HOUSE OF ASSEMBLY

Tuesday 1 March 1988

The SPEAKER (Hon. J.P. Trainer) took the Chair at 2 p.m. and read prayers.

PETITION: NUDE BATHING

A petition signed by 107 residents of South Australia praying that the House urge the Government to oppose the introduction of nude bathing on beaches within the electorate of Henley Beach was presented by Mr Ferguson.

Petition received.

PETITION: SHOP TRADING HOURS

A petition signed by 43 residents of South Australia praying that the House reject any proposal to extend retail trading hours was presented by Mr Oswald.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 421, 504, 518, 522 to 524, 528, 533, 535 to 538, 543, 554, 560, 564, 569, 575 to 577, 586 and 592; and I direct that the following answer to a question without notice be distributed and printed in *Hansard*.

HACKHAM WEST TRAFFIC LIGHTS

In reply to **Ms LENEHAN** (11 February).

The Hon. G.F. KENEALLY: The Highways Department will carry out a reassessment of the need for a pedestrian crossing on Beach Road near its junction with Majorca Road at Hackham West. It is expected that this report will be available in May 1988.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Employment and Further Education (Hon. Lynn Arnold):

South Australian College of Advanced Education Act 1982—By-laws—Permits and Reserved Areas.

By the Minister of Transport (Hon. G.F. Keneally):

Institute of Medical and Veterinary Science—Report, 1986-87.

Road Traffic Act 1961—Regulations—Emergency Vehicle Spotlights.

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

Casino Act 1983—Regulations—Casino Employees.

Land Agents, Brokers and Valuers Act 1973—Regulations—Date of Operation.

QUESTION TIME

SCRIMBER PLANT

Mr OLSEN: Will the Minister of Forests confirm that the viability of the Government's investment in a $22 million project to build a scrimber plant in the State's South-East was based on a feasibility study specifying the use of small diameter logs (or thinnings) and that the South Australian Timber Corporation has now been informed that the project can proceed only by using much larger saw log, which renders the whole project uneconomic? The Auditor-General's Report identifies that nearly $5 million had already been spent by SATCO to 30 June 1987 on this venture. An expensive feasibility study into this operation was based on the shredding of small pine logs of a diameter down to 70 mm to use forest thinnings. However, now that the building of the plant is nearly complete (at a cost to the Government yet to be revealed but estimated at $22 million), the Opposition has been informed that the scrimber operation can proceed only by processing saw log of diameters between 120 mm and 140 mm. I have been told that existing facilities in the South-East could handle processing of logs of that size without the injection of $22 million which has now been wasted.

The Hon. R.K. ABBOTT: I have no knowledge of the information to which the Leader has referred. The information that the Leader outlines is exactly—

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order!

The Hon. R.K. ABBOTT: —the position as I understand it. I have no other information to indicate whether that is now not possible and that the larger diameter log will need to be used.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order!

The Hon. R.K. ABBOTT: I have not heard anything about that. However, now that the Leader has raised the matter, I will inquire to see whether that is the case, but to my knowledge it is not. I have certainly heard nothing about that, but I will look into it.

OLD PORT DOCK RAILWAY STATION

Mr De LAINE: Is the Minister of Transport prepared to give serious consideration to the re-establishment of a railway station on the site of the Old Port Dock station at Port Adelaide? At the present time, train travelling tourists who wish to visit Port Adelaide have to get off the train at the Commercial Road station and then they have a long walk to visit the historic tourist attractions of the area.

As a result of the establishment of the Railway Museum on the site of the Old Port Dock railway station yard and the ever increasing number of tourists to the Port, it would seem very sensible to bring people right to not only the museum but also into the very heart of the Port's historic—

The SPEAKER: Order! The honourable member was debating the question. Leave is withdrawn. The honourable Minister.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I take it that he suggests that the STA should look at re-establishing the Old Port Dock station so that the tourist attraction of the museum, etc., in that precinct would be more available to potential tourists. I think that it would be drawing a very long bow indeed to expect the STA to recommend the re-establishment of a commuter station at the Old Port Dock station. However, if an argument can be mounted, I would need to speak to the STA and the Tourism Department, and I suppose to the History Trust, to ascertain the demands of tourists who visit the precinct to which the honourable member refers.

Decisions to close railway stations are not made lightly; they are made for the best economic reasons to make our

rail system more efficient and more sustainable. I think that to detract from that would go against the general policy. However, I am not aware as to whether or not there is merit in the honourable member's question—there may well be. For that reason I will have the matter investigated and give him a report.

SCRIMBER PLANT

Mr D.S. BAKER: My question is directed to the Minister of Forests. Did the Woods and Forests Department tender for wood grown in Victoria and originally intended for the Mount Gambier Scrimber plant on a take or pay contract and, if so, at what price?

The Hon. R.K. ABBOTT: No, it did not tender for that.

SECONDARY SCHOOL ENROLMENTS

Mr DUIGAN: Has the Minister of Education any evidence to suggest that there is a relationship between the falling number of enrolments in secondary schools and the increasing retention rates at year 12? Further, can he say how the department plans to deal with this changing complexion of the senior secondary school population?

Members interjecting:

The SPEAKER: Order!

Mr DUIGAN: According to figures published in the *Advertiser* earlier this month, the proportion of year 12 students staying on at Government schools to complete year 12 has increased dramatically. The report indicated that there was an increase from 30.9 per cent in 1979 to 62 per cent last year. Obviously, this has placed more pressures on the senior levels of secondary schools and I have received a number of queries about whether the education system is flexible enough to cope with the changing demographic characteristics of the senior school age population.

The Hon. G.J. CRAFTER: I thank the honourable member for his very important question, and it is interesting to note that there has been a very substantial increase in the number of students staying on at school in the senior secondary years. In this State in 1982, 34 per cent of students remained in our schools until Year 12. That figure has increased dramatically this year, where we estimate about 62 per cent of students will remain in Year 12, and this is very heartening. Recently, the Federal Government indicated that it intended to provide for a situation where the retention rates percentage would be around the mid-60s by the early 1990s. We are almost there at this stage, and are well ahead of the national average.

It is a matter of regret that in this country we have not placed a greater emphasis on the retention rate of young people. Perhaps some years ago young people could leave school and find employment. However, that is not the case today, as a greater level of skills is needed and a broad general education before young people can embark on training and enter the world of work. Because of the very substantial overall enrolment decline in the past decade—with about 45 000 fewer students in our schools—schools have the capacity to assist students who want to remain on in those senior secondary years. Already the Government has undertaken a number of important projects with respect to the relationship between the services provided by the Department of Technical and Further Education and the Education Department and the expansion of work experience and other relationships with industry and commerce, so that we can provide a much broader curriculum offering to those young people.

Yesterday, my colleague the Minister of Youth Affairs announced some pilot projects to be undertaken at Elizabeth and at Whyalla to provide a youth offer for young people, so that there is an alternative to unemployment and to simply doing nothing in our community. Rather, those young people can be engaged in continuing education, further education and training, or in employment, or a combination of each of those.

My colleague, the New South Wales Minister for Education, has also raised with the Commonwealth the need for some Commonwealth recognition and assistance in relation to this additional impost on the States. Reference has already been made in this House to the special difficulties faced by South Australian 15-year olds who are now no longer eligible for what was the secondary senior allowance, which is now the Austudy payment. We have made representations to the Commonwealth Government for assistance in that area, but to date, unfortunately, that has not borne fruit.

We know, of course, that an enormous increase in funds for those senior secondary students has been made available in the Austudy arrangements—that is, for 16- and 17-year olds. A substantial amount has been provided for training opportunities for young people, as well as the family assistance package, which gives substantial cash benefits, tax free, to families, particularly those with large numbers of children. All in all, a realistic package of assistance for those young people and their families is coming together. It is a very healthy sign for our education system and for the community that so many young people want to gain a broad general education.

SCRIMBER PLANT

The Hon. H. ALLISON: Will the Minister of Forests say whether it is true that small wood from Rennick and Kentbruck in Victoria has already been transported to State mills in South Australia for processing and has been transported back to Victoria, when one of the major reasons for the establishment of the scrimber plant at Mount Gambier was to process surplus thinnings from South Australian forests? If this is the case, can the Minister say whether the scrimber project is viable economically?

The Hon. R.K. ABBOTT: My understanding is that the scrimber project is definitely a viable operation, and that it is proceeding very satisfactorily: it will be an excellent product once we get into the market area. I said in answer to a question from the Leader that I had not heard or been advised whether such timber was imported into the South Australian mills and returned. I will check on the matter, and bring back a report for the honourable member.

MOBILE WATCH

Mr HAMILTON: Will the Deputy Premier, in his capacity as Minister of Emergency Services, seek the support of his Federal ministerial colleagues in relation to South Australian employees of Australia Post and Telecom giving their support to the Mobile Watch program, which is similar to the Sagasco scheme and which is seen by many as an adjunct to the Neighbourhood Watch scheme? I have been requested by two of my constituents to raise this issue. They have stated that Australia Post employees, particularly posties, and Telecom linespersons during their normal daily routines and with their knowledge of local suburbs, are in an ideal position to report suspicious activities either directly or indirectly to the police. My constituents are aware that such

a proposal will require the support of the appropriate trade unions and their members.

The Hon. D.J. HOPGOOD: Recently I have been extremely encouraged about the willingness of the utilities to have their resources used in this fashion. Probably all members will have seen the ETSA television advertisement, with the person injured in the traffic accident stumbling out of the forest and coming across an ETSA vehicle where all the necessary equipment is available to alert the authorities and get help very quickly. More recently, as the honourable member indicated, Sagasco has taken an initiative in this area.

An honourable member interjecting:

The Hon. D.J. HOPGOOD: Of course, that is before the Parliament at present. I would be only too happy to take up with the Commonwealth Ministers the possibility of their instrumentalities also providing services in this direction.

SOUTH AUSTRALIAN TIMBER CORPORATION

The Hon. E.R. GOLDSWORTHY: My question is directed to the Premier. Have any discussions taken place for the sale of or refinancing of part or all of the South Australian Timber Corporation operations to or by the private sector?

The Hon. J.C. BANNON: Not in any specific terms. We have had an exercise go wrong regarding the South Australian Timber Corporation and its relationship with the Department of Woods and Forests. I think that the Minister has indicated on other occasions that there may be some case to make the Woods and Forests Department a corporation structured commercially. That, of course, works in the opposite direction. Certainly, there has been active consideration of the South Australian Timber Corporation being involved in joint ventures of various sorts, and I think—

An honourable member: Like the one in New Zealand.

The Hon. J.C. BANNON: Yes, the New Zealand IPL has not worked out very well, as we know. However, there has been a recovery—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: As far as the operation in Australia is concerned, it is performing quite well and there has been a considerable improvement in the New Zealand operation. However, that is—as members would know because of detailed information supplied by the Government—under active restructuring and reconsideration. If we are to get the most value out of our large timber holdings and if we are going to ensure that employment is maintained in some of those areas in the South-East (which at the moment are virtually totally dependent on Government activities) then we ought also to be looking out for any commercial opportunities. The scrimber project that the Minister was questioned on today is an example of that—the South Australian Timber Corporation picking up a commercial opportunity.

Members interjecting:

The Hon. J.C. BANNON: There is risk involved in any of these structures. In order to preserve operations and that big resource and the employment in the South-East, we ought to be involved in it. If members opposite, in particular the member for Mount Gambier and the member for Victoria, are unhappy about what the Government is doing up there, I would be happy to hear from them because I am sure that there are some extremely economically rational decisions which we could make tomorrow but which would have major ramifications for the South-East economy. If those members wish that to occur, I look forward to their representations. I hope that they can get behind what we are doing in the industry and stop sniping at it from the sidelines.

Members interjecting:

The SPEAKER: Order!

O-BAHN

Ms GAYLER: Will the Minister of Transport investigate concerns that O-bahn bus seats, which are especially set aside for elderly and disabled people, are the most hazardous seats on that bus? The St Agnes Widows' Club yesterday was full in its praise of the O-bahn bus service, but members suggested that the front seats which face one another and have no handrail for passengers are hazardous for those who are least steady in their seats. Examples that they gave included a blind man who fell off one of these front seats, and an elderly woman who also fell and broke her arm. Club members suggested to me that the problem could be overcome by installing a rail at the side of the seats, so that elderly and disabled people could hold on.

The Hon. G.F. KENEALLY: At the outset I think I should say that I have no knowledge of any accident of the type mentioned by the honourable member occurring on the O-bahn buses. I will have that investigated, of course. The O-bahn buses are of an extremely high standard and provide a very good standard of accommodation. Appropriately, the authority decided to set aside seats especially for the elderly and the disabled, so that they can be as certain as possible, particularly on busy trips, that a safe and comfortable seat is available for them. That has always been the intention of the authority, and it is my view that that responsibility has been met very well.

However, if there are people within the honourable member's electorate or in other electorates who feel that some improvements could be made to O-bahn buses, particularly in relation to safety, I will have that looked at. I should say that it would not be easy to find a resolution, if it means that the configuration of the seats needs to be changed. However, in the first instance I think I should have the matters raised by the honourable member investigated and, if they have substance (and I am sure that she and her constituents believe that they do), we will look at what can be done to improve the situation. As the Minister I should have the whole matter investigated in the first instance to see whether there is a problem with these buses.

TOBACCO SPONSORSHIP

Mr INGERSON: Does the Premier concede that it is totally hypocritical to outlaw tobacco company sponsorship of a myriad of sporting and cultural events, but to exempt from this policy the Grand Prix and Test cricket, given their exceptionally high-profile tobacco sponsorship?

The Hon. J.C. BANNON: No, not at all because a State Government can do only what is within its power. There is no question that it is beyond our power to interfere without causing major problems for the State in relation to those international events.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order! I call the Deputy Leader to order.

The Hon. J.C. BANNON: What is the point in placing some kind of restriction on advertising at, say, a Test cricket match which, if it were not held here, would be held some-

where else and beamed into South Australia, anyway? You must have a realistic approach; we are trying to take a step forward in discouraging young people from taking up the habit of cigarette smoking. It is an alarming problem, and I am the first to admit that we do not have all the answers. A major education program must be launched.

There is no question that there is peer group pressure and other factors at work which are encouraging young people to take up cigarette smoking, and we as a community must tackle that. But the glamorous association between tobacco and cigarette smoking and sport and culture is something that we should be trying to play down. We must then look at what we can do within our capacity. I would much prefer a national approach to this issue. I would prefer to do as some of the Scandinavian countries are doing, by taking it up on a national basis and doing it comprehensively. At the moment it is not possible to do that.

The States, in the limited area in which they can move, should be trying to do something to set some sort of example. That is exactly what we are doing. We are doing as much as we can within practical and realistic limits. It is just a start. No sporting group or organisation will suffer any penalty because of that, and I would have thought, in view of the public health problem we are facing—one just has to walk into the streets to see it—that members would be enthusiastically supporting it. I sincerely hope that, for one, the member for Coles, who has been active in this debate, will be raising her voice in support of our at least trying to do something. I agree that it is not the whole answer; I agree that, because of international, national and other characteristics, we are only going to be able to effect a small area, but we must begin that process, and that is what we intend to do. We will do it without penalty to those involved in sport, culture or whatever; on the contrary, it will be with some advantages to them.

HENLEY BEACH ROAD

Mr PLUNKETT: Can the Minister of Transport say what stage negotiations have reached for the future widening and upgrading of Henley Beach Road between Marion Road and Bakewell Bridge?

The Hon. G.F. KENEALLY: I thank the honourable member for his question, and I acknowledge his consistent representations to me, as Minister in charge of the Highways Department, for work on widening Henley Beach Road, which is a 14 metre wide road comprising four lanes and high commuter traffic in peak as well as in non peak periods because of shopping and business traffic. In fact, Henley Beach Road has one of the worst traffic accident records for this type of road within the Adelaide metropolitan area. Clearly, the Government and the Highways Department are anxious to reach a stage where the widening of that stretch of road between Bakewell Bridge and Marion Road can be included on the works program.

Briefly, let me give the honourable member and other members who represent constituents in the western regions of Adelaide an update on what is taking place. Bakewell Bridge, I believe, will be there for a long time yet. Obviously, in future some work will need to be done to it, but obviously it will be a Minister in a future Bannon Government late in the 1990s who will be dealing with that problem. The Highways Department is presently examining several possible alignments for the construction of a new bridge to replace the existing Bakewell Bridge. A preferred alignment will not be determined until late 1988. At that time, it will be possible to rationalise the department's landholding in the area.

Work has been undertaken in that section to determine the land that will be required so that acquisition decisions can be made. That is between Bakewell Bridge and Victoria Street, on Henley Beach Road. Between Victoria Street and South Road the Highways Department has determined a scheme for the widening and upgrading of this section of Henley Beach Road. A widening strip of 10 metres in width is required from the properties on the southern side of this road. The department has acquired a number of whole properties within this section of road and is in liaison with the Thebarton Redevelopment Committee regarding the future land use of the balance of the properties. Between South Road and Marion Road several alternative methods of widening the pavement are under investigation to allow incorporation of a raised median with indented turning slots. Each alternative has a differing impact on property frontages and public utility services.

A scheme which minimises overall costs and impact on property is being developed. Discussions will be held with the councils involved and the scheme displayed for public comment in due course. At the start of my answer, I pointed out that the Government and the Highways Department intended to have the work commence as soon as possible having regard to the available resources. Currently, the Federal Government is reassessing its policies in terms of road funding for the States, especially as ABRD funding has ended. The Federal Government is considering procedures for future funding, so we are up in the air at present as regards getting firm indications on future road construction programs. However, as soon as I can inform the honourable member of more definite data regarding timing I shall do so.

HEALTH PROMOTION FOUNDATION

The Hon. JENNIFER CASHMORE: What assurances can the Premier give that funding for sporting bodies, to be held by the proposed Health Promotion Foundation, will be directed in full to sporting bodies and not diverted into general revenue, as is the case with all moneys raised from State Lotteries and originally promised for distribution to public hospitals, and with funds received from petrol tax, which were promised to the Highways Fund, but about half of which end up in the Government's general revenue coffers?

The Hon. J.C. BANNON: I think that it would be better for members to wait until the legislation is tabled because then they will see that these questions are being addressed directly as regards both the way in which the fund is to be established and the way it will be controlled. There will also be further discussions, following the tabling of the legislation, and consideration of the guidelines on how the fund, independently managed, will be conducted. I therefore repeat that, far from being penalised, sporting bodies will find that there are considerable benefits from the establishment of the trust. The tabling of the legislation will answer some members' questions. Again, I hope the honourable member and others like her who have taken a lead in this area in the past will understand the problems that we are having with this glamour organisation and that we are at least trying to take some steps. I hope that our example will encourage others to do something, because ultimately a national approach will be needed.

Incidentally, I noticed the comment about impeding people's rights. The tobacco companies have often told me, when questioned about this, that really their contribution is not aimed in many cases so much at getting publicity for themselves but they believe as corporate sponsors that they

should be making a contribution. There will be no impediment to their doing that. If a tobacco company wishes to continue supporting sport, the arts or anything else, it will not be prevented from doing so. All we are doing is preventing the tobacoo companies from using that support to promote their products. We are making that distinction, so there will be no embargo. For instance, if a tobacco company feels that in the community interest it wishes to continue giving support in a specific area, it may do so as a community service, but it will not be allowed to associate its product with that sponsorship. That is all that is happening.

ABORIGINAL EDUCATION

Mr ROBERTSON: Will the Minister of Aboriginal Affairs consult with his colleague the Minister of Employment and Further Education with a view to investigating the feasibility of language, culture and bushcraft courses being taught by traditional Aboriginal owners on their own land to non-Aboriginal people?

