protection for those who could not protect themselves. It is as simple as that and, if the member for Glenelg did not understand that, I am sorry for him.

Mr PETERSON: I spoke previously in regard to this Bill.

Mr Becker interjecting:

Mr PETERSON: I might have been a QC if that was the way my feet had been led, but they were not and I am a member of Parliament. I spoke strongly about this Bill, because I believe that some people need protection. I said that we give the judges in the courts the right to make decisions at law (and no-one in this House has ever disputed that that should occur), and it is also their right to interpret the law and impose penalties. However, we are now taking away from them the right to judge whether someone can or cannot make a statement. To me, that seems to be very selective. On the one hand we are saying to the judges, 'You are clever, educated, smart and experienced enough to make decisions and to say whether someone has broken the law and to impose penalties, but you are too damn stupid to judge whether a man or a woman can or cannot make an unsworn statement.'

Many people in our community are not able to articulate in a court or in their life. It is one of the faults of our education system that we do not teach people to articulate, to speak properly or to express themselves, and now we have removed from them this one small protection.

Mr Mathwin interjecting:

Mr PETERSON: Thank you, Sir. The member who interjected made some very good points about people being harmed by the system—the victims of crime who have been treated extremely badly by lawyers in courts in regard to various crimes—and I agree with him. No-one would dispute that what the honourable member said was true, and the case he has quoted is absolutely true and honest. I know about that case and I agree 1 000 per cent with him, if that is possible. However, people will be affected by this measure. In my district many people, under the Mental Health Act, live in hostels. I know many of these people because they tend to gravitate to the office of the member of Parliament to make their views known. However, there is no way in the world, if they were accused falsely, that they could go into a court and defend themselves. They cannot articulate or express themselves.

The honourable member said that Justice Mitchell stated that the unsworn statement should be abolished totally. The point is taken. But, as far as I am aware, former Chief Justice Bray believes that it should be kept totally.

Mr Mathwin: That is an argument. Lawyers are always arguing.

Mr PETERSON: All I have done is put a case that negates the argument. One says 'No' and the other says

'Yes'. There is a dispute in our community—there is no doubt about that. I know that Victims of Crime wants the unsworn statement abolished, and I can understand that. I am disappointed that we have lost in regard to this reform of the law, because it merited a trial. There could always have been total abolition, but I believe that we would have found from experience that there was a need to retain the unsworn statement for some people. All of us have seen examples over the years of people who, because of some mental impediment or a personality problem, have been accused wrongly and convicted, and we are removing their one means of defence or protection. I am disappointed that the conference has made this decision, because I believe that we have removed a very valuable protection for some people in the community. I am disappointed, and I think we will find that we have made a mistake. Only time will tell, but I register my disappointment.

Mr M.J. EVANS: I would like to continue with the remarks that the member for Semaphore initiated in this context, because some points must be made. I share the point of view of the member for Newland. It is indeed disappointing that the Government has been forced into a position where it had no alternative other than to see the whole measure laid aside with the retention of the existing provisions (and that would clearly have been unsatisfactory) or to accept total abolition, as put forward by the Legislative Council and members opposite in this place. When I first considered this matter some time ago, shortly after my election to this place, I agreed with the case put forward for the abolition of the unsworn statement.

My initial reaction was to agree that the unsworn statement should be abolished. However, after a time in this place, after listening to the arguments put forward by the various groups, I changed my mind. The member for Newland referred to the deaf; and tribal Aborigines are another relatively small group in the community (but an important minority group nonetheless) that will be affected. I became convinced that it would be important for the evolutionary process of law reform in this State that a special exemption be made for those groups.

While I agree wholeheartedly with the submissions put forward by womens groups in partiuclar that the unsworn statement gives an unfair advantage to the articulate defendant, there can be no doubt that the abolition of the unsworn statement imposes a particular disadvantage on certain small groups of defendants who are not properly able to articulate their case or who, because of cultural reasons (and I refer to tribal Aborigines) are inclined to support accusations made by people in authority or to agree with statements put to them. Therefore, through the use of a clever cross-examination technique they can easily be misled and tricked into making admissions and statements that they would not have made in other circumstances.

