HOUSE OF ASSEMBLY

Thursday 8 February 1990

The House met at 11 a.m. pursuant to proclamation issued by His Excellency the Governor (Sir Donald Dunstan).

The Clerk (Mr G.D. Mitchell) read the proclamation summoning Parliament.

GOVERNOR'S COMMISSION

At 11.5 a.m., in compliance with summons, the House proceeded to the Legislative Council, where a Commission was read appointing the Honourable Leonard James King (Chief Justice) to be a Commissioner for the opening of Parliament.

SWEARING IN OF MEMBERS

The House being again in its own Chamber, at 11.12 a.m. His Honour Mr Justice King attended and produced a commission from His Excellency the Governor appointing him to be a Commissioner to administer to members of the House of Assembly the Oath of Allegiance or the Affirmation in lieu thereof required by the Constitution Act. The Commission was read by the Clerk, who then produced writs for the election of 47 members for the House of Assembly.

The Oath of Allegiance required by law (or the Affirmation) was administered and subscribed to by members.

The Commissioner retired.

ELECTION OF SPEAKER

The Hon. J.C. BANNON (Premier and Treasurer): I remind the House that it is now necessary to proceed to the election of a Speaker. I move:

That Mr N.T. Peterson take the Chair of the House as Speaker.

In so moving I remind the House that a mere glance over the Chamber will reinforce the fact that the numbers here are very evenly balanced indeed.

An honourable member interjecting:

The Hon J.C. BANNON: On closer examination, as my colleague reminds me, I hope nonetheless that there is a clear division on each of the questions that come before us. In moving accession to the Chair by Mr Peterson, I am conscious of the fact that since 1979 Mr Peterson has occupied his place in this Chamber as a representative of his electorate and as an Independent, that is, independent of Party and Party Whip. He has traditionally sat on this side of the House and in general practice has expressed support for my side of politics. Nonetheless, he has maintained his independence throughout his parliamentary career and it is fitting that, in such a finely balanced situation as we now find, someone with that expressed independence take the Chair of this place. It will be no easy task, but his 10 years experience in this Chamber under both Liberal and Labor Governments has obviously given him plenty of opportunity to look at the various nuances of the role of Speaker and at how the duty is to be discharged.

Secondly, and perhaps even more importantly, Mr Peterson has robust experience on the rugby field, in the boxing ring and in the maritime industry. I am sure that many of those qualities will be very well brought to bear in him as Presiding Officer of this House and I am delighted to move that he take the Chair.

Mr D.S. BAKER (Leader of the Opposition): On behalf of the Opposition, I have much pleasure in seconding the Premier's nomination. The nomination of the member for Semaphore has not been unexpected: since the election result became clear it has been seen as automatic. This does not in any way lessen the Opposition's support for the motion. Mr Speaker-elect we believe will fill the role with dignity.

Mr PETERSON (Semaphore): In compliance with Standing Orders and in accordance with the traditions of Parliament, I reluctantly and humbly submit myself to the will of the House.

There being only one nomination, Mr Peterson was declared elected.

Mr Peterson was escorted to the dais by the mover and seconder of the motion.

The SPEAKER (Hon. N.T. Peterson): I thank the House for the honour that it has bestowed on me today. I note that I am the second member for Semaphore to be paid this honour. Reg Hurst was Speaker of the Fortieth Parliament. In assuming this responsibility I am also mindful of the traditions of the position, its impartiality, fairness and protection of the rights of every member of this House. I intend to uphold those. The people of South Australia have given us a very tight Parliament, which puts extra pressure upon every member to recognise their role in this Parliament. I thank the House and wish all members a good Parliament.

The Hon. J.C. BANNON (Premier and Treasurer): On behalf of the House may I congratulate you, Mr Speaker, on your formal accession to the role of Speaker. We noted your appropriate reluctance to take on this very difficult task. We also noted your remarks about the manner in which you intend to conduct the business of the House and the responsibility that places on all of us as individual members. I assure you, Mr Speaker, that you take your position with support and with considerable anticipation of your very skillful handling of a difficult job in such a tightly balanced Parliament. Mr Speaker, I would like to congratulate you and I look forward to your presiding over this Chamber.