The Hon. G.J. CRAFTER: I thank the honourable member for his question, which raises an important issue. To some extent the form of education to which he refers is under way, albeit informally. Members who have visited remote areas of the State have picked that up. The Anangu Pitjantjatjaraku Council has established a committee on education that is assisting the South Australian Education Department in developing appropriate policies that will enhance the delivery of education to children.

It is appropriate that a community of that type also look at a proposal such as this to see whether that can be more formally introduced into the education programs, for example, on the Pitjantjatjara and Maralinga lands. I think that there is a void in our educational opportunities, particularly for those adults who work in or pass through the communities on those remote lands. Such a proposal could give these people a greater degree of understanding of the communities they enter and make them a little more sensitive to the culture they will be experiencing.

I think it is already known that in recent years some changes have been made to the curriculum offering in schools, allowing for a much greater involvement of Aboriginal elders and parents. That move has been welcomed by the Education Department and teachers and it ensures a better learning environment where there is that degree of cooperation between the Aboriginal community, the teachers and children. I will be pleased to have the discussions to which the honourable member has referred.

FIREARMS LEGISLATION

The Hon. B. C. EASTICK: I direct my question to the Minister of Emergency Services. Does the Government intend to incorporate in its proposed gun legislation the payment of compensation at market value to those whose weapons are confiscated, as planned by the Victorian legislation and, if so, what estimate does the Government put on the cost of such payments?

The Hon. D.J. HOPGOOD: That question assumes that our legislation mirrors the Victorian legislation, and of course it does not, because—

Members interjecting:

The Hon. D.J. HOPGOOD: I understood the question was: does the Government plan to pay compensation, because apparently the Victorian legislation (and the honourable member may be better informed than I am) provides for confiscation. All I am saying is that our legislation does not provide for confisaction, except in the circumstances where the gun is illegally held anyway. Where the person disobeys the law, naturally, we will grab the weapon.

ABORIGINAL EMPLOYMENT

Mr RANN: My question is directed to the Premier. What progress is being made by the State Government in achieving its aim of substantially increasing Aboriginal employment in the South Australian Public Service?

The Hon. J.C. BANNON: In the period that it has been in office, the Government has given some priority to this matter. Despite the constraints on the growth of public sector employment generally, in that period we have seen Aboriginal employment in the public sector increase as a whole by a little over 100 per cent. That at least is a major achievement. In terms of trying to achieve targets of a particular percentage, we have set the indicative target of 1 per cent of employment.

In relation to the Government Management and Employment Act—that is, the direct Public Service departments of Government—we have now reached a level of .82 per cent, which is an enormous improvement on previous achievements in this State. The record has not been as good with the general statutory authorities, but work is being done in that area. One of the constraints involving statutory authorities is very often the specialised nature of the work they do. For instance, with an organisation like ETSA, which employs a large number of technicians and others, obviously, training schemes and other ways of ensuring that qualified Aborigines present themselves are necessary to try and make that work.

However, on the question of recruitment, although we are still well short of our target overall, I think that we can feel pleased with ourselves. Certainly, in those direct areas of employment, against that background of a minimum of outside recruitment, we have seen a considerable increase in the number of Aborigines so employed. Attention has also been paid to such recruitment, the school leaver program and the trainee scheme. I think that those and a number of other training schemes in Government departments and statutory authorities will soon start yielding very tangible results. Therefore, in response to the honourable member's question, our progress is encouraging, but we still have a long way to go.

NATIONAL PETROL STRIKE

Mr S.J. BAKER: Will the Premier follow the example of his New South Wales counterpart and invoke the State's essential services legislation if a threat by the Transport Workers Union of a national petrol strike affects fuel supplies in South Australia?

The Hon. J.C. BANNON: If such a situation arises in South Australia we will deal with it as appropriate.

ELECTRICITY TRUST

Mr De LAINE: Is the Minister of Mines and Energy prepared to study the feasibility of setting up a public advisory service within the Electricity Trust of South Australia? Many people and organisations who want to update their electrical plant and equipment or extend an existing

facility quite often cannot get good reliable advice. Sometimes even architects and consultants lack expertise in this area, and much money can be wasted in the process.

The Hon. R.G. PAYNE: I appreciate the honourable member's concern about this matter. I must say that this seems to emphasise the need to ensure that when good advisory services are available we must constantly remind people of that fact and of their location. In this instance there is a very good and reliable advisory service available in South Australia. It deals with exactly the type of matters that the honourable member has raised: it provides sensible and unbiased advice in respect of appliances.

The electricity authority in South Australia that existed prior to the establishment of ETSA, the Adelaide Electric Supply Company, had an advisory service available for customers from 1917—so, that is why I said that we need to continually publicise the fact that services are available. In the 1986-87 financial year the ETSA customer advisory service received more than 37 000 domestic inquiries; 4 500 from the industrial sector; with another 3 000-plus people asking questions about lighting.

The trust offers that customer advisory service at both its Eastwood headquarters and its premises in Charles Street, City. As from 1 July this year, ETSA proposes to centralise and improve these services at premises on the western end of The Parade. I am glad to be able to advise the honourable member who represents that area of this new facility that will be operating soon. In addition, a very comprehensive energy advisory service is available from the Energy Information Centre on North Terrace. That centre handles about 400 telephone inquiries a week and assists about the same number of people who call at the premises looking for advice on energy matters generally.

RENTAL ACCOMMODATION

Mr BECKER: At the next Premiers' Conference is the Premier prepared to push for an increase in the depreciation allowance for rental accommodation? When negative gearing was restored, its effect was negated by a cut in the depreciation allowance for investment in rental accommodation from 4 per cent to 2.5 per cent. Figures reported today on the increase in rental costs in Adelaide suggest that more incentive is needed to encourage private investment in rental accommodation to avoid a shortage.

The Hon. J.C. BANNON: I will examine the proposition that the honourable member has put. There will probably be limited opportunity to deal with this matter at the Premiers' Conference. I must admit that my most immediate concern, shared by the Minister of Housing and Construction, is what is going to happen in the public housing area, where we are facing a severe financial crisis, particularly with the possible elimination of nominated funds. That spills over into the private sector as well because of the impact that public sector rental rates, and also availability, has on the private sector. I noted the changes in rents which have taken place and which were reported on. It is certainly true that in the last period in which this survey was based there was a fairly substantial increase in South Australian rents.

Mr Becker: Twice the national average.

The Hon. J.C. BANNON: That is correct, but I point out that in the period before that we had been well below the national average. One cannot simply take one period: one has to study what has been happening over time and, more importantly, one has to look at the absolute figures. For rentals, we are still about on a par with Brisbane, a little above Perth, and well below Sydney and Melbourne. While there has been this increase in rentals, and there is much pressure in the rental market, we still have a situation of affordability in Adelaide that is very competitive.

Again I come back to the point: part of the key to that is what happens in our public housing sector, and we have really got to make sure that action takes place there. The Premiers' Conference will have a much more direct impact in that area, and I will certainly try to relate that to the private rental market as well.

CHILD-CARE CENTRE

Mr DUIGAN: Is the Minister of Children's Services able to advise on the take-up rate for South Australia's first 24-hour child-care facility in the centre of the city? This child-care centre in South Australia in Gilbert Street was designed to provide benefits to shift workers and daytime workers who had night-time commitments. It was also designed to fill an important need for parents who have work and work related commitments as well as for people who are undertaking evening courses. I am advised that there are three or four other 24 hour child-care centres elsewhere in the country that have varying take-up rates and levels of success.

Mr Lewis interjecting:

The SPEAKER: Order!

The Hon. G.J. CRAFTER: I am pleased to advise that on 1 February the centre in Gilbert Street, City, opened to provide 24-hour care for children. It is the first centre of its type in this State, and indeed only one of three in Australia that provides this important service to the community. It has a capacity of 360 hours of care for children in that extended hour category.

In the first week some 130 hours was taken up; in the second week that rose to 183 hours; in the third week it rose to 201 hours; and I do not know the take-up in subsequent weeks. However, it is pleasing that this centre is being used so quickly. Often it takes an extended period to place children in new centres of this type. Obviously, it will provide assistance for parents of young children, those parents having a wide variety of occupations, for example, shift workers, or people studying in the evening who want to re-enter the work force, and others.

Some people will now be able to make choices with respect to their job opportunities and careers that, in the past, they have not been able to make or have not had the confidence to make. That is also very helpful. I was pleased to open that centre despite considerable criticism from members of the Opposition. It was important that the work of everyone in the community who was involved in the establishment of that centre be properly acknowledged and that due recognition be given to the respective Government agencies that have been involved in its establishment.

It occupies an historic building—the Adelaide Woodwork Centre—that has been in the Education Department for a long time. That building has been faithfully restored and is now an attractive and comfortable building for its present use. It is also important on these occasions that publicity be gained so that the community at large knows of the services that are available. I was interested to note that a spokesperson for the Opposition said that this was a service that should have been provided by the non-government sector.

To date no non-government sector in Australia has been prepared to engage in the provision of a 24 hour program. It is indeed a most complex and difficult task to undertake. I am pleased to see that it has been done on a very profes-

sional basis, with very high standards (which will be maintained) in this area. It will serve the community, particularly those who are working or studying in and around the city, in a most admirable way for many years to come.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT

Mr OSWALD: My question is to the Minister of Labour. Does the Government intend enforcing a provision in the Occupational Health, Safety and Welfare Act which requires the appointment of a safety representative if there are more than 10 workers in a work place? I have been advised by teachers that over 200 State schools have refused to appoint safety representatives under the Act. While this on its own will not affect the safety of children at work, does the Minister intend excluding schools from the legislation or will he confront the refusal expressed by the schools concerned?

The Hon. FRANK BLEVINS: The answer to the first part of the question is, 'No', we do not intend excluding schools from the legislation; and, in relation to the second part of the question, we will be having discussions with the Institute of Teachers.

TOXIC WASTE DISPOSAL

Mr ROBERTSON: My question is to the Minister for Environment and Planning.

Members interjecting:

The SPEAKER: Order!

Mr ROBERTSON: Is the Minister aware of recent tests conducted in the United States into toxic waste disposal techniques using a device known as a plasma torch for the disposal of intractable chemical wastes? In the American magazine *New Scientist* of 18 June last year an article discussed the development of a plasma torch by Westinghouse Plasma Systems. Early tests of that torch apparently indicated that it could destroy up to 99.9999998 per cent of hazardous chemical wastes at a rate of three to four litres a minute.

An honourable member interjecting:

Mr ROBERTSON: I was being very careful. The article goes on to say that consideration is now being given to cleaning up the wastes at Love Canal, in New York, which were deposited by the Hooker Chemical Company in the 1950s and contained a mixture of 80 chemicals. What research has been done in this country in relation to a plasma torch?

The Hon. D.J. HOPGOOD: A good deal of research has been done on plasmas in our universities, not the least Flinders University, because of course plasma technology holds out the possibility of, eventually, controlled thermonuclear reactions, an almost limitless source of energy for industry and domestic purposes. I am not aware of any specific experimentation in this country in relation to a plasma torch (although that may have occurred). A committee has been set up involving the Commonwealth Government and the Eastern States to look at the whole question of intractaible wastes. At this stage I think consideration is being given to a more conventional form of technology which would simply use high temperature incineration. I think at this stage that is regarded as sufficient to deal with intractable wastes in this country. Of course, such wastes are largely concentrated in the Eastern States, particularly at Botany. However, through the Australian Environment Council, I will see that the honourable member's suggestion is taken up, although at this stage I think it probably needs more work before it is capable of commercial application.

ISLAND SEAWAY

The Hon. TED CHAPMAN: Will the Minister of Transport investigate and report to this House the reason why Kangaroo Island farmers have not yet been compensated for livestock which suffocated aboard the *Island Seaway* during its maiden voyage in mid-Novomber last year? Members on both sides will recall that fateful trip when a large number of the consignment of livestock from Kangaroo Island were suffocated as a result of inadequate ventilation on the vessel. Indeed, members will recall that matter being raised in this place, when the then Minister responsible for the building of the ship—the Minister for Marine and Harbors—told the House, and it is on the record—

The SPEAKER: Order! The honourable member has given sufficient explanation to make his question perfectly clear. Indeed, the Chair is of the opinion that the question was phrased with such excellent clarity that it required no explanation. The honourable Minister.

The Hon. G.F. KENEALLY: I thank the honourable member for his question and, in doing so, I also acknowledge the representations that he has made to me on behalf of his constituents who suffered financial loss as a result of stock loss on that initial trip. I can advise the House that, as Minister responsible for the *Island Seaway's* operations on that inaugural voyage, I gave an undertaking that no Kangaroo Island farmer would be out of pocket as a result of stock loss. In making that statement I also pointed out that it was the normal course of events that prudent farmers on Kangaroo Island insured against the potential of stock loss, because stock losses on that vessel have been occurring for as long as the vessel has been running (not in those numbers, but nevertheless stock losses have occurred), and Kangaroo Island farmers have normally insured against that.

What was required by R.W. Miller, the agents, and the Highways Department, which is responsible to the Government for the ferry, was to ascertain what stock losses there were, who were the farmers who suffered that loss and what insurance coverage they had taken out so that we were able to determine exactly the liability of the Government in those circumstances. I would have wished that this matter had been cleared up prior to this. I do not have a report in front of me. The honourable member has stated that in his view there has not been any compensation paid. I will have that matter looked at urgently and bring down a report for him.

EXPIATION FINES

Mr FERGUSON: Can the Minister of Education representing the Attorney-General inform the House whether the Attorney-General's Department has considered the introduction of expiation fines for offenders in non-alcoholic areas? Local beach councillors have suggested that there is a need for legislative change to enable expiation fees to be issued to dry area offenders. The introduction of this legislation may make it easier for these areas to be better policed—

The SPEAKER: Order! To date the explanation given by the member for Henley Beach has added nothing to the

question in order to clarify it. The question seemed to be sufficiently clear in itself. The honourable Minister.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and I will most certainly refer it to my colleague to obtain the information that he seeks. I would point out to the honourable member that legislation recently before the House to expand the number of offences for which expiation fees could be granted was very strongly opposed by the Opposition. I am not sure what fate the honourable member's suggestion will have.

ARTHURTON RURAL SCHOOL

Mr MEIER: Can the Minister of Education say what is the future for the Ardrossan Rural School, which caters for Years 1 to 7 and which currently has four students attending who are overseen by one principal and three additional part-time staff? Will the Minister allow the school to continue for the remainder of this year, under what criteria will the Minister close the school and will the staff be re-employed within the Yorke region of the Education Department?

The Hon. G.J. CRAFTER: I thank the honourable member for his question. The viability of small rural schools can be affected by one family moving out of the district or indeed another family moving in subsequently when a school has been closed and there is a call by that community for the school to be reopened. Schools play an important role in small rural communities. Recently, the British Government brought down a policy that would close every school in England with fewer than two teachers in the school, and there was much controversy about that decision and about that bland approach to the rationalisation of education resources in that country. In South Australia, although many small schools have been closed and some reopened, a much more individual approach is taken and the circumstances in each small rural community are assessed. The Education Department is currently investigating the viability of the school to which the honourable member has referred, and a decision will be taken soon as to its future and the reallocation of resources from that school should it be decided to close it.

The SPEAKER: The honourable member for Davenport. The honourable member for Davenport not being in his place, I call the honourable member for Albert Park.

'NO REFUND' NOTICES

Mr HAMILTON: Will the Minister of Education ask his colleague the Attorney-General to consider taking legal action against those business proprietors who continue to display unlawful 'no refund' notices on their business premises? The *Consumer's Voice* of December 1987 contains the following statement:

> Notices [such as I have described] mislead consumers about their right to refund.

Members interjecting:

The SPEAKER: Order! The honourable member for Albert Park.

Mr HAMILTON: The statement continues:

> For this reason, such notices are unlawful under the South Australian Consumer Transactions Act 1972-1973 and the Commonwealth Trade Practices Act 1974. Consumers are entitled to a refund of goods (including sale items) under certain circumstances: for example, where the goods are found to be defective or where they are found to be unsuitable for the purpose for which the buyer was led to believe the goods could be used. Many traders give a cash refund or exchange goods without question obviously in the interests of good customer relations.

Mr S.J. BAKER: On a point of order, Mr Speaker, the honourable member is actually giving the answer provided by the Minister—

Members interjecting:

The SPEAKER: Order! I ask the honourable member for Albert Park to conclude his explanation so that the answer may be given.

Mr HAMILTON: Thank you, Mr Speaker. I was quoting from the article and not giving my views. The article continues:

> The 'no refund' policy is not always conveyed as blatantly as on a notice in the store, it is often stated verbally or on the sales docket. This practice is still unlawful but it is more difficult to police. Consumers therefore, need to be more vigilant and refuse to accept the 'no refund' policy without qualification.

I believe—

The SPEAKER: Order!

Mr HAMILTON: —in the interests of consumers—

The SPEAKER: Order!

Mr HAMILTON: —this matter should be brought to the Attorney-General's attention.

The SPEAKER: Order! The honourable member cannot comment. The honourable Minister of Education.

The Hon. G.J. CRAFTER: I thank the honourable member for his important question, which is obviously of great interest to all members opposite. I will get a detailed response for the honourable member from my colleague in another place.

PERSONAL EXPLANATION: SHOP TRADING HOURS

Mr TYLER (Fisher): I seek leave to make a personal explanation.

Leave granted.

Mr TYLER: Last Thursday, during private members' time, the member for Morphett, while speaking in support of a motion moved by the member for Mitcham, said:

> It has been interesting to see how various Government members sat on the fence during the whole of this debate on shopping hours legislation. I get a great deal of correspondence passed to me from other electorates adjacent to mine in the western suburbs. I have one here from the member for Fisher. A constituent wrote to the member for Fisher pleading with him to oppose shopping hours, and in response, by way of a letter dated 28 January 1988, he stated:
>
> > I am unaware of the current stage of this proposal other than what I have read in the newspapers.
>
> If that is not sitting on the fence, I do not know what is.

The member for Morphett decided to quote selectively and out of context one sentence from a 1½ page letter on a subject that was related to extended trading hours for automotive dealerships and not retail shops. I believe that the person who passed on my letter to the member for Morphett was not a constituent of mine but a Mr Steve Officer of Woodforde, who wrote to me after there had been speculation in the press concerning a proposal to extend trading hours on Saturdays for the retail automotive dealerships. In reply, I wrote to Mr Officer on 28 January, as follows:

> Dear Mr Officer,
>
> Thank you for your letter of 14 January 1988, in which you expressed your opposition to a proposal for extended trading hours for automotive dealerships. I am unaware of the current status of this proposal other than what I have read in the newspapers. However, I am unsure as to why you would be opposed to a deregulation move that would make trading hours, whether it be in your industry or in the retail sector, optional.

For years I have been told by people in your industry, as well as others, that Governments needed to deregulate, cut red tape, and get out of the way of business and let private enterprise operate. In other words free market forces should be the barometer. As far as the retail industry is concerned that is what the Government has done. It has not compulsively extended shopping hours. It simply has removed a regulation which restricts businesses from trading on a Saturday afternoon. It would appear now that some people in your industry are urging the Government to do likewise . . .

My letter continues on other points that are not relevant to this misrepresentation. However, I believe I have clearly demonstrated that it was a deliberate misrepresentation and the Parliament should therefore treat the member for Morphett with the contempt that he deserves.