While I support the concept of abolition of the unsworn statement for the vast majority of defendants, I agree with the Government that it would have been reasonable to take a progressive and evolutionary view of law reform in this context and to allow that small group to be properly protected. I have been accused by some people (not in this place but in the wider community) of not having regard to that group in our society and of not recognising the cultural difficulties that the Aboriginal community faces, but that is not the case.

I might have a different approach in certain areas (for example, in regard to education) but in relation to this law reform measure, I can see the case made out in respect of them and the need for an exemption. I regret very much that the Government has been forced to either abandon the whole concept of law reform (which we all agree must take place rather than to allow this evolutionary step) or to accept this proposal. That is an unfortunate and regressive attitude, and I wish that we had been able to take a more responsible view, because I believe that those people in the community who have been pressing for this reform of the law would have accepted the reasonable compromise that the Government put forward. They would have seen the merits of that point of view.

If, in the fullness of time, it had become clear that total abolition was necessary, that would have been a relatively simple and small step for this Parliament to take. So in that context, while I support the recommendations of the conference, as do all other members, because clearly there is no alternative, I believe that we have missed an opportunity to provide for responsible and evolutionary law reform. The Mitchell report was referred to, but that report is now some 10 years old and, if one reads it closely (as I have done), one sees that it canvasses a number of disadvantages. If this option had been put to Justice Mitchell, I believe that she might well have seen the merits of this exemption. With those words, I rest my case in defence of the position that is now lost, but I believe that those views are worth putting on the record.

Mr TRAINER: I will keep my remarks short, but I want to respond to the slurs cast on the member for Newland by the member for Glenelg when he implied that the member for Newland, by expressing compassion for handicapped people in the community, lacked support for the victim. The member for Glenelg tried to extend that imputation to the Government in general. However, this Government has shown true compassion for victims of crime, as this legislation shows.

During our period in office we have had a crackdown on crime that makes our predecessors look quite inferior. For some time we have been working towards the abolition of the unsworn statement. The delay has been due to attempts to try to find a formula that would achieve this in a fair and equitable manner. The Government does not believe in the total abolition of the unsworn statement without these safeguards.

We believe that we had a safeguard that would achieve this just and fair result, but the numbers in another place have prevented that from being put into effect, and we have to live with the resolution that has been put forward by the conference of both Houses. The member for Glenelg implied that there is not fair and proper support for the victim in the process of seeking a fair and proper resolution of this problem. It is not implied lack of support for the victim to try to ensure that it is the right person who is sentenced. It is not lack of support for the victim to ensure that the person in the dock, the person sentenced, is actually guilty. It is not lack of support for the victim to ensure that the person who is sentenced is not an innocent person who is handicapped by circumstances of birth or upbringing, persons who are deaf or tribal Aborigines, because if an innocent person is sentenced it is the guilty who goes free, and where is the logic in that?

Motion carried.

BLOOD CONTAMINANTS BILL

Adjourned debate on second reading.

(Continued from 24 October. Page 1533.)

Mr OSWALD (Morphett): The Opposition supports this Bill. The aim of the Bill is to allow the Red Cross and other suppliers of blood and blood products to obtain an indemnity cover against the transmission of AIDS and other diseases that could be transmitted from the donor to the

recipient during the course of the transfusion service offered by the Red Cross Society.

The Bill does not restrict itself entirely to the AIDS virus, but also includes other diseases such as hepatitis B, and in some parts of Australia it could even apply to malaria. The Liberal Party believes as a matter of policy that suppliers such as the Red Cross Society (and it could also extend to hospitals and other bodies that have been approved by the South Australian Health Commission) should be given this indemnity. To not give them this indemnity could bring about a ludicrous situation and I imagine it would be quite intolerable for the Red Cross Society to be put in that position.

I note that the origin of this Bill goes back to a working party that was established at a Commonwealth level by the Standing Committee of State Health Ministers. It reported that the Red Cross Society Australia wide was unlikely to gain any indemnity against claims if it was involved unwittingly in the transmission of the AIDS virus through any transfusion services. The working party proposed that each State and Territory should introduce legislation based on a draft Commonwealth ordinance to provide the Red Cross Society and other organisations with immunity from civil and criminal action and the Liberal Party is very supportive of this action.