Mr D.S. BAKER (Leader of the Opposition): I add my congratulations, Mr Speaker. I note that you are the ultimate guardian of the rights of the individuals in this Parliament and also the ultimate guardian of the dignity, powers and privileges of all the members. You will bring to this Parliament 10 years experience, as the Premier has said. Your commitment to the rights of individual members to speak up on behalf of their electors has been noted in the past and has been respected by members from both sides of this House. As the Premier said, you will preside over an evenly balanced House. We know that your fairness and fairmindedness will allow the Opposition to keep the Government on notice at all times and function in the way in which Her Majesty's Opposition has to.

The respect for the important role of the Opposition has to be paramount in your fairness and your judgment, and I am sure that you will, in fact, uphold that. In this respect I note that in the past you have made some comments, and I will quote a couple. In 1984 you said:

The people of South Australia deserve much more than they get at times from this Parliament and their politicians.

You are also reported as saying:

The House must remember that it is not an old boys or an old girls club. Members are not meant to sit here and read newspapers before going for a port and cigar, although I enjoy both in their place.

The Opposition understands what motivated you, Mr Speaker, to make those comments and we are keen to preserve and enhance the role and reputation of this Parliament.

The highest office that this House can confer has its origins in the fourteenth century. Today, because of the adversary role of politics, your office has the greatest importance in upholding those parliamentary traditions that many of us hold very dear to our hearts. Consistent with those traditions we will soon join you at Government House to lay claim to the rights and privileges conferred on members. We will be standing behind you, irrespective of Party, while you present yourself to His Excellency. Members of the Opposition will do this recognising that, as has been happening for decades, Speakers of the highest calibre have been elected to your office and, that as Speaker in the 47th Parliament, you have this experience and the reputation.

The SPEAKER: I thank the Premier and the Leader for their kind comments. Perhaps one of the first things I will do is get *Hansard* erased. It might be a lesson to the new members if they remember that *Hansard* is forever. From my readings of Speakers of the House of Commons, I have a quote which is as pertinent today as when it was stated in 1892. I will read it to the House for members' advice and consideration. Sir Robert Peel, on his re-election as Speaker of the House of Commons in 1892, said:

Without the support of this House a Speaker can do nothing. With that support there is little he cannot do.

I ask that members ponder these words.

The Hon. J.C. BANNON (Premier and Treasurer): I have to inform the House that His Excellency the Governor will be pleased to have the Speaker presented to him at 12.15 p.m. today.

[Sitting suspended from 11.40 a.m. to 12.5 p.m.]

The SPEAKER: It is now my intention to proceed to Government House to present myself as Speaker to His Excellency the Governor, and I invite members to accompany me.

At 12.5 p.m., accompanied by the deputation of members, the Speaker proceeded to Government House.

On the House reassembling at 12.20 p.m:

The SPEAKER: Accompanied by a deputation of members, I proceeded to Government House for the purpose of presenting myself to His Excellency the Governor, and informed His Excellency that, in pursuance of the powers conferred on the House by section 34 of the Constitution Act, the House of Assembly had this day proceeded to the election of Speaker, and had done me the honour of election to that high office. In compliance with the other provisions of the same section, I presented myself to His Excellency as the Speaker, and in the name and on behalf of the House laid claim to our undoubted rights and privileges, and prayed that the most favourable construction might be put on all our proceedings. His Excellency has been pleased to reply as follows:

To the honourable the Speaker and members of the House of Assembly: I congratulate the members of the House of Assembly on their choice of the Speaker. I readily assure you, the Speaker, of my confirmation of all constitutional rights and privileges of the House of Assembly, the proceedings of which will always receive most favourable consideration.

STANDING ORDERS

The SPEAKER: I have to inform the House that on 31 October 1989 the Clerk of the Executive Council informed the Clerk of the House of Assembly that His Excellency the Governor's Deputy in council had been pleased to approve revisions to the Standing Orders adopted by the House on 11 October 1989. I therefore remind members that we are now operating with the new Standing Orders.

[Sitting suspended from 12.25 to 2.15 p.m.]