Members interjecting:

The SPEAKER: Order! I point out to the honourable member for Fisher, as I have pointed out to other honourable members, that in the course of a personal explanation members can merely seek, as they see it, to correct the record of a misrepresentation: they cannot make allegations or imputations about another honourable member in the process of doing so.

Mr BECKER: On a point of order, Mr Speaker. You called 'Order' several times on the member for Fisher. Can you assure me and the House that from the first time you called 'Order' all words uttered by the honourable member will be struck from *Hansard*?

Members interjecting:

The SPEAKER: Order! It has been a tradition in reporting the House that words said after a call to order of that nature are not normally reported by *Hansard*. However, I do not believe that it would be appropriate for the Speaker automatically to intervene in that manner, but I shall bear it in mind.

PERSONAL EXPLANATION: ARTHURTON SCHOOL

Mr MEIER (Goyder): I seek leave to make a personal explanation.

Leave granted.

Mr MEIER: During Question Time, I asked the Minister of Education whether a school that had four students and four staff members would remain open. It has been drawn to my attention that I said that the school was at Ardrossan and, if I said that, I apologise because it was really the Arthurton school and not Ardrossan, where only last Friday the Minister opened a new complex and where there are well over 100, possibly almost 200, students. I meant to say 'Arthurton', not 'Ardrossan'.

PERSONAL EXPLANATION: QUESTION TIME

Mr S.G. EVANS (Davenport): I seek leave to make a personal explanation.

Leave granted.

Mr S.G. EVANS: A few moments ago, Mr Speaker, you called me for a question. I knew that it was not my turn, and I was not in my place: I was with the Opposition Whip checking on whether I would have a chance to ask a question. You corrected it and called a member on the other side. I wish *Hansard* to record that, because I have been concerned about the few questions that I can ask during the session and I want that to be recorded.

The SPEAKER: Order! In the course of a personal explanation honourable members should not seek to make gratuitous political points. Call on the business of the day.

SITTINGS AND BUSINESS

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the time allotted for—

(a) all stages of the following Bills:

State Lotteries Act Amendment;
Road Traffic Act Amendment;
Frustrated Contracts;
Acts Interpretation Act Amendment;
Barley Marketing Act Amendment;
Technical and Further Education Act Amendment;
Wrongs Act Amendment;
Motor Vehicles Act Amendment; and

(b) consideration of the amendments of the Legislative Council in the:

Aboriginal Heritage Bill; and
Electoral Act Amendment Bill (No. 2)—

be until 6 p.m. on Thursday.

Motion carried.

STATE LOTTERIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 February. Page 3032.)

Mr MEIER (Goyder): The Liberal Party supports this measure. The Bill seeks to outlaw the promotion or participation in commercial syndicates for lotto games. As such, it makes illegal unscrupulous practices which may have surrounded the formation and running of commercial syndicates and which in turn may have brought a bad name to the South Australian Lotteries Commission.

It has often been the case that those forming syndicates have charged excessively high management fees, and guaranteed themselves disproportionately high cuts of any winnings, so the decision by the Government to protect consumers in this State is welcome and one that the Liberal Party supports. My only concern is that organisations that are based interstate could still operate, albeit illegally, and continue to attract South Australian consumers to join syndicates that may be involved in lotteries in places other than South Australia.

Mail order of X-rated videos has continued despite this Government's ban on such material, and there is very little stopping the same process in the case of syndicates that invest in various lotteries. On the whole question of consumer protection, I reiterate the Liberal Party's support for this type of protection against unscrupulous practices. It is a pity that the Department of Consumer Affairs failed to act adequately in the case of two land brokers who were jailed last week as a result of a $5 million swindle. We therefore look forward to a full investigation of why the books of the two land brokers failed to be audited for three consecutive years and to the proper licensing of so-called finance brokers as has occurred in other States. I reiterate that the decision by the Government to protect consumers in this State is welcomed, and the Liberal Party supports that decision.

Mr S.G. EVANS (Davenport): I wonder how far we should go with legislation to try to protect people from themselves when they are encouraged to contribute or to buy lottery tickets through some organisation or some scheme. I admit that in tough times poorer people attempt to gamble more in the hope that they get themselves out of the mire. They gamble knowing that they will probably lose, but there is always the hope that they will win. As that is human nature, we will probably never change that fact, and I think that we should all realise that that will be the case.

We probably make the mistake of giving these people more opportunity to gamble but, by this legislation, we are attempting to outlaw the situation where some people believe that they have a scheme that will work and they advertise that they will be able to sell it to somebody or to manage it for somebody if they make a contribution. If a person who is to manage it gets paid for so doing, how far do we go? First, at the time that these persons enter the scheme, they must consider that they have some money that they could afford to gamble. As far as maintaining their lifestyle is concerned, it is another matter whether that is the case in real terms, but they decide that they will participate and buy a ticket in a lottery of some type, whether it be X Lotto or whatever, and that they will do it through a manager. The Government is asking Parliament to say 'No' to that, because there are some shysters in the world. People involved in professions such as lawyers, land brokers, investment advisers and others are all supposed to be honest but we know that that is not the case. It does not matter how much we change the law; we never seem to be able to catch them all, because a group in the community do not stop and think before they leap. The more laws we make to try to protect that group of people, the larger that group becomes, because they become dependent on the Government rather than depending on their own self discipline or commonsense.

I suppose that it is easy to amend the law in this way, but we are doing nothing to catch those who print bingo tickets and give away a free pack to the local hotel or club secretary to run the scheme for themselves and to walk away with a few hundred dollars. We talk about this area of blatant skulduggery in our society, but we do not amend the law to redress the problem. Some unscrupulous people approach the treasurer of a club. I was involved with one club (and the previous Minister of Recreation and Sport was advised of this incident) where the secretary, who happened to be a police sergeant's wife, was offered the four winning tickets separate from the pack.

People in that situation can then please themselves whether they put the tickets in the draw, keep one for themselves and put the rest in, or keep two for the club and put two in the pack. Alternatively, an extra series of tickets can be printed and handed over. I will be fair about this matter. This issue was first raised before the Tonkin Government came to office, but I give credit to the Hon. Michael Wilson, who was the Minister in charge at the time, because he set up a committee and, as a result, a report was brought down.

Mr Becker interjecting:

Mr S.G. EVANS: The member for Hanson and I were on the subcommittee, because we both had a keen interest in charity work and sporting clubs and we know what rackets were going on. That report was brought down and it was in the department's hands when this Government came to office. The previous Minister of Recreation and Sport (Hon. J.W. Slater) looked at the matter and thought it was a little tough. The present Minister has had it in his hands for a long while, so we are now one decade down the track.

Mr Becker: What about the Colac Hotel Sports and Social Club?

Mr S.G. EVANS: I will not name individual hotels, because I know that this occurs in places other than just hotels. These rackets should be looked at. We attempt to legislate in order to cover incidents of minor consequence in the community where people will have more time to think about the matter than would be the case if they walk into the local club, pub, or charity store at the side of the road or Colonnades and ask to buy a bingo ticket thinking they will win a prize when the prize may not be there. That is more scurrilous than this other practice that we are trying to abolish.

I am not keen to support this Bill in any way, shape or form, because I believe that the Government is taking the easy way out and that it is not addressing the more serious side of the problem. I hope that the Premier notes my comments and says to the Minister of Recreation and Sport, 'Get your act together and redress this problem.' A lot of people in the community are being harmed by some shysters and we should do something about that. I do not support this proposition, but I know that it will pass regardless of my objections.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Offences.'

Mr INGERSON: Can the Premier say what sort of problems have occurred in this State to necessitate the introduction of this Bill?

The Hon. J.C. BANNON: As I am advised, there are no major examples of problems in this State. The State Lotteries Act has a provision which prohibits in certain circumstances these syndicates being formed; however, there was an exception that one could be formed in which a person had some access to a share of the prize money. This amendment seeks to eliminate that. After I was approached by the New South Wales Minister responsible for these matters on this question, I asked our Lotteries Commission whether or not there were examples of this occurring here. I was told that the Lotteries Commission knew of none, but that there was always the possibility that these things could spread.

The concern originated from New South Wales, where there were a number of examples of these commercial syndicates organising themselves and advertising, and it was decided to amend the New South Wales legislation. The Minister for Finance in New South Wales wrote to all other Ministers suggesting that they look at their respective State Acts, in case this practice spreads. Alternatively, it was considered that if New South Wales closed off the loophole this practice could be taken across New South Wales borders. A meeting of all lottery managers from each State was held, and they unanimously agreed that they should act on an Australia-wide basis. Hence, the reason for bringing in this amendment. However, as to the original question, there is no evidence of any major abuse of this kind in South Australia. We just want to make sure that it does not happen.

Mr INGERSON: As a lot of syndicates are formed in other areas, particularly in the racing arena, can the Premier say that this is where the matter will end? Does the Government have any concerns about syndicates in other areas? People can become involved with this in several other areas besides the racing area. Is this a beginning in relation to a concern that the Government has about syndicates?

The Hon. J.C. BANNON: It is not intended to extend this into areas like racing. I think that it is quite appropriate there. There has been a pattern of participation, with joint ownership of horses, and things of that nature. The concern here is that, now that the prizes and the turnover of X-lotto, in particular, have reached such large amounts, it is obviously worth the while of people to participate in a large pool. It just so happens, quite fortuitously as we debate this measure, that on the front page of this afternoon's *News* reference is made to a major win by a syndicate in South Australia, which will share $900 000. One notes from reading the details of the article that the participants in the syndicate, from one of our legal firms, held between them

75 shares. Presumably, members of the syndicate could buy one or more shares. Indeed, it is mentioned that one of the fortunate workers has seven shares—which will yield him or her $85 000. So, it is a very nice return.

This provision will in no way affect such a syndicate. The article further points out that the nucleus of the syndicate, with 48 members, has been going for some considerable time. I imagine that such a situation is duplicated in many offices; the bigger the prize, the greater the number of system tickets and systems used, and the larger the amount put into any individual lottery, the bigger is one's chance. That is the basis on which these syndicates are formed. There is nothing wrong with that.

We are attempting to prevent people taking a profit out of that, either by an entry fee—in other words, the person takes not only the money for a ticket but also a percentage off the top for himself—or by some kind of written undertaking that if the syndicate strikes it lucky with, say, $900 000, he gets 10 per cent and then the rest goes to the people contributing to the syndicate. That is just not on, because that could distort the way in which tickets are purchased.

There are large syndicates which advertise and, of course, they would only publicise where they had actually secured wins and not anything else, suggesting major returns to people from a very large pool, and profiting from it. It is vital, I think, that something like X-lotto retains the confidence of the public as being a game in which everyone has a fair go when they enter it.

Sure, if one wants to organise a big work syndicate with, for example, 75 shares at $10 a week, people are putting in a fairly large amount each week, but no individual is profiting from it by taking something off the top for organising it. That is all we are trying to overcome, and in no way will that interfere with social, workplace or family syndicates that are organised, provided that there is no payment of a fee.

Mr MEIER: In response to the member for Bragg, I was interested to hear the Premier say that he believes that to date there have been no major problems in respect of commercial syndicates in South Australia. If that is so, it speaks well for this State in that respect. I was going to ask what surcharge one could expect the commercial syndicates to take from individual purchasers, but as it seems that we do not have any major problems in South Australia I guess that question cannot be answered—unless the Premier has some statistics from interstate that would indicate what a purchaser would lose out on.

In that respect, is there any way that this legislation can prevent people going through an interstate syndicate and landing themselves in the same bother? In other words, a person might respond to an advertisement in an interstate newspaper, say, the *Truth*. Would our law still apply to South Australians who sent their money interstate, even though such a syndicate was buying tickets here in this State?

The Hon. J.C. BANNON: I do not think that there is anything that would prevent a person from contributing to a syndicate in another State. However, that situation will be covered by the legislation of all States, as it is amended, in tandem. As I mentioned, the problem was first raised by the Minister for Finance in New South Wales, who suggested that we take a national approach. That was for the very reason referred to. So, every lottery Act will be amended to take account of this.

As to profits or how people contributing to these syndicates can lose out, I guess it depends on the way in which the syndicate organiser collects his return. As I mentioned, there are two ways that one could do that. One would be an entry fee: in other words, a person would contribute, say, $10, of which $8 went in to the purchase of tickets and $2 as a fee to the syndicate organiser, to which extent any prize return might not be affected, if all the syndicate organiser guarantees to do is to just take that fee. However, in most cases (and this is the practice that this amendment specifically seeks to overcome) there is the added rider that they will also share in the prizes; so, in fact, an amount is deduced from prizes, whether great or small, by the syndicate organiser, and thus reduces the amount that the contributors to the tickets get.

There is no way for the Lotteries Commission to track that. If someone purchases tickets in bulk on behalf of a syndicate, it is not to know how many individual participants there are in the syndicate. That is another reason why we have to ensure that the law specifically forbids the commercial organisation of those syndicates, in order to overcome that abuse.

Mr MEIER: The Premier mentioned the situation in New South Wales and I interpret his answer as meaning that it will move in a similar direction. How are the other States proceeding with respect to similar legislation?

The Hon. J.C. BANNON: I cannot give a current state of play. The New South Wales Act has been amended, although the wording differs in some respects. However, I understand that it is only a structural difference; the effect is absolutely the same. I think that that was done some time last year. I am not sure about progress in the other States. After the meeting of lottery managers (which, as I mentioned, took place fairly early last year) they would have all gone back and reported to their respective Ministers. If it has not occurred in other States, then it certainly would be on the way. I cannot advise what progress has been made. Knowing the way in which the Lotto Bloc States have acted, I would think that all of them have either accomplished such an amendment or are on the point of doing so.

Mr MEIER: Earlier the Premier implied that in relation to a syndicate, a $10 ticket would have a $2 surcharge and only $8 would go into it, and that is fair enough. I assume that the Lotto tickets can also be purchased from agencies or subagencies. There is an old saying: you have to be in it to win it. I admit that I am not in it enough to be able to win it. That is perhaps why I do not make any money, as certain syndicates have. Tickets bought at an agency will cost $10.50 or $11, which takes account of the agency's surcharge. What protection is there for a person who, on behalf of a work syndicate, comes into Adelaide, buys the tickets and pockets that 50c or so from each person? Would that person be liable for prosecution and the penalty of $1 000 if it was proven that he had pocketed that money incorrectly?

The Hon. J.C. BANNON: I am a bit reluctant to give off-the-cuff legal advice, but on the way in which the honourable member has posed his question I would say that possibly they would be in breach of the Act because they have got some commercial reward from organising the syndicate. Other syndicate members would probably know about it, because they would know the origin of the sale of the ticket and would probably ask, 'Did you actually purchase extra tickets for that?' or 'Where is the surcharge?' The surcharge applied by agents is to cover their agency operating costs and the promotion and so on that they do, and it is not caught up in this kind of syndicate arrangement. In other words, it does not affect those people who are selling on behalf of the Lotteries Commission. It affects those who are buying on behalf of a syndicate. If it is a voluntary syndicate, no problem; but if they are doing it

with a commercial incentive then it would apply. Even in the case that the honourable member mentioned, it might be arguable that the person has been deputised to buy tickets on behalf of the syndicate. If he chooses to buy them more cheaply and pockets the proceeds his quarrel is with his fellow syndicate members. The sort of thing I am talking about is on a very much larger scale than that.

Clause passed.

Title passed.

Bill read a third time and passed.

ABORIGINAL HERITAGE BILL

Consideratioon in Committee of the Legislative Council's amendments:

No. 1. Page 4 (clause 6)—After line 9 insert subclause as follows:

(1a) The Minister must, at the request of the traditional owners of an Aboriginal site or object, delegate the Minister's powers under sections 21, 23, 29 and 35 to the traditional owners of the site or object.

No. 2. Page 4 (clause 6)—After line 20 insert subclause as follows:

(2a) The Minister must not revoke a delegation under subsection (1a) without the consent of the traditional owners.

No. 3. Page 4, lines 22 and 23 (clause 7)—Leave out the lines and insert the following:

The committee consists of Aboriginal persons appointed, as far as practicable, from all parts of the State by the Minister to represent the interests of Aboriginal people throughout the State in the protection.

No. 4. Page 7 (clause 13)—After line 25 insert subclause as follows:

(1a) When determining whether an area of land is an Aboriginal site or an object is an Aboriginal object, the Minister must accept the views of the traditional owners of the land or object on the question of whether the land or object is of significance according to Aboriginal tradition.

No. 5. Page 7 (clause 15)—After line 39 insert subclause as follows:

(3) The traditional owners of an Aboriginal site or object may inform the Minister, by notice in writing, that they object to an inspector named in the notice exercising powers under this Act in relation to the site or object, and, in that event, the inspector must not exercise those powers in relation to the site or object.

No. 6. Page 10, lines 5 and 6 (clause 20)—Leave out subclause (2) and insert new subclause as follows:

(2) This section does not apply to the traditional owner of the site or object or to an employee or agent of the traditional owner.

No. 7. Page 17, lines 16 and 17 (clause 45)—Leave out subclause (1) and insert new subclause as follows:

(1) A prosecution for an offence against this Act—

(a) in relation to an Aboriginal site, object or remains located on or partly on the lands vested in Maralinga Tjarutja pursuant to the Maralinga Tjarutja Land Rights Act 1984 must not be commenced except—

(i) by a person authorised by the Minister with the approval of Maralinga Tjaratja; or

(ii) by Maralinga Tjarutja or a person authorised by Maralinga Tjarutja;

(b) in relation to an Aboriginal site, object or remains located on or partly on the lands vested in Anangu Pitjantjatjara pursuant to the Pitjantjatjara Land Rights Act 1981, must not be commenced except—

(i) by a person authorised by the Minister with the approval of Anangu Pitjantjatjara; or

(ii) by Anangu Pitjantjatjara or a person authorised by Anangu Pitjantjatjara;

(c) in relation to an Aboriginal site, object or remains located on or partly on the lands vested in the Aboriginal Lands Trust pursuant to the Aboriginal Lands Trust Act 1966 must not be commenced except—

(i) by a person authorised by the Minister with the approval of the Aboriginal Lands Trust; or

(ii) by the Aboriginal Lands Trust or a person authorised by the Trust;

(d) in relation to any other Aboriginal site, object or remains must not be commenced except by a person authorised by the Minister.

No. 8. Page 17, lines 22 to 25 (clause 45)—Leave out subclause (3) and insert the following subclauses:

(3) The traditional owners of an Aboriginal site or object may request the Minister to authorise a person to commence a prosecution for an offence against this Act in relation to that site or object and the Minister must give proper consideration to such a request.

(4) In any proceedings for an offence against this Act—

(a) a document apparently signed by the Minister authorising the commencement of the proceedings by a particular person constitutes, in the absence of proof to the contrary, proof of the authorisation;

(b) a document apparently executed by Maralinga Tjarutja, Anangu Pitjantjatjara or the Aboriginal Land Trust authorising or approving the commencement of the proceedings by the particular person constitutes, in the absence of proof to the contrary, proof of the authorisation.

The Hon. D.J. HOPGOOD: I move:

That the Legislative Council's amendments be agreed to.

These are Government amendments that were moved in another place and received the approval of the Legislative Council. If there is a single theme running through them, as indeed there is, it is that they attempt to address this rather vexed question of the fitting of the rights of traditional owners into a system of European law which, of course, is the only form of law that we really have available to us or upon which we can legislate.