I note that the Bill does not give the Red Cross Society a complete blanket indemnity, but, rather, it is provided with an immunity from liability as a society, provided that it meets specific criteria. Those criteria include the following: the suppliers are required to take blood only where the appropriate declaration has been signed by the donor: tests of the blood must be made as soon as practicable after the blood is taken; blood which does not pass the test must be disposed of, and a certificate must be provided in respect of blood which passes the test and, where these conditions are complied with, the supplier is protected from civil or criminal liability in respect of transmission of contaminated or diseased specimens.

The question was posed regarding what happens in remote areas. I believe that this practical problem was canvassed in another place. The example given in another place was that, if the blood transfusion service has been needed in these obscure places such as Coober Pedy and Leigh Creek, until now the local doctor has had a panel available to him and he knows the blood groups of those donors in the panel. At any time when blood is needed and it cannot be provided by aircraft, or the patient cannot be shifted to a major hospital where the supplies of blood are kept, that doctor can go to the panel.

The Minister in another place felt (and I agree with him) that under certain circumstances that panel situation should continue. Provided that the donors on those panels have appropriate tests at least every 12 months and are prepared to sign the appropriate declaration that they are free of any of the prescribed diseases, that system should be allowed to continue. The Opposition has no difficulty with that procedure. It is a practical solution in this early stage of the problem where we are still developing quick and efficient tests for AIDS antibodies in the blood. As the tests develop I am sure that the system can be tightened up. However, it seems to me to be very practical that the system should be allowed to continue where in the major hospitals and also in the major cities where the blood service originates these four requirements will be set down. However, in those obscure country areas the donor panel system seems to be a very practical solution until we move further down the track.

On the whole the Opposition supports the legislation. I am sure that it will make life a lot easier for the Red Cross Society, hospitals and other organisations that are approved by the South Australian Health Commission. We will be happy to see this legislation passed.

Mr M.J. EVANS (Elizabeth): I certainly support the Bill. As has been said, it arises from a national conference in relation to the matter. I understand that that will result in substantially similar legislation being introduced around the country to provide for the supply of blood in circumstances which do not leave the approved suppliers liable to civil or criminal liability, and which of course could be quite substantial.

Of course, the AIDS virus is a matter of serious public health risk. It has arisen only in recent years, but it has grown with almost explosive potential to the point where there are now some 14 000 reported cases in the United States, with countries like Brazil, France, Haiti, Canada, West Germany and Britain also reporting many hundreds of cases. I understand that Australia is now at the level of between 100 and 150 reported cases, but the problem is that, because the virus takes between five months and five years to become active in the bloodstream of the victim, it is possible for that person to spread the virus to an almost exponential number of other people during that substantial period. That of course leads to a massive geometric progression in the number of cases that are reported.

Even though the present numbers are small and we now have got satisfactory blood tests with which we are able to screen most donors, it is the case that, even with the existing level of virus in the community, it will no doubt lead to a substantial number of cases in the future. That is why it is of critical importance that legislation like this exempts the Red Cross from civil and criminal liability: otherwise, it could find that law suits against it rendered its service almost an impossible one to provide, and the wider community would be done a great disservice by that action.

However, we have now recognised the great legal significance and medical importance of regulating some aspects of the supply and donation of blood products. It is important for the Government to take on board a number of matters to be addressed in future so that any further legislation contemplated can cover remaining grey areas that may arise. Until now the Red Cross has had adequate insurance against any unfortunate incidence of disease being passed on through blood products, and until the AIDS virus came to light there was not much risk of this occurring other than perhaps in the case of hepatitis or perhaps malaria being passed on through these products. Now of course the AIDS virus is on the scene and there is a substantial problem of the society's taking insurance against this liability, and this has led to the present national legislation.

However, the Bill is quite loosely drawn. I do not mean that in any sense of criticism, but the Bill leaves a number of areas uncovered. The member for Morphett referred to the matter of country supplies, a matter that I understand has been covered by an agreement with the Red Cross and adequately taken care of. There is also the question of the supply of blood in an emergency, where perhaps a patient requires an immediate transfusion of blood of a rare type where it is not possible to provide complete screening of that blood before it is given to the patient. Of course the Red Cross would have some recourse to common law, but maybe the Government can address the need to completely regulate that area, so that any possible complications that might arise in the future can be avoided.