SUMMONS TO COUNCIL CHAMBER

A summons was received from His Excellency the Governor desiring the attendance of the House in the Legislative Council Chamber, whither the Speaker and honourable members proceeded.

The House having returned to its own Chamber, the Speaker resumed the Chair at 3 p.m. and read prayers.

COMMISSION OF OATHS

The SPEAKER: I have to report that I have received from the Governor a Commission under the hand of His Excellency and the public seal of the State empowering me to administer the Oath of Allegiance or receive the Affirmation necessary to be taken by members of the House of Assembly.

ELECTION OF CHAIRMAN OF COMMITTEES

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

That Mr M.J. Evans be appointed Chairman of Committees of the Whole House during the present Parliament.

Motion carried.

GOVERNOR'S SPEECH

The SPEAKER: I have to report that, in accordance with the summons from His Excellency the Governor, the House this day attended in the Legislative Council Chamber, where His Excellency was pleased to make a speech to both Houses of Parliament. I have obtained a copy, which I now lay on the table.

Ordered to be printed.

PETITION: ATHELSTONE RIVER CROSSING

A petition signed by 1 065 residents of South Australia praying that the House urge the Government to provide a river crossing for traffic on the eastern boundary of Athelstone was presented by the Hon. J.H.C. Klunder.

Petition received.

PETITIONS: AUSTRALIA DAY

Petitions signed by 38 residents of South Australia praying that the House urge the Government to legislate to provide

for the Australia Day Public Holiday to be observed on 26 January each year were presented by Messrs Becker and Gunn.

Petitions received.

PETITIONS: MOUNT GAMBIER GAOL

A petition signed by 263 residents of South Australia praying that the House urge the Government not to relocate the Mount Gambier gaol to the Moorak-Benara area was presented by the Hon. H. Allison.

Petition received.

A petition signed by 229 residents of South Australia praying that the House urge the Government not to relocate the Mount Gambier gaol to the Yahl-OB Flat area was presented by the Hon. H. Allison.

Petition received.

PETITION: HOUSING INTEREST RATES

A petition signed by 92 residents of South Australia praying that the House take action to persuade the Federal Government to amend economic policy to reduce housing interest rates was presented by the Hon. H. Allison.

Petition received.

PETITION: ARMED HOLD-UPS

A petition signed by four residents of South Australia praying that the House urge the Government to abolish parole and remission of sentences for persons convicted of armed hold-up offences was presented by Mr Becker.

Petition received.

PETITION: CEMETERIES

A petition signed by six residents of South Australia praying that the House urge the Government to provide for different modes of interment in Adelaide cemeteries was presented by Mr Becker.

Petition received.

PETITION: ADELAIDE AIRPORT

A petition signed by 23 residents of South Australia praying that the House urge the Government to resist any attempt to relax the curfew hours at Adelaide Airport was presented by Mr Becker.

Petition received.

PETITION: MARINELAND

A petition signed by 1 075 residents of South Australia praying that the House urge the Government to reconsider the closure of Marineland was presented by Mr Becker.

Petition received.

PETITION: GAWLER BY-PASS

A petition signed by 646 residents of South Australia praying that the House urge the Government to provide vehicle access to Evanston during construction of the Gawler by-pass was presented by the Hon. B.C. Eastick.

Petition received.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Australian Formula 1 Grand Prix new demountable pit building,

Barker College of TAFE—Mount Barker Campus Stage I,

Croydon Park College of TAFE Technology Centre for Printing and Visual Communication—final report,

Port Adelaide police and courts complex—final report,

Port Augusta Gaol redevelopment,

Upgrade and reconstruction of RN 3160 Main North Road from Wirrabara to Laura.

Ordered that reports be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—

- Casino Supervisory Authority—Report, 1988-89.
- South Australian Superannuation Board—Report, 1988-89.
- Financial Institutions Duty Act 1983—Regulations—Non-dutiable Receipts.
- Lottery and Gaming Act 1936—Regulations—Grand Prix Lottery.
- Pay-roll Tax Act 1971—Regulations—Exemption Level.
- Superannuation Act, 1988—Regulations—Higher Duty Allowance.