When the Bill first came before the House of Assembly there was a good deal of debate, both here and in the wider community, about the position of the Minister and the role that he or she should undertake in relation to the legislation as set out in it. There must always be some problems as to the relevant role of the Minister and the particular rights of the traditional owners because, as I say, we really have to deal within the scheme of European legislation. The common theme of these amendments is that they somewhat strengthen the role of the traditional owners *vis-a-vis* that of the Minister. They make clear that under certain circumstances powers must be delegated, and so on. As I say, these are Government amendments that had the support of the Legislative Council. I think that they strengthen the legislation and that they have been reasonably well received outside. I commend them to the Committee.

The Hon. JENNIFER CASHMORE: I endorse the Minister's statement when he said that this Bill represents the best efforts that appear to be possible to reconcile the recognition of Aboriginal culture in terms of European law. It is my belief that the two are almost irreconcilable because the basis of both have very little, if anything, in common. Ownership as we know it and ownership as an Aborigine knows it are two entirely different concepts.

The Bill attempts to marry those concepts and, to do so, one might say retrospectively in the sense that Europeans have entered this continent and brought with them the law and their concepts of ownership. That retrospective aspect should also be contrasted with the common view that Aboriginal heritage is something that refers to the past and has it roots in the Dreamtime. I think that relatively few people realise that a sacred site can be declared today, tomorrow, next week, next year, or next century, and can relate to a myriad of things of which we have no knowledge.

Therefore, the administrator of this Bill—the Minister of the day—has to take an enormous amount on trust on behalf of the whole community and that, I think, is where the Act, if it is to founder in the future at all, will founder: not with something that can be demonstrated by people to have been sacred in the past but by something which attempts to be demonstrated in a situation of possible conflict (and I refer to mining, tourism or pastoral interests) in terms of its sanctity as determined today or tomorrow, next year or next century.

That is where I see immense difficulties. I hope that they do not occur, but, given the nature of vested European interests and the nature and validity of Aboriginal culture, I think it is inevitable that clashes will occur at some stage. I am particularly concerned about one of the amendments. I acknowledge the Minister's statement that the amendments strengthen the Bill, as they do. I refer to the *Australian* of 25 February 1988, which contained a report on the passage of the Bill through the Legislative Council. The article was headed 'Aborigines to win mine veto rights'. This heading and the interpretation by the journalist reinforce the potential difficulties which I see. The article states:

> A Bill giving Aborigines the power to halt mining and other activities on any site they consider significant seems certain to be passed in South Australia. The Aboriginal Heritage Bill, which has attracted criticism from mining and pastoral groups, is believed to go further than any other legislation in Australia in granting Aborigines power over areas they want to protect.

The interpretation of the clause in question is reinforced by a policy adviser to the Minister's department, Mr Tim Dendy, who is referred to in the article as follows:

> Mr Tim Dendy said yesterday that the Bill effectively meant Aborigines could prevent anyone wanting to disturb land considered by them to be significant to their heritage. They would have no time limit in which to give applicants a decision and their right to name any site of heritage value would not be questioned.

I assume that that statement and the article refer to amendment No. 4, which amends clause 13 on page 7 after line 25, as follows:

> Insert subclause as follows:
>
> (1a) When determining whether an area of land is an Aboriginal site or an object is an Aboriginal object, the Minister must accept the views of the traditional owners of the land or object on the question of whether the land or object is of significance according to Aboriginal tradition.

I am sure that the Minister—and most particularly his colleague the Minister of Mines and Energy—would appreciate the very deep concern of the mining industry at the interpretation that the Minister's policy adviser and the *Australian* journalist placed on that clause. I would appreciate it if the Minister, therefore, could place on the record (because it does not appear on the record in another place) whether that is what the Government intends and whether that is his interpretation of the meaning of that clause.

The Hon. D.J. HOPGOOD: I thank the honourable member for her invitation to clarify the matter at this point. I think I must say straight away that it is possible that the outcome canvassed in the *Australian* could occur, but only in relation to very specific sites rather than broad areas and where it can be established (and I draw the honourable member's attention to the amendment before us) that 'the land or object is of significance according to Aboriginal tradition'. What the honourable member said earlier tends to suggest that, just as the wind bloweth where it listeth, so indeed ideas on Aboriginal heritage could be something which blow wherever they will and land wherever they might. However, that is not quite the point because the amendment makes it quite clear that there must be a recognised Aboriginal tradition associated with the particular area or site with which we are dealing.

So I think that is the important aspect of it, as well as the fact that, while certainly we must envisage the possibility of areas or objects on, say, a mining lease attracting this particular part of the legislation, they will be very specific areas indeed, and obviously there will be negotiations. I must draw the Committee's attention to the other clauses of the Bill which are not before us, where the mining activities could work around that particular site.

If the honourable member is asking me whether there will be circumstances in which an object cannot be disturbed, obviously there will be, because that is something which is right at the heart of the legislation. As the honourable member said, this is not going to be a very easy area in which to operate—and that has been the case in the past. The history of Canegrass Swamp—a *cause celebre* if ever there was one—perhaps indicates the sensitivity of these matters. In the case of Canegrass Swamp I can recall despatching my Deputy Director-General and the Manager of the Heritage Branch to the area to negotiate specifically with the mining company and with Aboriginal interests in relation to that matter. I hope, and I believe, that the Bill (which I hope will shortly pass into law) will make those situations easier.

The Hon. JENNIFER CASHMORE: If anything, the Minister to my mind has further complicated the issue and confirmed the fears of the mining industry. In response to my question the Minister said that the identification of sacred sites would be in accordance with the views of the traditional owners of the land, and in relation to the significance of the site or object according to Aboriginal tradition. When Europeans use the word 'tradition' we are referring to the past. However, it would be quite legitimate for Aborigines, in referring to their tradition, to mean the tradition of continuing to identify sacred sites as time progresses. In other words, there is sanctity in the future yet to be determined as there is sanctity in the past which is known and recorded, albeit perhaps orally or just within the minds of Aborigines.

The Minister's definition of 'tradition', using the European connotation for that word, is at variance with my understanding of its Aboriginal definition and its concomitant phrase 'traditional significance'. Therefore, the Canegrass Swamp situation is now built into this legislation and is guaranteed to arise in the future because of the way in which it is written. At this stage there is nothing that the Opposition can do about that, because the amendments have been accepted in another place and the Government is accepting them in this place. However, I had hoped that the Minister's response would have given some comfort to mining companies in terms of the certainty that all Europeans accept when they enter into leases. However, it has not done so and that is a matter for concern.

While raising this issue, I refer to amendment No. 3, which deals with clause 7, lines 22 and 23. The amendment deals with the Aboriginal Heritage Committee and provides:

> The committee consists of Aboriginal persons appointed, as far as is practicable, from all parts of the State by the Minister to represent the interests of Aboriginal people throughout the State in the protection [and preservation of the Aboriginal heritage].

What areas does the Minister have in mind for representation of the interests of Aboriginal people? Does he still adhere to his idea, as expressed during the second reading debate, of a moveable committee which is appointed for a period to identify a specific site and to then be dismissed or at least left in a state of hiatus until a fresh site is identified, whereupon a new committee consisting of traditional owners is appointed to advise the Minister in relation to that new site or object?

Has the Minister changed his mind about the composition and term of office of the committee in terms of its flexibility as a result of this amendment, or does he adhere to his original idea as outlined in the Committee stage or perhaps the second reading reply? If he has changed his mind, what areas of the State does he intend to identify as being represented on what presumably would then become more of a standing committee?

The Hon. D.J. HOPGOOD: No, I have not changed my mind, although of course I make it clear that *ab initio* there has to be a committee, even though at that stage it may have nothing formally before it. At that point I would want a reasonable balance of people from the North, the Murraylands and the South-East of the State, and also between rural and urban interests. If I can return for a moment to the ongoing debate raised by the honourable member about amendment No. 4, perhaps I can assist the Committee a little with further clarification, because I realise now that in answering the honourable member's question, though I explained the procedure that will be followed in relation to the identification of a site as a site which was appropriate for treatment under the Act, I did not go on to explain exactly what happens then.

Although a site may have been identified, there is still the question as to what one does about it. There is flexibility under the Act for the Minister to be able to require that certain things happen which, on the one hand, may mean that no work can take place while, on the other hand, it may mean that there can be considerable development. There are circumstances in which a particular site is proclaimed, but the traditional owners say, 'As a result of what has happened, we will not press the point further.' For example, a report was brought down about Roxby Downs which identified the spot on which the Whenan shaft had been constructed as a site of particular interest to the traditional owners.

When I fronted the representatives or the people who purported to be the representatives of the traditional owners and asked, 'What would you propose that we do about this matter?', they said, 'Nothing, it is a *fait accompli*. We see the area having something of a traditional interest to us but, in fact, that has now changed because there is a mine. So, there is nothing we can do: end of argument.' We must distinguish between the mechanism for identification, which is what this addresses, and the mechanism for how we treat the area once identification has occurred and indeed, at Olympic Dam in relation to other parts of the overall mining prospect development has occurred, notwithstanding that sites have been identified.

The other point I would make regarding what the honourable member said about Aboriginal tradition is that I would concede that Aboriginal tradition does and can evolve; indeed, European tradition can and does evolve. I would question anyone who suggests that, at a point where a decision has to be made, one can argue that there is a tradition that is not rooted in the past. That would seem to me to be perfectly absurd.

The Hon. Jennifer Cashmore interjecting:

The Hon. D.J. HOPGOOD: I am not contesting that the contents of Aboriginal tradition can change from time to time, and possibly change quite drastically, but it is the point where a decision has to be made about identification. I would have to say that unless there is some justification for this listing, this identification in terms of the memories and history of these people, no matter how much that may have been modified by what is happening in the very recent past, now or in the future, there is no case.

The Hon. JENNIFER CASHMORE: What the Minister has just said is perfectly logical in terms of European culture and law but, from my understanding of Aboriginal culture (and this is what this is all about), it is just not possible for the Minister to say that it is absurd not to have regard to the past. I refer to Canegrass Swamp. The situation there was that the site became sacred as a result of certain activity. That is a present and future situation. One can have, I am told, a track going through a piece of land with no sacred sites present. As a result of moving a group of stones for some purpose or another, construction or whatever, the site becomes sacred.

That is a reality in terms of Aboriginal culture. It is a reality that will be put to the test as a result of the wording of this Bill, but it is a cultural reality that the Minister has just refused to acknowledge. If we have administering the Act a Minister who refuses to acknowledge the nature and validity of Aboriginal culture when it comes to the sanctity of sites, we are in a difficult spot before the Act has even been proclaimed. This is the point that I make.

Notwithstanding the goodwill of the Opposition in wanting genuinely to provide for Aboriginal culture to be preserved, I believe that, as this Bill is drawn, any attempt to reconcile that culture with European law and interests is virtually impossible of achievement, and the relatively short debate that we have just had in terms of the definition of the word 'tradition' highlights that fact. There is little point at this stage of the debate in continuing to pursue the argument, particularly as I have already risen three times and my opportunity to do so has come to an end, but I seriously question how this law can be administered in light of these apparently irreconcilable conflicts.

The Hon. D.J. HOPGOOD: I have no desire to unduly prolong the debate either. If we can harken back to Canegrass Swamp, I would contest that suddenly overnight some areas became sacred sites. What happened was that certain information that was not available to the European community became available because the Aboriginal community reluctantly accepted that the only way in which those sites could be accepted was to identify them.

They had no desire to identify those sites; they wanted to keep them sacred, as they largely do in relation to such sites. In view of the act that had taken place involving a bulldozer or a truck (my memory is a little dim on it), and in view of the possibility of further such acts occurring, the reluctant decision was taken that this information had to be shared with the community. Identification can certainly occur at any point.

I simply make the point that although clearly Aboriginal tradition is rather more flexible than our traditions about a Gothic cathedral or the like, which was largely about matters of fact to do with either written tradition or a built edifice, I do not see how we can possibly legislate in relation to something where, as it were, Aboriginal sites can suddenly pop up where they did not exist before. One can make no sense of that. If that is the Opposition's understanding of it, I can perhaps understand why the honourable member's colleague had three or four shots at getting this legislation before the House and was not able to do so.

However, I am confident that we shall be able to negotiate properly with Aboriginal communities in relation to these things. For example, in relation to the Olympic Dam area, we engaged an anthropologist, who had the confidence of the Aboriginal people, in order to identify those areas that were sacred sites. There had to be something objective: it could not be purely subjective.

Mr GUNN: All members should ensure that commonsense prevails and that we have good reasons for enacting

a law. Unfortunately, the Minister has referred to Canegrass Swamp, but that exercise was used purely to extract concessions from a mining company because the legal advisers of the Aborigines knew that it was the most opportune time to do that. Indeed, the Aborigines had not been there for generations. So, if the Minister is basing his argument on the Canegrass Swamp exercise, I fear for the legislation.

The two characters in the Upper House who purport to represent the balance of reason are jumping on to the band wagon of the extremist Aboriginal movement, but in doing so they do South Australia a great disservice. When legislation such as this is passed and there is no defence available for a person who unwittingly interferes with the sacred site (and it is easy to do so), that legislation becomes a farce and harm will be done, whereas it is desirable that good relationships be cemented and that people be encouraged to work with the genuinely responsible Aboriginal groups.

We have come a long way in South Australia. Recently, however, an unsavoury element has been exploiting the Aborigines and on their behalf making representations that bear no relationship to reason or commonsense. With the Minister of Aboriginal Affairs and the members for Chaffey, Bright, and Florey, I have been involved with the Maralinga Aborigines and know that they were happy to identify significant sacred sites, but the Maralinga Aborigines were not under the influence of the scoundrels to whom I have referred.

Any problem at Canegrass Swamp was instigated by legal people with an ulterior motive. I am concerned about passing legislation that provides no defence for a person who unwittingly interferes with a sacred site. What happens if a person on a pastoral property decides to cut a drain into a dam and the operator (perhaps a contractor) suddenly interferes with a sacred site? Who will be considered responsible—the owner, the manager or the contractor who is driving the machine? If such a person has no right of appeal, we as legislators are going down a dangerous road.

I am surprised that the legal members of the Australian Labor Party who are supposed to be concerned about the rights of people should support this provision. If the Government commences a prosecution, the defendant is at a tremendous disadvantage because no-one in Australia has the financial resources to fight a Government bureaucracy that knows all the tricks in the trade and can delay a hearing with resultant astronomical costs.

The present principle in the Bill should not be enshrined in legislation. No reasonable South Australian objects to the preservation of sacred sites, but every South Australian should be concerned about this provision. I am concerned about some of the advice being tendered to Aboriginal communities. Indeed, another Minister is having considerable trouble at present with an organisation that is supposed to be working on behalf of Aborigines, and I could give the Minister of Environment and Planning a list of the difficulties being experienced by Aboriginal communities.

The Hon. D.J. HOPGOOD: I remind the Committee that we are discussing the amendments passed by the Legislative Council. The matter raised by the member for Eyre was extensively canvassed on second reading and in Committee and I gave what assurance I could give then. The amendments from the Legislative Council do not change the Bill in relation to that matter from what was voted on and accepted in this Chamber before the Bill went to another place.

I distance myself somewhat from some of the remarks made by the honourable member. I am not so naive as to think that Aboriginal communities cannot be got at in the same way as white communities. I do not suggest that at times words are not put into the mouths of Aboriginal communities, just as they are into the mouths of white communities. I rather suspect that a letter that was read in this Chamber at Question Time last week might come into that category, but more about that later.

I believe that Aboriginal communities are pretty shrewd and well able to look after their own affairs. I will not subscribe to any suggestion that Aboriginal communities are comprised of poor simple souls who are led up the garden path by cunning and unscrupulous white advisers and things like that. Because of the tyranny of distance and some isolated communities being unfamiliar with the English language, there are problems with communication, but for the most part we can work these things through. I remind members that we are dealing with the Bill as it came from the other place.

Mr GUNN: Some members were aware of the amendments that were to be moved in another place and we hoped that, with the passing of a little time, some wisdom would flow into the minds of those who were responsible for the carriage of this legislation, but unfortunately, that wisdom was not only lacking but also there appeared to be a reasonable appreciation—

The CHAIRMAN: I must caution the honourable member and I have done this several times recently, but the honourable member must not refer to debate in another place. I do not wish to get into a situation where one place makes accusations about what has been said in another place. I think that was probably the reason why the Standing Order was originally inserted. I caution the honourable member on the line that he is taking.

Mr GUNN: I do not wish to engage in a dispute with you or those people in the other place. I think that it has been demonstrated to all and sundry that they have made a mess of this legislation and I am sure that informed members of the public will take that into account at the appropriate time. During the Minister's comments he referred to a colleague of ours and his problems in getting this legislation through Parliament. He had problems because some members were particularly concerned about some advice he received in relation to this matter. We believed that certain provisions were unworkable. I think that wise counsel prevailed and that the honourable member was cautious and acted most responsibly in handling that matter. I do not think that the Minister should attempt any criticism of that colleague on this matter.

These amendments relate to the matter to which I have referred. It is all very well for the Minister to pass my comments off and say that the matter was debated but, when one looks at these amendments, particularly the amendment relating to the matter I raised with him, my comments relate to them. If we did not attempt on this occasion and on any other occasion to raise these concerns and queries, we would be failing in our obligation. The whole purpose of members being elected to this place is to legislate. We are supposed to give our due attention to such legislation, even though a great deal of our time is spent doing other things.

My electorate more than any other will probably be affected by these provisions, so I am concerned that the mining, pastoral and agricultural industries are treated in a reasonable fashion. I am terribly concerned that, with a passing comment, the Minister appears to put this matter to one side. It will not be much comfort to the person who is hauled before the courts to face significant penalties to be told that the Minister said, 'We have already debated that matter.' That is really washing his hands of the problem.

How often does the Minister anticipate that the provisions in amendment Nos 8 and 4 will be applied? Those powers conferred are quite substantial and the two amendments can relate to the particular scenario that I explained to this Committee. I am concerned as to who will be responsible at Leigh Creek, Bowmans, or Lochiel if suddenly one of these sites is damaged. Who will be responsible? Will it be the Electricity Trust, the contractor or the driver of the vehicle? In relation to a fencing contractor, who will be responsible: will it be the grader or bulldozer driver, or the owner himself?

It is about time that we faced reality. We are living in a practical world. Every day Parliaments pass Acts which make life more difficult for people who try to earn a living and contribute to the economy of this nation. Unfortunately, not enough members go into the real world frequently enough and see what takes place. If members are not careful, they will get completely out of touch with reality. I submit that the majority of people responsible for the drafting of this legislation have never run anything in their lives and unfortunately they are not likely to. On a daily basis we see these sorts of provisions being inserted into legislation and then people wonder why all these problems occur. I want some simple answers to these matters of genuine concern. The United Farmers and Stockowners' representatives are beside themselves over some of the provisions contained in this legislation, because they are concerned about what will happen to some of their members.

The Hon. D.J. HOPGOOD: I will pass over some of those comments which were vintage Eyre, but in relation to his specific question about amendment No. 8 and how often I thought proceedings will have to be undertaken, I can only say: who knows. I hope that it is as little as possible. Whenever one passes legislation to create an offence, of course one hopes that the very creation of the offence will act as sufficient deterrent for one not to have to proceed. For example, when I created a series of offences under the appropriate legislation relating to backyard burning, if the honourable member asked me the same question then, I would have had to say that first, obviously no-one knows but, on the other hand, one would hope that it would be as infrequently as possible; that people would accept the legislation, and that they would obey the dictates of it and, therefore, no prosecutions would need to be undertaken.

Mr GUNN: It is all right for the Minister to have a smart alec jibe about vintage Eyre. Those comments are all right for school kids, but we are in the real bloody world now.