I note with interest that the requirement in the Bill that a supplier should cause an approved blood test to be carried out is simply a condition of obtaining immunity. It is not a requirement that suppliers must comply with under penalty. Therefore, we are simply relying on the wish of the supplier to avoid liability in some subsequent court case

rather than mandating what action should be taken under risk of penalty. This is something that needs to be taken into account, perhaps not in the case of the Red Cross Society, which is completely above suspicion and any reproach in this matter, but in other circumstances, which might arise in the future. Given this risk to blood recipients, perhaps some thought should be given to requiring action to be undertaken as a matter of compulsion.

Another matter that arises, and this is certainly rare at the moment, involves private blood banks. I notice that one has been established in Sydney, and I understand that it was established at great expense to the management and that it has not received many donations into the blood bank. This Bill applies only to approved suppliers. Therefore, while a non-approved supplier would not receive the benefit of immunity under this legislation and would therefore be liable for anything which might go wrong as a result of its actions, the recipient of the blood product would still have received the contaminated blood product. We must ensure that that sort of thing does not occur, rather than provide that those who allow it to occur suffer a liability.

At the moment it would be rare—almost impossible—for someone not an approved supplier in South Australia to provide blood products. However, one must look to the future, before these things occur, and take them into account. It may be that, now we have this kind of health problem with AIDS, and with other potentially dangerous viruses in the future, we should be considering regulating that side of the service to ensure that not only do we penalise people by prospective liability but that we prevent their operation in the first place and ensure that only approved suppliers are able to operate in this field.

I also draw attention to the fact that the prescribed contaminant definition specifically names the virus HTLV III, which of course is the virus principally implicated in the AIDS disease. Of course that disease has not yet been fully explained and researched in medical terms. It is certainly true that viruses are very subject to mutation. The reason for viruses like the AIDS virus arising in the first place is the result of a series of mutations which eventually evolve a particularly dangerous form of virus. It may well be that a strain of which we are not aware will arise, and because of the very strict definition in the Act of naming a specific virus it might well be that some mutated form is not covered by the definition. It should be remembered that it has taken some time to identify the AIDS virus. I believe that from the first occurrence of the disease and the actual identification of the virus—

Mr Oswald interjecting:

The Hon. M.J. EVANS: I am coming to that point, if the honourable member will allow me to continue my remarks. In fact, many years elapsed between the first occurrence of the AIDS disease and the actual specification of the virus HGLV III. If a mutation occurs, it may well be that it will take some time for that to develop. Because the definition is so strict, before some other organism or substance could be declared by notice in the *Gazette* there might well be another problem on our hands, undetected, leaving a legal hiatus in the middle. Therefore, I am a little concerned about the strict nature of the definition of 'prescribed contaminant', specifying a single virus, rather than a broader range of AIDS related contaminants.

However, I am sure that these problems were adequately addressed by the ministerial council from which the Bill evolved. Obviously, as the Bill is in line with national legislation we must accept the uniform proposals contained in the Bill. I do not in any way quibble with that point, but I simply draw attention to these matters so that the Government can consider them in the future and thus ensure that in this very important and critical area of public health and safety is fully regulated and controlled for the protection of the unsuspecting public whose health may be at risk if that is not the case.

The Hon. G.F. KENEALLY (Minister of Transport): I thank members who contributed to the debate for their support for this important Bill. I shall refer to the Minister of Health the concerns expressed by the member for Elizabeth, so that those matters can be considered by the Minister of Health and his officers. The member for Elizabeth expressed his concern about the prospect of a person being provided with blood from sources other than an approved supplier, and that this might lead to disease being passed on to a recipient.

However, I was pleased that the honourable member qualified that by saying that such an occurrence would be very rare, if not impossible, in the current circumstances and that he had raised the query merely to point out a possible future occurrence and to indicate that the Government must protect by legislation recipients against any such occurrence. I point out to the House that the honourable member was not suggesting that that possibility currently exists and that people in the community should be concerned about that occurring. The honourable member simply wanted to ensure that the Government and the Minister were aware of such a possibility arising in future. I thank members for their support of the Bill.