By the Minister of Health (Hon. D.J. Hopgood)—

- Chiropractors Board of South Australia—Report, 1988-89.
- Controlled Substances Advisory Council—Report, 1988-89.
- Food Act, 1985—Report on the Operation of, 1988-89.
- Foundation South Australia—Report, 1988-89.
- Institute of Medical and Veterinary Science—Report, 1988-89.
- Occupational Therapists Registration Board of South Australia—Report, 1988-89.
- South Australian Psychological Board—Report, 1988-89.
- Radiation Protection and Control Act 1982—Report on the Operation of, 1988-89.
- South Australian Health Commission—Report, 1988-89.
- Clean Air Act 1984—Regulations—Ozone Protection.
- Food Act 1985—Regulation—Analytical Methods.
- Health Act 1935—Regulations—Notifiable Diseases.
- Opticians Act 1920—Regulation—Registration Fee.
- Public and Environmental Health Act 1987—Regulations—Notifiable Diseases.

By the Minister of Industry, Trade and Technology (Hon. Lynn Arnold)—

- South Australian Centre for Manufacturing—Report, 1989.

By the Minister of Agriculture (Hon. Lynn Arnold)—

- Dried Fruits Board of South Australia—Report for year ended 28 February 1989.
- South Australian Meat Corporation—Report, 1988-89.
- South Australian Meat Hygiene Authority—Report, 1988-89.
- Cattle Compensation Act 1939—Regulation—Stamp Duty.
- Deer Keepers Act 1987—Regulation—Registration Fees.

By the Minister of Ethnic Affairs (Hon. Lynn Arnold)—

South Australian Ethnic Affairs Commission—Report, 1988-89.

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

Listening Devices Act 1972—Report, 1988-89.
National Companies and Securities Commission—Report, 1988-89.
Commissioner of Statute Revision, Schedule of Alterations made—Motor Vehicles Act 1959.
Justices Act 1921—Rules—Fees.
Local and District Criminal Courts Act 1926—
Local Court Rules—Case Management.
District Criminal Court Rules—Sittings.
Local and District Criminal Courts Act 1926 and Criminal Injuries Compensation Act 1978—District Court Rules—Service of Application.
Supreme Court Act 1935—Supreme Court Rules—Costs and Hearings.
Supreme Court Act 1935 and Justices Act 1921—Supreme Court Rules—Sittings and Listening Devices.
Classification of Publications Act 1974—Regulations—
Child Abuse—Exemption.
Exemption.
Commercial and Private Agents Act 1986—Regulations—
Security Alarm Agents.
Security Alarm Agents (Amendment).
Education Act 1972—Regulations—
Promotional Positions.
School Councils.
School Councils (Amendment).
Land Agents, Brokers and Valuers Act 1973—Regulations—
Advisory Service.
Disclosure Exemption.
Legal Practitioners Act 1981—Regulations—Trust Account Interest.
Liquor Licensing Act 1985—Regulations—
King William Street, Adelaide.
Port Adelaide.
Local and District Criminal Courts Act 1926—Regulations—Fees.
Subordinate Legislation Act 1978—Regulation—Expiry Exemption.
Supreme Court Act 1935—Regulations—
Fees.
Probate Fees.
Trustee Act, 1936—Regulation—Australian European Finance Corporation.
Ministerial Statement: Attorney-General, Operation Ark.

By the Minister of Transport (Hon. Frank Blevins)—

Goods Securities Compensation Fund—Report, 1988-89.
Metropolitan Taxi-Cab Act 1956—Regulations—Fees.

By the Minister of Finance (Hon. Frank Blevins)—

Friendly Societies—Amendments to Constitution—Independent Order of Odd Fellows, Grand Lodge of South Australia.

By the Minister of Correctional Services (Hon. Frank Blevins)—

Department of Correctional Services—Report, 1988-89.
Correctional Services Advisory Council—Report, 1988-89.
Parole Board of South Australia—Report, 1988-89.

By the Minister of Recreation and Sport (Hon. M.K. Mayes)—

Greyhound Racing Board—Report, 1988-89.
Department of Recreation and Sport—Report, 1988-89.