Ms Gayler interjecting:

Mr GUNN: It is a fact of life. It jars a little when I ask the Minister a reasonable question and he passes it off by saying, 'We don't know.' What about the poor people who will not even be aware that they have committed an offence? That is my real concern. It is not good enough for this Parliament to pass legislation like this when people can be hauled before the courts at the whim of a group who can be influenced by some of the most devious people I have come across. I am not referring to the Aborigines themselves but, rather, to some of their advisers. A person can face very heavy penalties. We have gone beyond reversing the onus of proof: people are not even aware that they are committing an offence.

It has been most disconcerting to see the way that some recent legislation has been drafted at the direction of Gov-
ıent. We are creating a situation where the only redress
these aggrieved people will have is by having their
'ances aired in this place. Is that a good thing? Is that
we are all about? I am really surprised that the Minister
ld go this far. He has been the Minister of Mines and the Minister of Lands and he knows the problems. I know that some people think that we are going on about this, but Parliament sits to debate and at least to obtain some answers.

I really had no intention of participating in this debate, but having read over the weekend about some of these things I am concerned about and, having gone through the debate, I feel that I must make a contribution. Further, people have contacted me in relation to these matters, and I feel morally obliged to put forward those quite genuine matters of concern. The Minister and the Government will create a situation where the only redress that aggrieved people will have will be to have someone stand in this place and launch a pretty strong attack on the whole exercise, and every time a person is dragged before the courts.

I point out to the House that the Government will have to start putting people in gaol because they will not be in a position to pay the fine—the way that this is drafted. So, the Government can create these offences, but where there is a real and genuine need to do something to protect individuals against personal harm and for their own protection the Government is very tardy. I just say that I sincerely hope that I do not have to stand in this place and say, 'Well, I told you so.'

Mr LEWIS: For as much as I understand the concerns expressed by people who have spoken before me about these amendments from the Legislative Council, I have to say that I, too, am concerned, and for my own separate reasons. I can illustrate this, for instance by referring to amendment No. 8, which provides that:

> The traditional owners of an Aboriginal site or object may request the Minister to authorise a person to commence a prosecution for an offence against this Act in relation to that site or object and the Minister must give proper consideration to such a request.

Nowhere else in the legislation does it enable any individual citizen, subject to European law—and that is everybody—to determine who the traditional owners are in respect of a particular location. This is a difficulty that I have. The 'traditional owner' is defined in the Bill as follows:

> 'Traditional owner' of an Aboriginal site or object means an Aboriginal person—

and it is an 'an Aboriginal person' not 'an Aborigine'; it may be someone who has as much Europeanality as they have Aboriginality in their genealogy—

> who, in accordance with Aboriginal tradition, has social, economic or spiritual affiliations with and responsibilities for, the site or object.

I represent a part of the State where a fair percentage of the Aboriginal population lived prior to the arrival of Europeans on this continent and to the settlement of this land by them. There are relics all over the place. No-one has ever previously attempted to define the relevance of any of the locations of those relics. It now concerns me that in future it will be possible, where it had never been contemplated in the past, for someone to commit an offence without prior knowledge or even sincere belief that they were transgressing against anything, leave alone the law.

We will not know; and yet we are told by some people contributing to this debate that it is fair for that to happen. As the member for Coles has said, it is a pretty impossible task to reconcile differences of a law that was never written with a law that is written: of a law for a people who had no specific homogeneous language and therefore no official language. Therefore, notwithstanding my support for the explicit concern stated by the member for Coles, I am in sympathy with the statement made by the Minister that certain propositions are absurd. However, such things are to be possible within the parameters now contemplated by

this legislation and, in particular, these amendments. That is what disturbs me.

I wish to see no insult to the historical traditions of the Aboriginal people, the Aborigines who were here. I have always respected different cultures of people wherever I have found them on this earth and have participated in programs working with those people in ways which they personally identified as being appropriate for what they considered to be improvement of their welfare—as determined by them, not me. If it were possible for me or others nominated by me to engage in those activities, I did—if not, I did not. I see the Aborigines of this continent in no different light. But they were not a homogeneous people and nor were they the original inhabitants, and nor was the occupancy of the land over which they had tenure in any way static. It was dynamic. There were inter-tribal fights and fights between septs within those tribes, and there is no question about the fact that territory changed hands, and the way in which territory could be used was altered if it did not change hands—and that was by agreement.

By coincidence, Europeans intervened in that process 200 years ago. The clock kept ticking. We are now where we are and we live in a global village. The reality is that what was will never be again, and for us to attempt to encourage anyone to imagine that they can either gain respect or advantage by passing a law like this in our language, relevant to our terms, about their heritage is, to my mind, an absurdity. I want the point understood by the Committee that for as much as this is, in my judgment, a vain attempt it is perhaps the best attempt we can make. Anyone who is seeking some statement of respect and some expression of concern and regard for what they as people of Aboriginal extraction consider important; this is it, but it will not work in the way that they may have wished. It cannot do so. That is the nature of the modern society of man, regardless of one's skin colour anywhere on this Earth. Time has changed us all.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL (1988)

Adjourned debate on second reading.

(Continued from 24 February. Page 3033.)

Mr INGERSON (Bragg): The Opposition supports this legislation. We recognise that during the deliberations of the national road freight industry inquiry there was a very strong recommendation to move towards a speed limit of 100 km/h for heavy traffic on our roads. This would obviously include vehicles over 4 tonnes, buses, and any other vehicles over that weight. However, primarily this involves semi-trailers and so forth and buses. We recognise clearly that this is a very important road safety initiative, and those of us who have driven on the open roads know that one of the major problems on the open road involves overtaking. One point that was brought out very clearly in the report I mentioned earlier was the need to streamline the traffic so that heavy vehicles and traditional traffic travel at about the same speed.

We support the legislation although we have a number of concerns, the first being in relation to excessive speed. Those of us who travel country roads—and I do nowhere near as much as our backbenchers with country electorates—will know that the next time we see a heavy vehicle travelling at 100 km/h will be the first time they do so legally. The Minister, as he spends a considerable amount of time travelling on the Adelaide to Port Augusta road, will be aware of the difficulty one has of keeping a semi-trailer behind one; and if one is coming up to it, it is more difficult to pass.

Our next area of concern is in relation to policing the increased speed limit. Country carriers, the South Australian Road Transport Association and the RAA have put to me that, compared to Victoria, in particular, we have significantly fewer police patrolling our country highways. We would like the Minister to comment on that. Hopefully the Government will see the need for adequate police controls to ensure that the new speed limit is adhered to.

Those who have driven on country roads will recognise the problem of tailgating, and police patrols need to be aware of it. In our Party room many of our country members have told me that tailgating is a significant problem and is something that the Minister should be aware of and do something about. Another concern that is not covered by this Bill is in relation to long hours of driving and log books—monitoring interstate and country driving.

My next concern relates to the survey that was mentioned in the second reading explanation. The Minister said that the latest agreement was reached after considering the results of a survey carried out by the Federal Office of Road Safety into truck accidents. I have attempted to get a copy of that but do not believe it is available. Not only the RAA but also the NRMA and the Australian Automobile Association are calling on that federal body to make available the results of that study which considered the increase in speed. I think that it should be made available to everyone who is interested. I say that knowing full well that we support this increase in speed to 100 km/h.

Finally, an area of great concern is the deterioration of country roads caused by excessive weights of vehicles which will now be worse by the increase in speed. There is no doubt of the strong relationship between the speed and the weight of a vehicle, and road deterioration. It is of concern that this Government has reduced road funding, particularly in country areas. I hope that the Minister will recognise that more funds need to go into road maintenance. Members who listened to the last petrol tax debate will remember that some 33 per cent of the total tax collected will go to roads. There is much criticism about the amount of damage heavy vehicles are doing to our roads, and if we are serious about the user pays principle a much larger amount needs to go to road maintenance.

Mr HAMILTON (Albert Park): I support the Bill. It is obvious that the Government has reached agreement particularly with the trade union movement but specifically with the Transport Workers Union. I applaud that. It is another indication of a Minister's ability to get matters resolved quickly. I share the views of the member for Bragg, particularly in relation to tailgating. That common practice has been around for a long time. I recall speaking about it during the Supply Bill grievance last week, and it is a dangerous practice that I condemn. It causes unnecessary concerns, and can lead to great anxiety: in the long term it can lead to accidents and deaths. However, where it occurs members of the public should take down the details and report it to the police. We all know that the police cannot be everywhere. By that means the message may get through to the truckies who do it, although I know from experience that most do not. I have not been tailgated for a long time and know that the experience is not pleasant. I support the Bill.

Mr S.G. EVANS (Davenport): I support the Bill. Many years ago when we passed legislation for heavy vehicles to travel at a lesser speed than ordinary motorists I argued

that eventually we would have to increase the speed. We have not gone up to 110 kilometres yet, and have only gone to 100 kilometres. There is no doubt that frustration is a cause of many human problems. Some of us are pretty easy going and can take our time getting somewhere, but others believe that a few seconds saved is important, and they take chances.

Mr Becker: You can talk.

Mr S.G. EVANS: The member for Hanson has had an experience with me going through the Hills in a fog. I was trying to get him there quickly so he was not frightened for as long. When we got to Hahndorf he was as white as the fog. There is no doubt that increasing the speed for heavy vehicles to being somewhere near that of other motorists will be of benefit to everyone on the roads.

The member for Bragg mentioned the condition of country roads. I think that roads, in general, in our State are becoming disgraceful. On the Upper Sturt Road—a major road for a significant number of people, as it connects the southern part of metropolitan Adelaide with the Hills and through to the freeway—I give the example of 16 Highways Department vehicles and up to 16 men working over the past three months. What they are achieving I do not know, but it is costing big dollars. If we do not find a way of better spending our money on repairing roads and letting some out to private enterprise or trying to get standards in relation to the spending, we will end up with many more bad roads and accidents.

I agree with the member for Bragg that high speed and heavy weights together or individually have a greater wearing effect on roads, particularly the weight factor because it has a triangular effect with the base of the road cracking up below the surface before it starts to crack at the surface. Of course, the engineers are fully aware of that and it is one of their concerns.

In relation to tailgating, people do it because it saves a bit of fuel, even though it is risky (and I suppose life is full of risks). I used to do it on a pushbike, although I was not trying to save fuel—I was lazy. During the 1940s, if a vehicle was doing the right speed up a hill, when I was going home from high school, it was a much easier ride, although the drivers used to get a bit panicky and complain—but it worked. It is now happening with modern heavy vehicles. However, it is not just heavy vehicles. Some of the younger people, one with a high-powered car and the other with a not so powerful car, now play the same game. In effect, it is a form of Russian roulette. If something goes wrong with the car in front, the one behind has some difficulty.

Many of these actions come about as a result of high costs. Society is forced to pay so much in fuel tax, registration and insurance. I point out that increased insurance is quite often caused by bad roads and roads that are not serviced properly, and that causes accidents. However, I admit that on most occasions accidents are caused by the people involved not having enough commonsense to drive within the limits of their vehicles and the conditions in which they are driving. People do worry about money. However, as the member for Bragg pointed out we do not use the money collected from motorists to provide services for motorists.

I thought that the member for Albert Park would have mentioned that we should be trying to force more goods on to our railway system, but he chose not to do that. With his railways background I thought that he would have railroaded us down that track. The problem is that one cannot be sure of the transshipping arrangements when you get to the rail destination. The more that you can eliminate personnel or reliance on people to transship, the greater the difficulty. This is why, if we increase the speed at which heavy vehicles can travel at lawfully, it will automatically give them the opportunity to transship goods at a cheaper rate because they will be saving time. I support the Bill, but I do not believe that the Government or the Minister should be too enthusiastic about what has been done to try to improve the roads generally in this State.

I know that some suburban roads have had a bit of work done to them and that the Federal Government has made money available to make sure that the Stuart Highway is well on its way (although that is not a State responsibility). If we look at the progress in recent years compared with the 15 year period from the late 1960s to nigh on the 1980s, it is obvious that we are not putting money back whence we receive it, that is, the motorists. In conclusion, the whole of the maintenance structure of our State—whether it be for sewers, water or whatever down to roads—is becoming quite disgraceful. I compare it with the farmer who was left a good farm by his father or grandfather and it suddenly falls to pieces because the farmer spends the money in other areas. The Government is doing that because it is politically gainful and it wants to stay in office, and it means that the Government can say that it has won a few friends, but in the end our State will go to rack and ruin. I support the Bill, even though I know that it will not do much about improving the roads. However, it might give a few people the opportunity to avoid prosecution.

Mr OSWALD (Morphett): I support the Bill. I believe the principle involved is to ensure that there is a uniform speed for vehicles travelling on our roads. Over the years, particularly in years gone by, the semi-trailers and buses which travelled on our roads had questionable mechanical standards. However, the engineering of the prime movers and buses which now travel on our roads is of such a standard that they can travel as safely as a motor vehicle travelling at the maximum speed. The chances of mechanical failure are now fairly slim. If we take South Australia as an example, I think that once vehicles clear the Adelaide Hills and are on the way to Melbourne it is eminently sensible and only commonsense that all vehicles should travel at the same speed. If the Government came out and suggested that all vehicles travel at 110 km/h, that would be acceptable to me.

If a certain section of road requires a reduced speed, for example, as you start to come up through the Adelaide Hills, then you zone that area and slow them down. However, on the open road it seems only commonsense that all vehicles travel at the same speed. This avoids the problem associated with someone taking a risk by moving out into the oncoming traffic to pass a slow vehicle. This is particularly dangerous at night, because drivers misjudge distances (and we heard about tailgating earlier). I support the Bill. As I said, if the Government ever introduced a Bill allowing all vehicles to travel at the same speed, it would receive my support. If trucks and buses wanted to travel at excessive speeds—and we know that that is happening on our roads and that some semi-trailers already travel at between 120 and 140 km/h (and I have seen buses do this, also)—it would be a matter for the police to monitor the situation in such a way that the drivers of these vehicles were too frightened to exceed the speed limit. It is a matter for the police to apprehend those drivers who exceed the speed limit. However, most people stay within the speed limit and I say all traffic on the open road should be able to travel at a common speed.

The Hon. D.C. WOTTON (Heysen): I support the Bill but I do so with some trepidation. I rise to speak purely of

my association with the Mount Barker road and the South-Eastern Freeway. I understand that this legislation will bring the speed limit for heavy vehicles into line with those in other States. That being the case, I can see some benefit in it. Certainly the stretch of road that I travel along daily—sometimes as many as two or three times—gives me considerable concern. I say that because I have had a number of experiences where semi-trailer drivers have been travelling at well in excess of the speed limit. I know that the Minister will say that this Bill has nothing to do with the speed limit and that it is a matter for the police. I appreciate that. However, hardly a day goes by when you do not see a heavy vehicle pulled up on that stretch of the road and the driver talking to the police about one matter or another.

There have been some pretty horrific experiences. In fact, one of my children is absolutely terrified of heavy vehicles which come up behind the car that we have been travelling in at various times. I just wonder what can be done about this. They are supposed to be doing 80 km/h or 90 km/h, but they are probably doing 110 km/h. In fact, many times when I have travelled along that section of the road doing 110 km/h or 120 km/h I have been passed by heavy vehicles. I am sure that if we increase legitimately the speed again—

The Hon. G.F.Keneally interjecting:

The Hon. D.C. WOTTON: I understood that drivers could travel 10 km/h faster than 110 and get away with it, but the Minister does not have to respond to that. I am the first to admit—

The ACTING SPEAKER (Ms Lenehan): Order! I am sure that the Minister will answer any questions raised during the Committee stage.

The Hon. D.C. WOTTON: I am sure that he will, Madam Acting Speaker. I make no bones about the fact that I have travelled at 120 km/h on a few occasions, but I point out that semi-trailers have travelled faster than that. That is the point that I am making. I would like to see them being slowed down rather than being given the opportunity of going faster. It is a matter of having more police patrols and for those police to be able to take action on what is, as the Minister recognises, a very dangerous stretch of road. Having said all that, I express my concerns, but support the legislation.

Mr LEWIS (Murray-Mallee): Notwithstanding the contribution of other members, including the member for Heysen, I wish to acknowledge the good sense of the proposition before us. Enacting this legislation will not increase or alleviate the danger to other motorists but will enable heavy vehicles, be they carrying people or freight, to travel at 100 km/h. Whenever the law is broken by people in their failure to observe the speed limit, they will not be affected one jot by this change. It simply means that whereas driving in excess of 90 km/h was an offence for the driver of a heavy vehicle in the past, it will not be an offence in the future, so long as the driver does not now exceed 100 km/h. Everything else will remain the same.

Those people who express concern about their feelings of insecurity provoked by the presence of a heavy vehicle on the carriageway that they are using—whether it is a roadway, a freeway, a restricted access highway or any other place—will not have their phobia exacerbated or diminished one jot by this change. Therefore, I put the view that to contemplate the proposition before us in such terms is really to waste the time of the Chamber.

What we are doing here is increasing the rate at which heavy vehicles can move along the carriageway, thereby relieving the obstruction that they represent to the passage of lighter traffic. In the process, we are reducing the risk of fatalities on the road. We are reducing the risk of injury which may result from collisions where people are tempted to overtake slower moving vehicles which they would not otherwise attempt to overtake. In this instance it will not be necessary for people to feel so anxious about missing an opportunity to overtake and take risks involved because the vehicle in front for them, travelling within limit of the law, will not be inconveniencing them so greatly now that those vehicles will be able to travel at 100 km/h.

The only aspect of the legislation that can be considered detrimental in objective terms is that those vehicles which are overloaded and travelling at a lawful speed now 10 km/h faster than before will at that speed be doing greater damage because, as the Minister, other members who have bothered to read the engineering research and I know, when speed is increased and other factors are kept constant, the rate of distortion, the extent of distortion of the surface over which that vehicle is travelling is increased not by the rate of increase in speed nor by the square of the rate of the increase in speed but by a factor related to the cube of the increase in speed.

So, a 10 km/h increase in the speed limit for someone operating a vehicle which is already breaking the law because it is overloaded will result in more damage to that surface. Clearly, the rate of deterioration of the surface will be marginally greater for those vehicles using it within the speed limit. That is accepted. However, it is possible to construct surfaces of such elasticity and durability as to make that fairly insignificant. Therefore, I support the calls that have been made for an increase in the surveillance (using modern technology) of vehicles that break the speed limit, thereby discouraging that behaviour.

The modern technology to which I am referring is, first, the hand-held radar device that can be used at one point for a matter of a few minutes very effectively and, within a matter of three or four minutes, can be some three or four kilometres away and used on the other side of the carriageway checking the speed of vehicles without the problems associated, as they used to be, with the use of digitectors and radar devices. Secondly, the greater use of those devices which can now be used to detect breaches of weight limits being exceeded, and hopefully in the future volumetric loading being exceeded where livestock are being carried. To that extent we will alleviate the problems that have otherwise been referred to. By passing this measure we will alleviate problems and not create them.

Mr MEIER (Goyder): I also wish to support the Bill. The Minister is aware that this is a matter on which I have spoken in past years, and certainly I have been one to advocate a higher speed limit for heavy vehicles over this period. The Minister is also aware of the conditions on the road on which he and I travel regularly, that is, the Port Wakefield Road, Highway No. 1. If one thing interrupts the course of normal flow it is heavy vehicles. Increasing the speed limit from 90 km/h to 100 km/h, can only assist the flow of traffic, and it is a move in the right direction.