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

METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

VETERINARY SURGEONS BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That the House do now adjourn.

Mr FERGUSON (Henley Beach): A few days ago in this House I asked the following simple question:

Will the Minister representing the Minister of Agriculture ask his colleague what steps may be taken by shareholders in the Loxton Cooperative Winery and in the Berri Cannery to withdraw their original investment? One of my constituents (Mr G. Bartlett) has recently retired as a fruit grower at Loxton North. During his term as a soldier settler there, he was obliged to take shares in the Loxton Cooperative Winery and Berri Cannery in order to dispose of his produce. He has now approached both those organisations and he has been unable to retrieve the repayment of both his original investment and his accumulated investment in those organisations.

That was a very simple and very quiet question which would normally go into *Hansard* and not draw very much attention. A couple of days later I was contacted on the telephone by Mr Younger from the Loxton Cooperative Winery, in a very officious manner, asking me to withdraw and stating that he had no record of Mr Bartlett's ever making an application to withdraw his shares. I said to him that if he sent me correspondence I would read it into *Hansard* so

that his side of the story would be there for all time, and I now proceed to do so. It states:

Dear Sir,

We refer to your letter regarding shares held in this company by Mr G. M. Bartlett.

You are advised that Mr Bartlett contact the writer and advise that he wishes to withdraw his share capital; then he will be sent an application form for the redemption of his shares. Once this form has been completed and returned to the cooperative it will be processed in accordance with the society's share redemption policy, a copy of which is enclosed for your information.

We also refer to the question you directed in Parliament in October 1985 to the Minister of Agriculture regarding this matter. The writer has already expressed in a telephone conversation with you this organisation's resentment that you didn't do the cooperative the courtesy of at least checking with it before raising the matter in Parliament. Your observation that you were too busy to check on the facts of the case is of no comfort to us and furthermore we believe it was grossly irresponsible and insensitive to act in the way you did.

By way of background information, the cooperative has received many applications for the redemption of share capital over the past five years but there is no record of Mr Bartlett having ever made application. For the record, since 1981 the following amounts have been repaid to shareholders who have applied for the redemption of share capital:

Year	Amount repaid $	No. of Shareholders
1981	51 380	35
1982	57 345	16
1983	53 072	16
1984	54 464	19
1985	56 986	23

The source of the above information is the cooperative's annual returns which are signed by our auditors, Tilley Murphy Hughes & Co., Chartered Accountants, and which have been lodged with the Corporate Affairs Commission.

(Mr Bartlett has a total of 3 321 shares of $1 each registered in his name).

As a direct result of your question in Parliament we have been queried about our actions by our auditors, our bankers, officers of the Department of Agriculture, not to mention shareholders. This has involved our staff in a great deal of wasted and unproductive time in setting the record straight and allaying people's fears. It is a matter of great regret that your action has called into question the proud reputation and good name of the Loxton Cooperative Winery. This is a matter of a great deal of concern for the board of directors, management, staff and shareholders of the cooperative.

We therefore demand you issue a statement to the effect that you regret the alarm caused in various quarters by the question you raised in Parliament and that you unreservedly withdraw the inference that the cooperative has acted in anything other than a totally efficient and ethical manner.

We would expect that you would attend to this matter immediately so that any further harm caused by your action will be minimised.

I have already reported to the House that I have not the slightest intention of apologising for any statements that I made in Parliament and that I would follow the interests of my constituents. I have described this letter as very curious, because why would a question put in *Hansard*, which would normally draw very little attention and be lost in *Hansard* for all time, cause the auditors and the bankers of this organisation to make an investigation, the officers of the Department of Agriculture—that is natural because I asked the Department of Agriculture to look at it—and above all the shareholders of this organisation? Why would they start to investigate this organisation following a question that would hardly ever draw any publicity under normal circumstances?

The questions do not end there. I have had correspondence from Mr Bartlett, who stated:

In 1981 I signed a redemption form in front of Mr M. Lind, the Manager, after the sale of my property to Keven and Sue Ryan. On my return visits to South Australia I called into the winery, to be told that it would be forwarded on to me. I was sent a cheque from the winery per the Commonwealth Bank, Loxton in the early part of 1984. Nearly one year later I was told it was sent to me by mistake.

At the time of receiving the cheque I thought it to be part payment of my share capital, but instead it belonged to a Mr G.M. Arnold. I had a buyer also for my shares, Mr B. Millard, and my accountant from Robin Harris and Co. of Adelaide was to act on my behalf, but I was instructed I couldn't sell my shares and that the gentleman would have to take out new shares with the winery.

I have never received any correspondence from the winery, only demanding the return of my money plus 3.75 per cent interest which I returned, the amount being $2 223.63 in full.

I raise the further question of why was not the redemption order taken out in 1981 and why has it not been found. Why did the letter come back from the Cooperative Winery so quickly that it would be almost impossible for the accountant to go through all of the records? Why was it that Mr Bartlett was not allowed to sell his shares?

The member for Chaffey raised the matter in the House and I raise a question about the member for Chaffey. Did the member for Chaffey hear my question? Was there then some collusion from the member for Chaffey and the manager of the winery? Who in fact collated the letter? Why did the member for Chaffey ask in this House a question that he thought would be damaging to me without doing all of the investigation necessary?

On the one hand, I have been accused, as the member for Henley Beach, of not investigating this matter thoroughly. Then we have a member from the other side where obviously mistakes have been made, rushing back into the House. This question was asked not so long ago. It is a remarkably quick answer to my question. Why would the member then ask a question without making investigations? It is a very curious situation.

Did the member for Chaffey hear the question and say to himself, 'Ha! Here is someone asking a question about an organisation within my electorate; he is wrong and I am going to make sure I get him'. Was that the motivation behind the question? I would like to ensure that I get a proper answer to the second letter I sent to the Loxton winery. I would hope that my constituent gets the redemption forms for which I have asked. Why were not those redemption forms sent to him following the request I made?

Also, the Manager, Mr Younger, over the telephone promised me that he would send him the redemption forms. There is definitely something wrong with this organisation. It smells rather like the time when I used to be involved in the industrial side of things. When we went into a firm where something was wrong and the management jumped on us as soon as we got in there, it immediately raised our suspicions. I understand that this is not the first time and that there have been other occasions when this organisation has not been right so far as its records are concerned.

The DEPUTY SPEAKER: Order! The honourable member's time has expired. The honourable member for Eyre.

Mr GUNN (Eyre): I am pleased to have the opportunity of saying a few words in this grievance debate. First, I have taken some trouble to examine the regulations which are the basis of the controls necessary to organise the Grand Prix event in Adelaide in a day or two. The thing that concerns me is that regulation 41 (1) states that no person shall, within the declared area, climb or remain on the roof of any building. It then gives a number of other courses of action that are illegal, and sets out in the last regulation that there is a $1 000 penalty for the contravention of these regulations or a $50 expiation fee. Such a measure to prevent people from getting on their own roofs is quite draconian. I hope that the Grand Prix Board will do something about it.

I am very disappointed that the Education Department at this stage is still not able to provide an adequate building for technical studies at Coober Pedy and is not in a situation

to upgrade or improve the facilities at the Quorn Area School. These matters are before the Minister of Education and I am of the view that something ought to be done urgently.

The third matter I wish to raise is that, as a member of Parliament and a citizen of this State, I have never objected to people making constructive or reasonable criticism of the Liberal Party, my colleagues or myself. However, I take strong exception to a campaign currently instituted by certain people purporting to represent the National Party, a campaign aimed against the Liberal Party and, in particular, against the President of the Legislative Council, my colleague from Eyre Peninsula, the Hon. Arthur Whyte. I make it clear that some of these statements are not only grossly inaccurate and untrue but also lack credibility.

I suggest to a Mr Carter and a Mr Neville Avers that they spend their time answering the criticisms that have been heaped upon that Party by the President of the National Farmers Federation, Mr McLachlan. He has dealt adequately with the National Party's failure to properly represent country people and the rural industry. In a recent statement in the *Eyre Peninsula Tribune* a Mr Carter accused the Liberal Party of comprising solely of country people and farmers when it allowed Arthur Whyte to take the Chair of the Legislative Council. Mr Whyte took that action of his own volition.