I am concerned that we are arguing to some extent that this puts us right with other States, because South Australia has an advantage over other States in having a 110 km/h State limit, rather than a 100 km/h limit. The only advantage in coming down is that it would increase the return to the State's coffers, and I do not see that as a logical argument but we are not discussing that now. It should also be considered, seeing that heavy vehicles and omnibuses are allowed to drive faster, that there are still vehicles on the

road that are required to travel more slowly, namely, P-plate drivers, who must travel at 80 km/h.

That is too slow on country roads, and constitutes a danger to other road users. The Government should look at the option of limiting L-plate drivers, but for P-plate drivers, whose licence covers one year, it is too long a period and consideration should be given to that category in the future. As the Government and the Minister are tackling the problem of driver frustration on roads through increasing the speed limit on heavy vehicles, let us reconsider the option of passing lanes on major roads. I have taken up this matter with the Minister previously and received a curt letter in reply from him saying, 'We are not interested in that, we do not believe it helps', yet the reality of the situation from a country such as America is that passing lanes alleviate massive delays in road traffic. It would be so easy and relatively inexpensive compared to constructing a second lane on many of our major arterial roads.

The member for Davenport raised the salient point that to do this more money must be spent on roads. I wish that a strong lobby group could convince the Federal Government in particular, as well as the State Government, that most, if not all, of the fuel taxes and fuel levies should go into the road sector and into transportation in this country, because Australia is starting to drag its feet very much and the rural areas especially are missing out horribly through our deteriorating roads. The Minister well knows the number of deputations that I have taken to him and the number of letters that I have sent him on this matter, and I am sure that he has received many such deputations and letters from all over the State. Sooner or later the situation must change. I am pleased that from 1 July the speed limit on heavy vehicles is to be increased.

The Hon. G.F. KENEALLY (Minister of Transport): I thank all those members who have participated in this debate. It has been an interesting one and many valid points have been made. Most of what has been said has been directly linked with the Bill, although a few comments have not been, but that is in the nature of second reading speeches generally. I wish to respond to some of the points made. I shall not be able to do so in the order in which those points were made and I will leave my reply to the shadow Minister (the member for Bragg) until last.

I acknowledge the comments made by the member for Heysen. It is right and proper for him as the local member and a frequent user of the Mount Barker road to draw to the attention of members the nature of that road. I agree with him that the problem of that road is concerned not so much with the speed limit that applies on it as with the careless attitude of some drivers towards what potentially is a dangerous road. So, one must be careful in driving on that road in accordance with the environment at the time.

I congratulate the member for Morphett on his contribution to this debate and I acknowledge the comment made by him and by the member for Goyder that the general speed limit is 110 km/h and that, although this Bill increases the speed limit for heavy vehicles from 90 to 100 km/h, there is still a disparity in our speed limits that can cause road safety problems. This Government, however, does not intend to reduce the general speed limit from 110 to 100 km/h. It believes that roads and the road environment in South Australia are conducive to a general speed limit of 110 km/h. In Victoria, the speed limit is at present being increased from 100 to 110 km/h on national highways and major arterial roads where the speed environment would allow for such an increase.

It is correct, as all previous speakers have said, that many drivers of heavy vehicles exceed not only the speed limit for heavy vehicles of 90 km/h but also the general speed limit of 110 km/h. In this regard, although the evidence is anecdotal, I believe the following story to be factual. During the past few weeks, a friend of mine who was driving to Cockburn on the Broken Hill road (and I suspect perhaps exceeding the speed limit himself) was passed by a double-decker bus fully laden with commuters or tourists and travelling at about 160 km/h. Indeed, the modern heavy vehicle, whether a semi-trailer or a bus, is well equipped to travel safely at speeds over 90 km/h because of its braking capacity, so the increase in the speed limit applying to such a vehicle, from 90 to 100 km/h, is only an acceptance of reality.

Why did we go to 100 km/h in the first place? It was by agreement with the heavy transport industry which was brought about by a study undertaken by the State National Road Transport Industry Inquiry. That study was designed to achieve cost recovery from the industry. To do that it was agreed not only that increased speed limits should be imposed which commercially were more acceptable to the industry but that we should provide improved road safety conditions. Secondly, it was agreed that driving hours should be extended. I did not agree with the extension of driving hours in South Australia, but the industry generally accepted those conditions. Indeed, the driving hours in the Eastern States have been extended from a 12-hour shift to a 15-hour shift. However, in South Australia the existing conditions have been retained with the general agreement of the industry, so there is no dispute there.

The Federal and State Governments are trying to achieve better cost recovery in the industry. This afternoon, many members have said that that could be achieved by returning all the fuel levy for the purposes of roadworks, but the fact of life is that that concept is impossible of achievement although, as Minister of Transport, I would see it as desirable. Unfortunately, however, all Government Ministers with the responsibility of providing a whole range of services across the community know that the hypothesis of reserving the whole of the fuel levy for use on our highways no longer exists anywhere in Australia, whether or not we think that desirable.

We must understand that the funds raised by means of the levy must also be spent in desirable areas such as education and health. If some of those funds were not spent in those areas, funds must be found elsewhere so, if we spent all those funds on roads, we would be faced with a greater responsibility for raising revenue for the other important responsibilities that Government must discharge. Although I am sure that the argument for spending the whole of the fuel levy on our roads will remain valid with those organisations representing motorists and those representing the trucking industry, nevertheless the argument in a real sense has been lost and everyone understands that.

The member for Bragg asked about the report of the Office of Road Safety. At the most recent meeting of ATAC, held in Sydney in December, a report was provided by the Federal Minister and his officers as a result of the study that had been undertaken by the Office of Road Safety. That study found, as I said in my second reading explanation, that in terms of road safety there would be no adverse results from an increase in the speed limit for heavy vehicles from 90 to 100 km/h. I will take up with the Office of Road Safety and my Federal colleague the honourable member's request to see whether the study is in a form that can be made public or whether it is an internal document.

True, the various road safety officers will continue to monitor this proposal and, if any strong evidence is brought to the attention of any of the Ministers prior to 1 July that

would indicate that this measure is not appropriate, that will be brought in turn to the attention of the Transport Ministers. However, it seems clear that this measure is desirable and supported by everyone and that it is also desirable from a road safety point of view. Policing is very much part of this total package. The industry is well aware that, after 1 July, the States intend to ensure that there is adequate policing of the heavy vehicle industry, including semi-trailers and buses, and the States will be responsible for such policing. That will be undertaken.

Mr Ingerson interjecting:

The Hon. G.F. KENEALLY: Police numbers do not have to be increased: emphasis can be placed on observing particular road behaviour. We will ensure that that happens in South Australia. As to the question of roads, which does not necessarily relate to this legislation, South Australia has the best roads in Australia. I challenge anybody who travels around Australia by road to dispute that fact. It is our intention, as far as we are able to do so, to maintain that standard. I think that the member for Fisher suggested that the problem of asset replacement applied only to South Australia, but it is the greatest problem faced by governments throughout the world.

In some of the older cities, particularly New York and London, the whole infrastructure is threatened. I believe that we have to learn to do things better, more smartly, and probably more cheaply, but just as effectively. Future Governments will have to face that challenge but, in the meantime, I refute any suggestion that, because our roads need work done on them, they are inferior to those of any other State.

An honourable member interjecting:

The Hon. G.F. KENEALLY: Of course roads need to have work done on them. Our national highways, rural and arterial roads are of an average standard unmatched elsewhere. People can point to individual sections of road which may be better or worse than we have in South Australia, but on average I believe that we have the best roads in Australia.

It is true that an increase in speed brings extra pressure on roads, so they will be under stress but, because the revenue raised under the new package will replace the damage, I believe, as does the Government and industry, that that matter can be addressed effectively. As a result of this debate, I will refer the matter of tailgating to the police. I think that they are well aware of the problem, but it does not hurt to remind them. The matter raised by the member for Goyder about increasing the speed limit for P plate drivers from 80 km/h is being addressed.

Mr Ingerson interjecting:

The Hon. G.F. KENEALLY: Speed limits for P plate drivers will be addressed in the graduated licence for young drivers package.

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

FRUSTRATED CONTRACTS BILL

Adjourned debate on second reading.

(Continued from 18 February. Page 2890.)

Mr S.J. BAKER (Mitcham): This Bill has some unfortunate connotations. When I first heard of its existence, I did not think that it was appropriate for the parliamentary arena. Having read the Bill, I understand that it is difficult to use any other terminology. If I were a Ronnie Barker, I suppose that I could regale the House with stories about our various frustrations. When people get married, they often have certain expectations, and they contract to get certain benefits which are quite often frustrated. Of course, the Bill is not about that: it is about those contracts that cannot be fulfilled for a variety of reasons.

The doctrine of 'frustration' has a very interesting history. When the first case that established the common law was brought before the courts in the seventeenth century, the court determined that there was an absolute liability on contractors to fulfil the obligations of their contracts. Whoever broke that contract, for whatever reason, was liable and could be sued for any loss involved. That law existed until the nineteenth century, when at some stage it was recognised that certain events which could not be foreseen could impede a person's performance of a contractual obligation. It really did not go very far, because it only recognised that, if a person died or became completely incapacitated, it would be unfair for that person or the estate to bear the onus of fulfilling a contract.

In 1903 the courts ruled on these sorts of contracts which had been broken through a supervening event and established the loss lies where it falls doctrine. That really said that, when a contract was broken for unavoidable reasons, those who suffered loss had to bear it. Over a period, the law and legislators have tried to grapple with the difficult problem of determining when a contract is a contract, how much good faith should be involved in that contract, and when it can be broken.

The accepted approach, which is now in vogue in the United Kingdom, New South Wales and various other parts of the British Commonwealth, is that the doctrine of frustration is applicable where a number of requirements are met: first, a supervening event, the occurrence of which is not expressly provided for in a contract; secondly, the supervening event must not have been caused by the fault of either party to the contract; thirdly, the supervening event must have resulted in a radical alteration in obligations of the parties; and, fourthly, there must be more than just hardship, inconvenience or material loss to the parties who seek relief.

The law has come a long way in trying to grapple with a very difficult problem and it should be quite clearly understood in this Parliament that if we go too far down the track we will make the law of contract a farce. The law of contract provides that a person shall abide by the terms of the contract for which that person has become a party. Let out clauses will produce a situation where nobody can guarantee that a contract will be fulfilled. Over the years, various legislators have attempted to grapple with the innate difficulty of determining the point at which we can class a contract as being frustrated. That has not been determined by this Bill. The Bill simply provides the means by which a person can seek redress if a contract is frustrated. It sets in place a number of items that will allow people to recover losses if they have suffered as a result of a contract. I do not wish to add much more to the debate. The Bill has been fully explained in the second reading explanation and the debate in the other place. The Opposition supports the proposition. I have one or two brief questions that I will ask during the Committee stage.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support for this measure. Although it is a relatively short Bill, it is an important law reform that follows similar law reform in many other jurisdictions around the common law world and, hopefully, it will bring some relief to the litigants in this area in the community at large. It will settle the law in this area and

in that way it will improve the administration of justice and make it easier for our courts to determine these matters—or hopefully, it will avoid the necessity for matters to go through costly and lengthy legal processes for resolution. It is interesting that in England this matter was attended to in 1943 and was attended to as long ago as 1959 in Victoria, 1944 in New Zealand and 1948 in Canada. It has been the subject of two reports of the South Australian Law Reform Committee—the thirty-seventh and seventy-first reports—which have given us the basis to introduce legislation in this State to clarify this measure. I commend the Bill to all honourable members.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation'

Mr S.J. BAKER: I mentioned previously the delicacy of balance that we need in this sort of legislation, because we do not want people avoiding contracts. I instance the case of a pop promoter who, because of the very heavy costs involved, in normal circumstances will formally carry various forms of insurance when he engages a person of high renown to put on a concert and to cater for various extraneous events, such as a storm during the performance of an outdoor concert. However, under these provisions that person would not need to take out insurance and could rely on 'frustration' as it applies in this legislation defining the costs associated with hiring the singer or the performer—and, indeed, might have some cause to go back to the singer to recoup some of the costs incurred in putting on the concert. It concerns me that this will be allowed to stand, and it gets back to this question of balance.

The Hon. G.J. CRAFTER: This legislation deals with the rights of the actual parties to the contract. In his example, the honourable member is referring to parties extraneous to the contract. I refer the honourable member to the definition relating to this, as follows:

> ...party to a contract does not include a person who is a party to the contract only in the capacity of guarantor or indemnifier.

So, I think that the concern that the honourable member raises is covered within the bounds of this legislation.

Clause passed.

Remaining clauses (4 to 8) and title passed.

Bill read a third time and passed.

ACTS INTERPRETATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2833.)

Mr S.J. BAKER (Mitcham): The Acts Interpretation Act facilitates legislation and provides a set of rules pertaining to the way in which Acts of Parliament should be interpreted. Its ambit is wide-ranging and includes, for example, how the term 'the Minister', which is very common, shall apply. It deals with the status of Acts, their repeal, their construction, the status of regulations and legal procedures—just to name a few. This Bill seeks to further amend the Acts Interpretation Act in the following ways. Firstly, it provides for the inclusion of a new definition of 'statutory instruments', to encompass codes of practice which have been inserted into the Occupational Health, Safety and Welfare Act and the Lifts and Cranes Act. I assume that many more codes of practice will be inserted in legislation, and, as they have the same status as regulations it is appropriate that they be included in the Acts Interpretation Act in a similar fashion to regulations.

Secondly, the Bill allows for Acts to be proclaimed in stages and, importantly, for the powers conferred by various sections to be conferred before the whole of an amending Act is operational. There is some sense to that, although I must admit that in relation to some Acts which have not been consolidated for some time it will become increasingly difficult to understand what is or is not part of the law if we continue to break up Acts and proclaim parts thereof. We will need a number of very adept officers in this Parliament and elsewhere to inform people about which parts of the legislation are in and which parts are out.

Thirdly, it clarifies the status and legal terms of schedules, headings, marginal notes and punctuation, and the Opposition supports that. I have read all the debates on this subject and I am amazed by the gobbledegook of the legal profession. One thing came through in relation to punctuation—when can it be recognised that it has not been endorsed by Parliament? This amendment allows for punctuation to be recognised.

Section 52 of the Acts Interpretation Act contains a sentence of 217 words and 18 lines—an essay of no mean proportion. If I take out any of the commas, it would have a different construction. In fact, if I had taken out the first comma, which is between 'proclamation' and 'regulation', it would have been nonsense. Punctuation is important in an Act and we must rely on the Parliamentary Draftsman, the Government Printer, and others who assist Parliament. I am pleased that an amendment was moved that did not make it mandatory for punctuation to be considered as being part of a Bill. The Opposition is pleased to support the legislation.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of this measure which clarifies the application of the law in a number of important areas. As the honourable member explained the details of the respective amendments, I will refer briefly to the difficulties that have arisen with respect to the definition and the application of codes of practice that have been the subject of consideration as a result of the Occupational Health, Safety and Welfare Act and the Lifts and Cranes Act that were recently passed by the Parliament, both of which embodied the concept of codes of practice that do not fit squarely into the definitions that apply and are defined in the Acts Interpretation Act. This Bill clarifies that and most importantly brings about certainty in those important areas of the law, particularly in a time of change in sectors of industry and commerce throughout the State. The other matters that the member for Mitcham explained to the House also add to the effectiveness of this important legislation and are an important aid to the interpretation of legislation, particularly matters arising before the courts. I commend the Bill to the House.

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

ADJOURNMENT

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

That the House do now adjourn.

Mr RANN (Briggs): First, I take the unprecedented step of congratulating the member for Bright on his work over the Kingston marina. I have seldom seen such a dedicated effort by any member of Parliament on behalf of his electorate. I congratulate him for that result. In today's griev-

ance debate I will talk about the Liberal Party. Over the past few weeks it has been clear that there is a certain amount of cockiness amongst members opposite over their win in the Adelaide by-election.

Mr Oswald: A very good win it was!

Mr RANN: It was a very good win for the Liberal Party, but it is certainly something that should not be extended to the State scene. It appears that a few members opposite are on a phoney high. Those members on the other side of the House who have been around for a long time will remember that at each Party meeting the Leader of the Opposition used to pin up on the wall a chart showing just how well the Liberals were doing in terms of the polls. In February, March, April, May and June of 1985, members in the Liberal Party room were shown, week after week, exactly how the voting intention and the Leader's approval rating was going.

The story that was being told to everyone in the Liberal Party room was, 'Don't worry. I know what I'm doing. I will do it my way. We are on track and we will win.' Well, he did do it his way and the Party went backwards in the last election. It lost seats.

In fact, he would have lost his own seat in terms of being Leader of the Opposition if Dean Brown had been re-elected to this House. I am told that today there is no chart stuck to the wall. One wonders why! In mid-term usually Oppositions do fairly well. Members opposite know that their polls, our polls and the media polls are saying the same thing—that the State Opposition is between 8 per cent and 10 per cent behind at the mid-term point. More importantly, they are saying that the Leader of the Opposition's disapproval rating is well above his approval rating. That is an appalling situation for someone at mid-term. Of course, we have just seen the latest Morgan Gallup poll which makes us realise—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr RANN:—that the Leader of the Opposition electorally is a lemon. Page after page of polling data indicates the same thing—that the Leader of the Opposition is the big problem for the State Liberal Party. The punters are saying that he is a knocker, a one-man chorus of gloom, that he never comes up with new ideas, that instead of trying to instil confidence in business, industry and the electorate he wanders around town trying to stir up boredom, acting like the town crier during the great plague.

Of course, we should also realise that the Leader of the Opposition was kept out of the Federal campaign for the Adelaide by-election. He was told to keep out, and he was kept out of the way. In fact, he was sent back to the bush, back to his electorate where he is seldom seen and where they refer to him as 'a city slicker'. However, he did turn up on election night. He was the one trying to climb in front of the cameras and say, 'Here I am, look at me. It was all my doing.' There was some good news from the Adelaide by-election defeat.

Members interjecting:

The DEPUTY SPEAKER: Order! I call the House to order.

Mr RANN: The good news is that Howard and the State Leader of the Opposition are now locked firmly in place—despite the rumblings of their colleagues—until the next election. I know, and all members know, what Liberal Party supporters in business are saying about the Leader of the Opposition and his ability to win the next election. They are saying that he has no chance. Therefore, I have a rare plea to make to the Liberal Opposition—do not dump him, we need him here, leave him where he is. The other day we saw an extraordinary turn of events whereby the Deputy Leader of the Opposition—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr RANN:—objected to a reference by the Minister of Housing and Construction about the actions of a Liberal staffer. I could not quite understand the complaint. The Deputy Leader said that it was outrageous for the Minister of Housing and Construction to even mention a Liberal staffer; that staff members were never mentioned. That is complete hypocrisy.

Members opposite continually name public servants in this House. We have seen extraordinary attacks on individuals in the Highways Department and in the Department of Agriculture, and on the Commissioner for Equal Opportunity. These people do not have a chance to defend themselves. They are not politicians and they are not political staffers. Of course, we also know that for year after year staffers on this side of the House have been condemned in the most grotesque and gratuitous ways by members opposite, including the Deputy Leader of the Opposition. I enjoyed it. I was probably the biggest victim of those attacks. I often say that I owe my pre-selection to the Deputy Leader of the Opposition. In fact, people kept asking me whether I had him on a retainer.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr RANN: Let us face facts: the Leader of the Opposition does use his staff for political purposes. They do political work well beyond their roles as press secretaries, advisers, and so on. Supporters of Bruce McDonald say that the Leader of the Opposition's staff were used in an attempt to stop Mr McDonald from being elected as Liberal Party President. I am told that Bruce McDonald is likely to play a very prominent role in the New South Wales election campaign, helping his friend Nick Greiner. Presumably Bruce McDonald will be used as a strategic adviser to the New South Wales Liberal Party. But I cannot quite understand why the Leader of the Opposition's staff were used in an attempt to white ant Bruce McDonald. After all, he is a dry, and dry is the current rage opposite. They say that he is a dry, except for the palms of his hands when they are outstretched asking for a Government handout—but never mind that. We all know that a systematic smear campaign was waged against Bruce McDonald; it involved Steele Hall, Mrs Hall, Legh Davis, various members of the South Australian Upper House and the Leader of the Opposition and his staff. It is also true that documents and clippings recycling allegations against Mr McDonald—

Members interjecting:

The DEPUTY SPEAKER: Order! I call the House to order.