It was not only to do with the Liberal Party: every member of this House or another House is entitled to seek any position that they desire, and, if there have ever been horse traders it has been the National Party. Mr Carter also stated that the native vegetation legislation was an example of legislation which could have been blocked by the Legislative Council.

What Mr Carter has failed to understand is, first, that the Government of the day had the power to prohibit vegetation clearance, anyway, under the Soil Conservation Act, and anyone who wanted to clear vegetation had to seek permission from that body. Secondly, it was only when the President (Hon. A.M. Whyte) took action and the Liberal Party refused to allow section 56 (1) (a) to be deleted from the Planning Act that a select committee was set up. That led to the current Bill, which has not been proclaimed at this stage, but which will, of course, follow the appropriate course.

It is nonsense for anyone to blame the Liberal Party, and for Mr Carter to go out on this cheap publicity seeking exercise is quite irresponsible and grossly inaccurate, because, had it not been for the Liberal Party, there would not have been any compensation or this new arrangement. I do not say that it is perfect, but, as someone who has had a great deal of involvement in representing people who were having problems with vegetation clearance applications, I believe that this new Bill will be a jolly sight better than the regulations which prevailed.

I say to Mr Carter that he wants to understand quite clearly that, if he thinks the role of an Upper House is to defeat every measure, it will not be very long before we will not have an Upper House. That would be a most unfortunate course of action.

I want also to refer to Mr Agars, the President of that Party, who said that John Olsen should be congratulated for rubber stamping National Party policy initiatives. The current Leader of the Opposition is probably one of the most hard-working Leaders of the Opposition that this nation has had. He, the shadow Cabinet, and the Parliamentary Liberal Party have put together the most comprehensive, detailed and effective set of policies that has ever been presented to the people of this State. For this gentleman to have the audacity to claim that the Liberal Party has rubber stamped its policy is absolute nonsense. He has not produced one skerrick of evidence to support it.

I take strong exception, because, as someone who has been involved and knows how the Liberal Party works, I know that we have gone into great detail to make sure that our policies are well thought out, costed and in the best interests of all sections of this community.

The sort of nonsense that this political lightweight has gone on with leaves a great deal to be desired. If these gentlemen and one or two other people who made the statements want to know who sold out the country people, I will give them a few examples. The member for Chaffey well knows what took place in 1970 when they did a deal with the Labor Party and handed out a double-sided how to vote card which put the Labor member in at the expense of the present member for Chaffey. In 1973 another deal was done in Chaffey and in Flinders. The Labor Party did not run in Flinders and the National Party did not run in Chaffey in order to try to save Curren.

If the Labor Party had run in Flinders, the member for Flinders would not now be in this House. Let us get a little closer to more recent times. The National Party got itself involved in the by-election that took place following the resignation of His Honour Mr Justice Millhouse and cost the Liberal Party the seat. That was helping country people. Mrs Southcott, the member who came into the House, voted against the Pastoral Act and helped mobilise and organise Milne in the other place to defeat that Bill, not at the third reading stage but on the second reading.

If we want to talk about what took place in the Upper House, let us realise that it was as a direct result of the National Party's involvement that that important and sensible piece of legislation was defeated. So, let us not have any more of those sorts of irresponsible attacks. This personality attack on the Hon. Arthur Whyte cannot be substantiated. It would appear from this sort of attack that those National Party people obviously do not know the honourable gentlemen or are not aware of the long and valuable service that he has given to the people of this State as a member of the Upper House.

He has done untiring work for people in isolated communities, and has worked very hard for the people on Eyre Peninsula and in promoting the racing industry. He has been involved in horses in action and very many organisations which have helped country people. He has also had a great deal of involvement at Leigh Creek and such places. It would appear to me that in relation to this smear campaign they obviously cannot criticise the gentleman on the outstanding work that he has done and his representation, so they are setting out to try to muddy the waters.

We do not mind criticism: I do not mind it. However, it must be based on fact and be fair and reasonable. I did not want to get involved in this exercise. I have not been involved in the exercise between Mr Blacker and the Hon. Mr Whyte in Flinders even though I represented nearly 50 per cent of that area, because I believe that the people on Eyre Pensinsula are quite capable of making their own judgments at the appropriate time. However, I take strong exception to these people who have been wheelers and dealers. I have given the example to others where they have supported the Labor Party against the Liberal Party. They should be fair. Let us fight the election on real issues, not on figments of people's imagination or by casting slurs on the Hon. Mr Arthur Whyte who, because of the position he has held, has managed to negotiate many amendments.