Mr RANN:—in the New South Wales Parliament were sent out to Liberal council voters and the media. A manila folder was posted out with *National Times* clippings alleging links between Mr McDonald and Nugan Hand—links which Mr McDonald denies (and he has every right to deny them). The Leader of the Opposition knows who sent out those manila folders—he knew at the time but did nothing to stop it. Ask Bruce McDonald: within minutes of being elected President of the Liberal Party Mr McDonald said that he knew who was responsible and that he knew that State MPs were involved. He said that, unlike the Leader of the Opposition, the Leader of the Opposition's staff would not be telling him what to do from then on. It was a calculated campaign to discredit Mr McDonald. During the Adelaide by-election campaign the Liberals talked some hapless fellow—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr RANN:—into telephoning journalists and pretending to be a member of the ALP's campaign committee. This fellow raised questions about Mrs Farrell's ethnic background and her involvement in the campaign. I do not know how low some people are prepared to go. This fellow was put up to the job by the Liberal Party but, because his voice was trembling over the telephone, not one journalist fell for it. In the last week of the campaign the Liberal Party State Director, Nick Minchin, and a member of the Leader of the Opposition's staff telephoned television stations making similar off-the-record allegations. There is a stench of racism over the Liberal Party in this State. I understand that Channel 7 asked Mr Minchin to repeat on air what he had said on the telephone. However, he refused and said that it was not appropriate for him to do that.

Ms Gayler: He's very courageous!

Mr RANN: He is a very courageous fellow! Let us have no crocodile tears from the Opposition about members of staff. If you are appointed to a political job and you are involved in politics, you take the stick. If you cannot take the heat, you get out of the kitchen.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr RANN: The hypocrisy of the Leader of the Opposition could be seen in his so-called firearms plan that he announced recently. Honourable members are obviously aware of the State Government's moves to tighten the firearms legislation. These moves followed a report from the Commissioner of Police which pointed to a number of glaring inadequacies in the State's gun control legislation. For instance, any person in this State can go into a gun shop and purchase ammunition without any questions being asked. In South Australia a person as young as 15 can obtain a firearms licence, purchase a high calibre semi-automatic weapon and obtain ammunition. A person, irrespective of their intention or state of mind, can carry a firearm in public without any obligation to justify their actions. Of course, we know that the Liberals have behaved like a spinning top: they tell some people—concerned mothers and fathers in the community—that they are really concerned about law and order, but they tell the most extreme elements in the gun lobby, 'Do not worry, we are right behind you.' Recently the Leader of the Opposition announced a four point plan—

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

Mr OSWALD (Morphett): This evening—

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Morphett has the floor.

Mr OSWALD: This evening I will refer to a document which is circulating around the electorate of Hawker. It is interesting that the document is being circulated in marginal seats. The authors of the document have not wasted their time and money by releasing it in safe Liberal seats and those seats that the Government has no chance of winning. The document has been released in marginal Liberal seats and marginal Labor seats. I refer particularly to what the document calls the 'Hawker price watch'.

Mrs Appleby: It was posted everywhere.

Mr OSWALD: It was not posted everywhere; it was selectively distributed. The document shows once again the anti-business side of the Labor Party.

Mrs Appleby: Come on!

Mr OSWALD: The honourable member opposite who sits in one of the most marginal seats and who will not be with us next year says, 'Come on'. The document points out that 20 local supermarkets were surveyed and it shows the variations in prices between supermarkets for groceries, fruit and vegetables and meat. The document also displays a photograph of a Ms Harvey and says that it is distributed as a service to the electorate by Ms Harvey. The basic thing which comes out in the document is that it shows that Ms Harvey has no comprehension whatsoever about running a business, that she knows nothing about overheads, and that she does not understand that there will be a slight variation between supermarkets in relation to a comparable basket of goods.

Each supermarket has fixed costs, and I will divide them up into fixed costs and variable costs. Most of the fixed costs are brought about as a result of the actions of this Government. The WorkCover provision has to be built into costs, and there is also land tax, water rates, council rates, sales tax (wh must be paid on goods in advance), general insurance costs, and spiralling wage costs. These businesses also have to pay Government licence fees, company tax and transport charges and, in fact, I could go on for some time about all these additional costs. They must all be written into the cost structure.

The Hon. B.C. Eastick: Do they have medical provider numbers on them?

Mr OSWALD: Of course. On top of that there are the other costs that must be included. It is patently obvious that this document is designed to slam small business and show up Ms Harvey as trying to help people. I will now detail the unwritten costs that we do not hear about, and I refer to a supermarket which was recently established in the western suburbs. The owner had to borrow $900 000 to pay for stock, fixtures, fittings, fridges, and so on. The money was borrowed at the commercial rate of interest and, from when he opened on day one, he has had to try to eventually write off all the costs that I have mentioned.

Another supermarket which has been open for, say, five years and has had five years of trading to aggregate those costs will be in a better position to keep prices down than the supermarket that I have just mentioned which had to outlay $900 000 on stock, fixtures and fittings. I would have thought that anyone could see that. Therefore, that alone would justify why this document can quote a difference of several dollars between a parcel of groceries from Woolworths at, say, Cumberland Park and Cheap Foods at Glenelg South.

It is patently obvious. If one knew anything about running a supermarket, on one day a supermarket will offer certain specials and on the same day another supermarket will have different specials. Even if Ms Harvey went into all 20 supermarkets at, say, 12 noon on one specific day and bought all her fruit, vegetables and meat, there would be a natural fluctuation, anyway. The honourable lady opposite would not have a clue about running a supermarket or the costs incurred in running a business. She would not have the slightest idea! This document is just a blatant attempt once again by the Labor Party to use the variation of prices in business as a chance to slam small business and get a bit of cheap publicity. That is all it is: a scurrilous document based on getting herself cheap political publicity at the expense of 20 supermarkets in the western suburbs that are trying hard to run a business economically and make a small profit.

Let us not forget that every one of those small supermarkets is an employer of labour. Certainly, they are trying to make a profit but, in all those cases, they pour their profits back into their businesses, and they are an employer

of labour. If the aim of the Hawker price watch is to identify the cheap supermarkets at the expense of those that have to charge slightly higher prices because of different cost structures, if it is her hope that the cheap supermarkets will get the business and the more expensive ones will not get the business, she will preside over the demise of some supermarkets at the same time. Maybe that is what she wants.

This is nothing but a scurrilous and cheap political stunt which is being circulated in the area to gain cheap political publicity. Certainly, it shows no comprehension of the cost structures of running a small business, and it shows that the Government is not interested in small business. It does not understand small business and it has no interest in small business.

The sooner the Government understands small business and what it is all about the better off Government will be. Small business in this State is on the decline through the actions of this Government. I quoted earlier the cost structures of the Government. It put through WorkCover and land tax, which has increased by about 300 per cent in recent years. All the Premier could come out and say was that, if businesses did not like paying land tax, they could conduct their business elsewhere in the State.

I put it to the House that, if one has a business in Jetty Road, Glenelg, and one hopes to break-even, it is a difficult position when land tax has increased over five years reaching about $2 000, or for larger businesses where land tax has increased from $900 to $5 000 or $6 000. If one incorporates all the other expenses with which businesses have to contend and they are almost at the breaking point, and if the Premier says, 'If they don't like paying land tax, they can go elsewhere', do we really suggest that people should sell up what they can, if they can sell their businesses, and move to, say, Clarendon or Port Wakefield? That is what the Premier is suggesting, and it indicates how inadequate and out of touch he is with small business.

Small business is a basic employer. All this Government sees in small business is a source of taxpayer revenue: that is its view time and time again. Why is the Premier not giving us relief from land tax? Land tax is absolutely breaking the back of small business. He is not giving relief, and it is just a case of wanting it for general revenue. Referring again to the documents circulated around Hawker, I hope that, in the interests of small business people in the area, we will see no more of that. It is a scurrilous and cheap political stunt to give the local member some publicity. It shows no understanding whatever of the basic structures and costs of small business. The whole document should be condemned, as should the program and the motivation behind it.

Ms GAYLER (Newland): I want to use this time to put on the parliamentary record my concerns about the proposed development of Anstey Hill Reserve. First, as to the history of the reserve, the area was bought by the State Government as a regional reserve for open space and for active and passive recreation needs of north-east area residents. It was one of six areas identified and then subsequently purchased in the metropolitan area in recognition that the city was growing in the outer metropolitan areas in particular, and that there would be greater need for open space and recreation facilities.

In 1983 a concept report proposing recreation and conservation development of the reserve was published. The reserve is owned by the Minister for Environment and Planning, and it is cared for in a very minimal way by the State National Parks and Wildlife Service. However, contrary to some reports, it is not a national park under the National Parks and Wildlife Act. The reserve is an important area for native flora and fauna, especially for bird life and orchids, but it does have some problems particularly due to lack of funds and, therefore, lack of management of the 383 hectare reserve.

In particular, much of the area is infested with weeds and there is serious erosion of areas that have previously been grazing pasture, and there is erosion of fire tracks and public walking tracks along with the deterioration of the old Newman's nursery ruins, particularly since the Ash Wednesday bushfire in 1983. Sheep have to be brought in for use in fire prevention work, and we know of regular bushfires in the area.

The development proposal, which I call the 1987 proposal, put by a private developer to the Minister for his consideration, proposes active recreation for about 3 per cent of the area, passive recreation and car parking for about 6 per cent and conservation of the remainder, about 90 per cent. But the problem with the 1987 development proposal is its scale, its environmental impact, including the impact of traffic and noise on nearby residential suburbs as well as the impact on the flora and fauna of the reserve, and the lack of positive conservation plans on the part of the developer.

Since I learned of the proposal late last year I have been working with the Conservation Council of South Australia in documenting my concerns about the proposal. The council has advised the Minister that it would prefer rejection of the 1987 proposal but that, if the developers were to substantially modify the proposal and conduct an environmental impact study (EIS) and enter into an agreement, it would be prepared to consider the proposal.

The council's main concern, along with mine, is the extent and intensity of the suggested commercial recreation development. The Government's position, following my discussions with the Minister, is that no commitment has been made to the developers, contrary to rumours that have done the rounds in my district. Similarly, I have made no commitment to the developers, nor has the National Parks and Wildlife Service: no development has been approved. I have called for an EIS and I have written to the Minister about my concerns in the paper 'Anstey Hill: Initial Comments'.

That paper was prepared in conjunction with the Conservation Council and has been referred to the developer, so he has gone back to the drawing board to attend to those concerns, to employ a proper environmental consultant, to undertake an EIS, and to prepare a draft management plan for conservation of the area. Unless all that work is undertaken, this project will not be further pursued.

In summary, I am very concerned about the impact and scale of the proposals. We know that Tea Tree Gully residents value the quiet and beautiful environment in which they have chosen to live. Development of major proportions, with accompanying noisy activities and heavy traffic, is not appropriate if it is to impinge on that quiet residential environment. Unless the developers' ideas and proposals are substantially modified to a less intensive recreation concept for the abandoned quarry and positive conservation measures are undertaken for the remainder of the park, then I see little future in these proposals. I would only support recreational development in the quarry if it means those conservation improvements, that staff and funds are provided for the adjoining conservation area of the reserve, and minimal impact on local residents.

The recent public meeting which I attended resolved to oppose the 1987 proposal, for the same reasons that I have outlined, and to support the declaration of the reserve under

the National Parks and Wildlife Act. I support those resolutions of the public meeting and I have invited residents to study my paper setting out all the problems associated with the development proposal and to let me know of any further issues or suggestions that are not covered in my paper so that I can refer those matters to the Minister for Environment and Planning. Those suggestions and issues can then be taken into account in any further work that the developer may choose to undertake.

Motion carried.

At 6.3 p.m. the House adjourned until Wednesday 2 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 1 March 1988

QUESTIONS ON NOTICE

1987 LABOUR DAY MARCH COSTS

421. **Mr S.J. BAKER** (on notice) asked the Minister of Labour: What was the total cost (including police presence) borne by the Government for the 1987 Labour Day march and what was the estimated cost of this holiday to private industry?

The Hon. FRANK BLEVINS: The replies are as follows:

(a) (i) The total cost borne by the Government for the 1987 Labour Day march (excluding police presence) was approximately $13 169.

(ii) The cost of police presence for the duration of the march was $260.48. If briefing and debriefing of the event were taken into consideration the figure would be approximately double.

(b) Based on figures supplied by employer organisations the estimated cost of a public holiday in South Australia is $54.2 million. This figure relates to the wages bill only and not the total value of lost production as this figure is not available. Further, it should be noted that South Australia compares favourably with the other States on the number of public holidays.

PAINTERS AND DOCKERS UNION

504. **Mr BECKER** (on notice) asked the Minister of Marine:

1. Have any allegations been made to the Minister that the Painters and Dockers Union members are still carrying out similar activities as outlined in the Costigan Report and, if so, what action has been taken by the Government and, if none, why not?

2. Does the Government monitor the activity of the union and, if not, why not?

The Hon. R.K. ABBOTT: The replies are as follows:

1. Allegations have been made from time to time that some shipowners have been subject to unfair practices by members of the Painters and Dockers Union in this State. In such situations the shipowners have recourse to the appropriate Federal industrial relations authority. With regard to reference to the Costigan report, if such a complaint is made then it is policy to refer the complaint to the police.

2. No; it is not the policy of the Government to monitor the activities of this or any other union. However, any allegation of illegal activity by this or any other organisation or individual is referred immediately to the police.

COMPUTER STRATEGIES

518. **The Hon. JENNIFER CASHMORE** (on notice) asked the Minister of Water Resources:

1. How many reports (including the Pak-Poy report) relating to the Engineering and Water Supply Department computer systems and strategies have been undertaken since 1979?

2. How many consultants have been engaged since 1979 and what consultant fees have been paid in relation to these reports, reviews, etc.?

3. What action has the department undertaken to implement any of the recommendations of such computer reports, reviews, etc.?

4. In relation to the Cullinet Software service which the department recently encouraged the Government Computing Centre to provide—

(a) to what extent has the department used the service;

(b) how much does the department pay the centre for the service;

(c) to what use has the service been put and what have been the cost benefits of such use?

(d) what have been the annual internal costs of maintaining the service?

(e) what are the annual licence and maintenance fees for the Cullinet Software products?

5. Does the department plan to expand its use of the services available from the Government Computing Centre and, if so, to what extent?

6. What are the conclusions and recommendations of the most recent departmental computing strategy reports and how do they impact on the use of Government Computing Centre services and the Cullinet Software products?

7. How much does the department intend to invest in computer development and expansion over the next six years?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. Three.

2. Six: $143 208.30

3. The recommendations have been implemented or are in the course of implementation.

4. *(a)* The department has primarily used Cullinet Software to redevelop its supply purchase order entry system and to support its data resource management (corporate data model).

(b) From 1 July 1987, monthly payments have averaged $9 925.92.

(c) The department has primarily used Cullinet Software to redevelop its supply purchase order entry system and to support its data resource management (corporate data model). The purchase order entry system was a sub component of an overall planned supply system which was shown to have a positive benefit-cost ratio.

(d) Nil.

(e) The GCC is responsible for these fees.

5. This subject is currently under review. A registration of interest for corporate information systems hardware and software to meet the department's computing requirements is currently on call.

6. A strategic computing directions review (March-June 1987) made the following major recommendations:

the strategic computing plan should be aligned more directly with departmental objectives

indentification of an information systems architecture (to support all future departmental processing)

the determination of a strategic hardware and software environment through an assessment of computing industry opportunities, to enable corporate systems development and integration across the organisation to be achieved

revision of approach to applications systems planning and redevelopment

specification of a transition plan to effect the above recommendations.

The transition plan is currently being implemented and the department is seeking a registration of interest from the computing industry and the GCC.

Their impact on GCC services is:

- The GCC be invited to respond to an industry wide registration of interest directed towards meeting the department's strategic computing requirements.

Their impact on the department's use of Cullinet services is that:

- Based on inadequate price/performance in the long-term use of Cullinet in the GCC environment, no further development of departmental corporate applications in the GCC's Cullinet environment will be undertaken until the recommendations from the above evaluation are completed and approved.

7. For 1987-88, proposed expenditure is as follows:
Recurrent $5 297 000
Capital $1 048 000

Budgets for subsequent years have not yet been established.

DTX

522. **The Hon. E.R. GOLDSWORTHY** (on notice) asked the Minister of State Development and Technology:

1. What financial assistance has the Government given to DTX to establish in South Australia?

2. Is that company in receivership?

3. Does the Government have any information in relation to people owed money by this company in South Australia?

4. Does the Government have any information on any criminal convictions relating to the company's principal?

The Hon. LYNN ARNOLD: The replies are as follows:

1. There has been no direct financial assistance to DTX. As has been stated before, the incentives approved by the Industries Development Committee were performance based incentives to be paid only on the actual achievement of results. As DTX did not complete its factory at Osborne nor employ the projected number of employees, the incentive payment has not been made.

2. The Government understands that no receiver has been appointed to DTX but that a liquidator (Mr Peter Quigley of Arthur Andersen) has been appointed to DTX in Western Australia.

3. The Government understands that there are South Australian priority and trade creditors of DTX, but has no detail of the extent of such creditors. The Department of Labour initiated prosecution proceedings against DTX on behalf of two employees covered by awards and although summonses were served on the company to make payment to our knowledge no payment has yet been made.

4. The Government is unaware of any criminal convictions relating to the company's principal.

NAEGLERIA FOWLERI

523. **Mr OLSEN** (on notice) asked the Minister of Water Resources: In relation to the reference on page 35 of the annual report of the Engineering and Water Supply Department 1986-87 that 'continued isolation of *naegleria fowleri* in some Riverland supplies has caused concern':

(a) on how many occasions during the year was this organism isolated;

(b) in which supplies was it isolated; and

(c) what action is being taken to minimise any risk to public health?

The Hon. D.J. HOPGOOD: The replies are as follows:

(a) During 1986-87, *Naegleria fowleri* was detected in 31 samples.

(b) Thirty isolations were from routine samples at Taplan or from nearby locations on the same pipeline, sampled during a special survey. One isolation was from Wunkar, where *N. fowleri* is detected far less frequently. The Local Board of Health responsible for this area has been notified by the Central Board of Health on each occasion.

(c) The Loxton country lands water supply is chlorinated at Loxton, but chlorine does not persist to the area where *Naegleria fowleri* occurs. Local emergency disinfection measures are effective only for short periods. Special surveys have been used to investigate the extent of contamination and the nature of water use in the area, particularly the extent of domestic and recreational use. Approximately two-thirds of the services provide water solely for stock watering. The South Australian Health Commission has provided specific publicity concerning the risks of amoebic meningitis to improve public awareness in this area.