If one looks at the Electoral Act, one sees that dozens of amendments were put in there because of his involvement. We would not have had compensation if he had not been prepared to exercise that vote. However, if that vote had

been exercised every day of the week we would not have had an Upper House.

Mrs APPLEBY (Brighton): This evening I congratulate the Minister of Community Welfare on the Office of the Commissioner for the Ageing whose first report was brought down today by Dr Adam Graycar. This most comprehensive report covers many spheres related to the aged in our community where many groups that have never been coordinated have been providing services. I am greatly interested in one aspect of the report—Resident Funded Retirement Villages. At page 12 appears a small section relating to this matter. It states:

> Resident funded units represent a small proportion (approximately 2 per cent) of all accommodation for elderly people. There has, however, been a rapid growth in recent years in the development of resident funded units. This growth has been of units developed both by private commercial developers and voluntary (non-government) organisations. Retirement village schemes have been regulated under the prescribed interest provisions of the (national) companies and securities legislation. On 1 May 1985 the Ministerial Council for Companies and Securities considered the future regulation of resident funded retirement village schemes under this legislation and Ministers resolved that such schemes should be removed from the ambit of the legislation with effect from 1 July 1987. The Minister of Corporate Affairs has established an inter-departmental committee (which includes the Commissioner for the Ageing) to consider the issue of regulation of such schemes in South Australia.

As members would be well aware, I have asked a number of questions recently about commercial retirement villages. The first time I raised this matter in the House was in relation to people taking out a deed of licence to purchase residence in a retirement village.

The village to which I referred involves one title of land with 36 retirement units, and it was developed by private developers. People taking out a deed of licence in these villages only have title to live there: they have no other protection at all, as one sees if one carefully goes through the deed of licence that they sign. They are not entitled to claim that they live in their principal place of residence, and so they are excluded from many concessions for retired persons. However, when I raised this matter initially, the Government took up the issue and it was made clear that from 1 July this year such residents would be entitled to council and water and sewerage concessions as individuals living in these retirement villages.

However, since I first raised the matter a number of other issues have been brought to my attention by residents of retirement villages, and I refer to one particular case. The interdepartmental committee will take the five points I raised yesterday on this case and they might be covered in that regard. I have been told by two residents that they can only sell their unit back to the executive trustees of the retirement village and so no third person is involved. However, according to the deed of licence, 20 per cent will be deducted from the current market value of the unit as an administrative fee. Those two people came to see me within two weeks of each other. The first person was told that as well as the 20 per cent fee she would have to pay commission on the sales, but the second person was told that she would have to pay the 20 per cent, a sales commission fee and a brokerage fee.

It is difficult to explain how two people living in the same retirement village subject to exactly the same type of deed of licence could also be subject to two different interpretations, in writing, about how their unit could be disposed of. I am very anxious that the intergovernmental committee that is considering matters relating to retirement villages will ensure that there is a proper interpretation of the definition of 'retirement village', whether it is commercial or otherwise, so that these people are protected. I asked the Corporate Affairs Commissioner what protection the licence holders of units in retirement villages had if the owners decided to sell to company B. It is very doubtful that they have much protection, or any protection, if the incoming company decides that it wants to change the rules in relation to the deed of licence.

At the moment, as the company that presently owns this retirement village has changed the rules for two residents within two weeks, I have a very grave fear that, unless this matter is looked at urgently and some preventive measures are put in place, a number of these aged persons who have chosen to live in this type of retirement village (which I think is quite a reasonable alternative to other accommodation for aged persons) will be really left high and dry with no protection at all.

Recently we saw the effects of the commercially funded retirement village that went bankrupt in Victoria. There has been some question as to whether that will have some effect on companies here, so I am very anxious to see these matters brought to conclusion with some results and some provision to protect these people.

Motion carried.

At 10.21 p.m. the House adjourned until Thursday 31 October at 2 p.m.