Alternative disinfection methods which would control *N. fowleri* more effectively have been investigated, and chloramination of the contaminated part of the system has been proposed. Water takes up to 50 days to reach the extremities of the system from the Loxton pumping station, which is the most practical point for applying chloramines. It is uncertain whether control of *N. fowleri* could be achieved without initially high levels of chloramines. *N. fowleri* is detected infrequently at Wunkar, and no additional control measures are proposed at present. The number of services is small, and the Health Commission's publicity has also been used in this area. The need for further measures in these water supplies is currently being addressed by the Governmental (Standing) Committee on Health Aspects of Water Quality.

WATER RELATED SERVICES

524. **Mr OLSEN** (on notice) asked the Minister of Water Resources: What was the total cost of the 'survey to assess community attitudes towards the provision of water related services undertaken by McGregor, Harrison Marketing Pty Ltd' referred to on page 58 of the annual report of the Engineering and Water Supply Department 1986-87? Will the Minister table the report of the survey which was submitted to the department in September 1986 and, if not, why not?

The Hon. D.J. HOPGOOD: The total cost of the survey was $40 490. It is normal practice for reports of this nature to remain confidential to the particular department and Government. I do not intend to depart from this practice.

SOUTH AUSTRALIAN HOUSING TRUST

528. **Mr OLSEN** (on notice) asked the Minister of Housing and Construction: How many copies of the annual report of the South Australian Housing Trust 1986-87 were printed and what was the total cost of production including photography, writing, typesetting, design and printing?

The Hon. T.H. HEMMINGS: Four thousand copies of the South Australian Housing Trust's annual report for 1986-87 were printed at a cost (excluding photography) of $14 950. The specific cost for photography cannot be identified since the photographs are drawn from the range taken during the year.

DEPARTMENT OF TECHNICAL AND FURTHER EDUCATION

533. **Mr OLSEN** (on notice) asked the Minister of Employment and Further Education: How many copies of

the annual report of the Department of Technical and Further Education 1986-87 were printed and what was the total cost of production including photography, writing, typesetting, design and printing?

The Hon. LYNN ARNOLD: One thousand and fifteen copies of the Department of TAFE's 1986 annual report were printed. The total cost of production was $9 633. This consisted of:

Production including typesetting and printing—$6 333.

Editing and design services—Hill and Knowlton Pty Ltd—$3 300.

These costs do not include time spent by various departmental staff in preparing contributions to the report.

DEPARTMENT OF PERSONNEL AND INDUSTRIAL RELATIONS

535. **Mr OLSEN** (on notice) asked the Minister of Labour: As at 31 December 1987, how many public sector employees were classified by the Department of Personnel and Industrial Relations as—

(a) redeployees; and

(b) employees on the unattached list?

The Hon. FRANK BLEVINS: The replies are as follows:

(a) At 31 December 1987 there were 202 employees classified by the Department of Personnel and Industrial Relations as redeployees.

(b) At 31 December 1987 there were 26 employees on the unattached list of whom 13 were on leave without pay.

SELECTIVE VOLUNTARY EARLY RETIREMENT SCHEME

536. **Mr OLSEN** (on notice) asked the Minister of Labour:

1. When the Selective Voluntary Early Retirement Scheme was introduced in February 1987 for employees aged 55 and over, what were the Government's estimates of the number of employees likely to participate in the scheme and the cost of the benefits payable?

2. How many have so far taken early retirement under the scheme and what is the cost of benefits payable?

3. Has the scheme been extended since its introduction to make it more attractive and, if so, what additional benefits have been offered?

The Hon. FRANK BLEVINS: The replies are as follows:

1. To ensure cost effectiveness and to guarantee the achievement of savings, the scheme was designed on a selective basis and is restricted to only those Government Management and Employment Act employees aged 55 and over to occupy positions which have been identified as surplus to operational requirements and will not be filled on vacancy. The scheme was not designed to attract large numbers of participants. The scheme was introduced in February 1987 and is scheduled for review by 30 June 1988. It was estimated that, in its 17 months of operation, somewhere in the vicinity of 50 to 100 employees (approximately 0.5 per cent of the total Government Management and Employment Act workforce) would be eligible and would elect to participate in the scheme.

The calculation of voluntary early retirement benefit is dependent on an individual employee's age, length of service and annual salary. Because it was impossible to predict with any accuracy these variables for those employees who might elect to participate, it was not possible to estimate precisely the cost of benefits payable. The scheme has been designed, however, such that the payment of early retirement incentives to individuals can in all but a few isolated instances be absorbed from within each agency's current financial allocation, and in all cases expenditure is fully recoverable within 12 months.

2. Up to and including January 1988, administrative units have reported to the Commissioner for Public Employment that 58 employees have elected to participate in the scheme. Early retirement benefits paid total $1 268 607.

3. No.

SALARY COSTS

537. **Mr OLSEN** (on notice) asked the Minister of Labour: What are the current direct salary costs for unattached and redeployed persons in the public sector?

The Hon. FRANK BLEVINS: The following direct salary costs have been incurred by the Department of Personnel and Industrial Relations in the current financial year to 31 January 1988, for placements across the public sector:

Unattached employees: $331 774

Redeployees: $209 000.

WORKFORCE PLANNING COMMITTEE

538. **Mr OLSEN** (on notice) asked the Minister of Labour: Has the Workforce Planning Committee being chaired by Dr J. Mayfield reported to the Minister on—

(a) trends in South Australian public sector employment patterns and the public sector's demands for and supply of important skills; and

(b) strategies to cope with the effects of fluctuating program budgets on the employment and deployment of public sector employees,

and, if so, will the Minister table any reports by the committee on these issues?

The Hon. FRANK BLEVINS: The Commissioner for Public Employment has kept me informed about the approach and progress of the Public Sector Workforce Committee since it was established in June 1987. The committee is expected to report on the issues addressed in its terms of reference by the end of March 1988. Parliament will be kept informed of progress on these issues at the appropriate time.

WEST TERRACE CEMETERY

543. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. What was the total income of the West Terrace Cemetery for the year ended 30 June 1987 and what were the sources?

2. What were the total expenses for the cemetery in each major cost category for that year and what was the surplus/loss?

3. How do these figures compare with the previous year?

4. What is the Government doing to reduce such costs to taxpayers?

5. What was the workers compensation premium for the years ended 30 June 1986 and 1987 and what is the estimate for 1988?

6. What machinery and equipment is owned by the cemetery?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. The total income for the year ended 30 June 1987 was $31 877.56 and comprised burial fees, leases and permits.

2. The total expenses for the cemetery for the 1986-87 financial year are set out below:

	$
Salaries, wages and related payments	279 248
Goods and services—administration expenses, minor equipment and sundries	82 684
Maintenance expenses	1 936
	$363 868

3. This figure compares favourably with the $423 536 recorded for 1985-86.

4. Productivity has improved at the cemetery due to better working procedures. This is reflected by a decrease in operating costs from 1985-86 to 1986-87. In addition to these improvements in operational efficiency, the fees for burials and associated activities at the cemetery were substantially increased late last year and these charges will now be reviewed annually.

5. The workers compensation premium for the 1985-86 and 1986-87 financial years was $14 250 and $23 120 respectively. The estimated premium for 1987-88 is $19 000.

6. The following machinery and equipment is owned by the cemetery:

1 skid steer tractor and backhoe (grave digging)
3 'ride on' lawn mowers
9 hand mowers
9 brush cutters
1 hedge trimmer
1 edge trimmer
1 fertiliser spreader
1 heavy duty bench grinder
1 grinder
1 heavy duty vice
1 trailer complete with 200 litre container, 3 hp Briggs and Stratton motor pump, hose reel, high pressure hose and hand gun (weed eradication)
2 trailers
1 push bike
1 chain saw
2 sludge pumps
1 petrol hand pump
1 diesel hand pump
5 wheel barrows
miscellaneous garden equipment, such as shovels and axes.

WORKCOVER

554. **Mr BECKER** (on notice) asked the Minister of Labour:

1. Are all persons including subcontractors and self-employed, covered for workers compensation under WorkCover and, if not, why not?

2. Are all principals of unincorporated bodies, such as members of partnerships, covered under WorkCover and, if not, why not?

The Hon. FRANK BLEVINS: The replies are as follows:

1. The answer to the first part of the question is 'No'. The reason why some subcontractors and self-employed persons are not workers for the purposes of the WorkCover legislation (apart from those who fall within the parameters of 'prescribed classes of work' under regulation No. 4) is that they do not work under a 'contract of service' as defined in section 3 of the Workers Rehabilitation and Compensation Act. That position has not changed from the former legislation.

The prescribed classes of work set down in regulation 4 are the building industry, the cleaning industry, some transport work and some entertainment performances. Except for a change to the provision of 'materials' requirement under regulation 4, the prescriptions for those prescribed classes of work are exactly the same as applied under regulation 14a of the repealed Workers Compensation Act 1971.

2. The answer to the first part of the question is 'No'. If principles of unincorporated bodies or partnerships do not work under a 'contract of service' as defined in the Act, they are not automatically covered under WorkCover, unless they work in 'prescribed classes of work' as indicated in 1. and fall within the terms of regulation 4. There is provision under section 103 to extend the coverage of the Act to self employed persons but, as this area is already well catered for by the private insurance industry, WorkCover has not at this stage taken any action to make such cover available.

EXCESS WATER CHARGES

560. **Mr BECKER** (on notice) asked the Minister of Water Resources:

1. Why was not further and compassionate consideration given to the revision of excess water charges of $9 846 incurred through no fault of the owner or tenants on property C.T. 4075/348, Assessment No. 25 10218 00 9 owned by a Mr G. Kyprios and located at 113 Welland Avenue, Welland?

2. Will the Minister review the E&WS Department's decision and, if not, why not?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. and 2. The E&WS Department's decision to not grant a leakage allowance has in fact already been reviewed by both the Ombudsman and me.

ABORIGINAL HOUSING BOARD

564. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. How many houses and/or units of accommodation are owned or leased by the Aboriginal Housing Board?

2. What criteria are used for providing emergency housing and housing for genuine hardship cases?

3. Is accommodation made available to Aborigines already owning houses in other locations in this State and interstate, and, if so, why?

4. Who are the members of the Aboriginal Housing Board and what are their qualifications for such a position?

5. How many board members or their families have Aboriginal Housing Board rental accommodation?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. The trust's Aboriginal Funded Unit has a total of 1 282 units of accommodation, comprising 735 in metropolitan Adelaide and 547 in country areas.

2. Cases of genuine hardship are assessed by local Aboriginal management committees on medical, financial, lack of accommodation, and overcrowding factors or a combination of these. Since there are only a small number of units available, an application approved for urgent housing may still have a waiting time of several months. All general trust services, including priority housing and the services of the Emergency Housing Office, are also available for Aboriginal households without reference to their racial origins.

3. No; accommodation is not made available to Aborigines already owning houses in other locations in this State or interstate unless they meet one of the conditions set out in the following extract from the Aboriginal Housing Board policy:

Tenants/Applicants
2.1 Eligibility . . .
(c) Home owners may be deferred except where . . .
— the house is beyond reasonable travel distance to employment
— the applicant is denied access due to marital breakdown
— there are two or more owners, and the applicant cannot reasonably reside in the house.
— the house is of the shack type.
In such cases the Housing Management Committee will consider and make recommendations to the board.

4. Membership of the Aboriginal Housing Board comprises:

Brian Butler—Chairman
Colin Cook
Michael Wanganeen
Bill Miller
Clyde Kropinyeri
Kenneth Ken
Margaret Crompton
Alf Agius
George Cooley
SAHT representative
ADC representative

Apart from the South Australian Housing Trust and Aboriginal Development Commission representatives, all members of the board must be Aboriginal. Three members are elected by the Aboriginal community, three members are elected from the forum of the housing management committees, one represents the Adelaide Management Committee and one represents the communities in the North-West Pitjantjatjara lands. There are no other qualifications necessary for election to the board.

5. Five Aboriginal Housing Board members occupy Aboriginal funded rental accommodation. Details on members' families occupying such housing are not known.

MOBILONG PRISON

569. **Mr BECKER** (on notice) asked the Minister of Correctional Services: How much additional water has been used at Mobilong Prison to date, what is the cost of this additional water and what has been the reason for the use of so much?

The Hon. FRANK BLEVINS: The Department of Correctional Services has not as yet received an account for excess water for the newly commissioned Mobilong Prison. The Engineering and Water Supply Department has advised that for the period September 1987 to February 1988 the prison has used 27.701 kilolitres of excess water at the cost of $18 836.68. In addition, it has been necessary for the water tanks at Mobilong Prison to be topped up with drinking water for which a cartage cost of $140.33 has been charged.

The greening of the campus style environment at the Mobilong Prison is considered to be an important factor and, once trees, shrubs and grasses have been established, only the oval and lawned area adjacent to the building will be regularly watered with the remainder of the grounds being subject to normal seasonal conditions.

ARKAROOLA ROAD

575. **The Hon. JENNIFER CASHMORE** (on notice) asked the Minister of Transport:

1. What is the annual cost of maintaining the 'government road' to Arkaroola Village?

2. How often has this road been graded in the past 24 months?

3. What is the annual cost to the Highways Department of maintenance of the road?

4. Has the Government ever called tenders for the maintenance of the road and, if not, why not?

5. Has the Government examined whether maintenance on this road could be undertaken at considerably less cost to the taxpayer by private contract and, if not, why not?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The Highways Department is responsible for the maintenance of the 33 km length of the 'government road' between Balcanoona and Arkaroola Village. The estimated cost of patrol maintenance is $15 000 in the 1987-88 financial year. It should be noted that additional work is undertaken as emergency circumstances dictate.

2. The Balcanoona-Arkaroola Village Road was patrol graded seven times during the period December 1985-December 1987, which was sufficient to provide an adequate level of access.

3. See 1. above.

4. The general maintenance of the Balcanoona-Arkaroola Village Road is not suitable to be undertaken by contract work. However, the department has let contracts for the hire of plant (e.g. graders, dozers and trucks) to supplement departmental resources in the maintenance of open surface roads in the Flinders Ranges area.

5. The Highways Department, supplemented with contract plant as required, has the expertise to efficiently and economically provide a satisfactory level of service in the maintenance of open surface roads in the Far North of the State, including the Balcanoona-Arkaroola Village Road.

FERRYDEN PARK PROPERTIES

576. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. How long has the South Australian Housing Trust property situated at 19 Kinross Street, Ferryden Park been vacant and what is the estimated cost of refurbishment?

2. What repairs, renovations and cleaning were required?

3. What action can be taken to improve the condition of the grounds of 9, 13 and 17 Kinross Street and 16 Oban Street, Ferryden Park?

4. What is the condition of galvanised roofs in Kinross Street, when were they last painted and when will the roofs be replaced?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. The South Australian Housing Trust property situated at 19 Kinross Street, Ferryden Park was vacated on 9 January 1988, after some 31 years occupation. The property remained unoccupied for about four weeks while it was refurbished at a cost of $7 500.

While the extent of work at this particular house was higher than that normally required on vacancy, it should be noted that during occupancy the property only required limited maintenance. A large part of the refurbishment cost can, therefore, be attributed to an accumulation of maintenance work.

The house was available for rental on 6 February 1988 and subsequently accepted, with occupation commencing on 19 February 1988.

2. During the long occupancy by the original tenant considerable alterations were undertaken, at personal expense, viz, new kitchen cupboards and stove, replacement of all standard doors with louvred doors and alterations to the front porch area. On vacating, these fittings and fixtures

were removed thereby necessitating replacement by the trust. Due to the age of the house, replacement of ceilings and wall sheetings was also necessary.

3. The properties of 9, 13 and 17 Kinross Street and 16 Oban Street, Ferryden Park are typical examples of gardens in this area. When properties are offered to tenants, the trust clears and mows the lawns ready for occupation. It is then the tenant's responsibility to maintain and establish any new garden area in the property. Although the trust is not in a position to make physical improvements, it does provide advice to tenants to enhance their environment.

4. The roofs to the properties in Kinross Street are the original roofs and are still in sound condition. They were last painted approximately seven years ago, and there are no immediate plans to repaint them. Experience has shown that when roofs are repainted in this area, they are subject to peeling within a very short time. Once they reach the end of their economic life, these roofs will be replaced with Zincalume or Colourbond material which does not require painting.

SOUTH AUSTRALIAN HOUSING TRUST SHOPPING CENTRES

577. **Mr BECKER** (on notice) asked the Minister of Housing and Construction: Has the South Australian Housing Trust disposed of all its shopping centres and, if not, which remain unsold and why?

The Hon. T.H. HEMMINGS: During the five year period commencing in June 1982 the trust has disposed of its entire holding of shopping centres in both country and metropolitan locations. In all, a total of forty-one retail centres were sold mainly to sitting tenants.

The regional shopping centres, Colonnades at Noarlunga Centre and Elizabeth City Centre at Elizabeth, are leased under long term arrangements to the AMP Society and Elizabeth City Centre Pty Ltd respectively.

GOVERNMENT TELEPHONE SYSTEM

586. **Mr S.J. BAKER** (on notice) asked the Premier:

1. Will the proposed State Government telephone system only service departments located within the central business district or across metropolitan Adelaide or across the whole State?

2. What is the current cost of telephone calls for the area intended to be serviced and what is the estimated percentage of calls between Government departments located within that area compared with other calls (that is non-government and Government departments lying outside the designated area which would have to be serviced by Telecom)?

3. How much money has been spent on new telephone or PABX equipment by the Government over each of the past three years?

4. What is the estimated cost of installing new equipment (including any power generation) to establish the new system?

5. Over what time frame will the new system be established?

The Hon. J.C. BANNON: The replies are as follows:

1. The initial phase of the proposal is to replace the existing central State Government PABX. This will provide improved telephone services for a large section of Government operating within the CBD. The subsequent phase is aimed at key regional centres such as Mount Gambier, Port Augusta, etc.

2. Based on a survey of major Government agencies total annual telecommunications costs were estimated to be between $15 million to $20 million for the year 1986-87.

Traffic utilisation data were not collected on the whole area to be serviced. However, an analysis of outgoing calls of the State Government PABX showed the following:

Within CBD 12.1%
Interstate 14.4%
Country 35.7%
Metropolitan 37.8%

3. 1984-85—$265 439; 1985-86—$1 700 050; 1986-87—$2 842 408.

4. In the vicinity of $10 million.

5. The CBD including the new Town Acre 86 site is scheduled for 1988-89. Country modes are scheduled for 1989-90 with the larger metropolitan sites and remaining country centres in subsequent years.

OCCUPATIONAL SAFETY, HEALTH AND WELFARE SURVEY

592. **Mr S.J. BAKER** (on notice) asked the Minister of Labour:

1. How many people have been engaged to doorknock premises in South Australia to identify worksites which have not been registered under the Occupational Safety, Health and Welfare Act?

2. Are these people permanent staff of the commission or are they engaged on contract and, if so, what are the terms of the contract?

3. What is the estimated total cost of this identification exercise?

The Hon. FRANK BLEVINS: The replies are as follows:

1. Ten people have been engaged to assist in effecting the registration of prescribed workplaces under the Occupational Health, Safety and Welfare Act. Part of their duties is 'doorknocking'. A number of these appointments are on a part-time basis resulting in 7.8 full-time equivalent positions at the present time.

2. These people are not part of the staff of the commission. They are employed on a temporary basis by the Department of Labour and have been engaged on average for a period of five (5) months. In most cases this involves employment to late May 1988.

3. Salaries, plus on-costs, from commencement of employment of these people, to the pay period ending 12 February 1988 was $36 400. The estimated cost from 12 February 1988 to 20 May 1988 is $39 400, giving a total estimated cost of $75 800.