By the Minister for Environment and Planning (Hon. S.M. Lenehan)—

Art Gallery of South Australia—Report, 1988-89.
Carrick Hill Trust—Report, 1988-89.
Eyre Peninsula Cultural Trust—Report, 1988-89.
History Trust of South Australia—Report, 1988-89.
South Australian Museum—Report, 1988-89.
Native Vegetation Authority—Report, 1988-89.
Northern Cultural Trust—Report, 1988-89.
South Australian Planning Commission—Report, 1988-89.
State Opera of South Australia—Report, 1988-89.
Riverland Cultural Trust—Report, 1988-89.
South-East Cultural Trust—Report, 1988-89.
South Australian Waste Management Commission—Report, 1988-89.
South Australian Film Corporation—Report, 1988-89.
Art Gallery Act 1939—Regulations—Administration and Offences.
Botanic Gardens Act 1978—Regulations—Bicentennial Conservatory.
National Parks and Wildlife Act 1972—Regulation—Permits and Protected Species.
Planning Act 1982—Regulations—Development Control.
State Opera of South Australia Act 1976—Regulations—Subscribers.
Beverage Container Act 1978—Regulation—Refund.

By the Minister of Water Resources (Hon. S.M. Lenehan)—

South-Eastern Drainage Board—Report, 1988-89.

By the Minister of Lands (Hon. S.M. Lenehan)—

Real Property Act 1886—Regulation—Certified Survey.

By the Minister of Mines and Energy (Hon. J.H.C. Klunder)—

Petroleum Products Subsidy Act 1965—Regulations—Freight subsidy.

By the Minister of Forests (Hon. J.H.C. Klunder)—

Forestry Act 1950—
Proclamations—Talunga, Hundred of.
Regulations—Reserves.

By the Minister of Labour (Hon. R.J. Gregory)—

Occupational Health, Safety and Welfare Act 1986—Code of Practice for Removal of Asbestos.
South Australian Occupational Health and Safety Commission—Report, 1988-89.
WorkCover Corporation—Report, 1988-89.
Lifts and Cranes Act 1985—Regulation—Children Prohibited.
Occupational Health, Safety and Welfare Act 1985—Regulations—
Commercial Safety—Earth Leakage Devices.
Construction Safety—Earth Leakage Devices.
Industrial Safety—Earth Leakage Devices.

By the Minister of Marine (Hon. R.J. Gregory)—

Harbors Act 1936—Regulations—
Harbors and Wharves.
North Arm Fishing Haven.
Port MacDonnell Boat Haven.
Port Pirie Boat Haven.
Robe Boat Haven.
Marine Act 1936—Regulations—
Collisions at Sea.
Surveys and Equipment.
West Lakes.

By the Minister of Employment and Further Education (Hon. M.D. Rann)—

Industrial and Commercial Training Commission—Report, 1988-89.
South Australian Institute of Technology—Report, 1988.
Libraries Board of South Australia—Report, 1988-89.
Office of Tertiary Education—Report, 1988-89.
Public Parks Act—Disposal of Parklands—
Fuller Street, Walkerville.
Toogood Avenue, Beverley.
Building Act 1971—Regulation—Fees.
Fees Regulation Act 1927—Regulations—Overseas Students.
Industrial and Commercial Training Act 1981—Regulations—Contracts and Certificates.
Local Government Finance Authority Act 1933—Regulations—
Australian Institute of Building Surveyors.
Murray Valley League.
Corporation By-laws—
Campbelltown:
No. 17—Ice Cream Carts.
No. 27—Streets.
No. 36—Rubbish.
No. 39—Poultry.
No. 43—Repeal—By-laws.
Henley and Grange:
No. 1—Permits and Penalties.
No. 3—Garbage Containers.

No. 4—Public Conveniences.
No. 5—Parklands.
No. 8—Lodging Houses.
No. 9—Animals and Birds.
No. 10—Dogs.
No. 13—Repeal and Renumbering of By-laws.
Mount Gambier—No. 5—Council Land.
Port Pirie—No. 20—Traffic.
Salisbury—No. 4—Parklands.
Unley—No. 1—Repeal and Renumbering of By-laws.
District Council By-laws—
Lower Eyre Peninsula—No. 8—Dogs.
Loxton—No. 35—Dogs.
Mannum—No. 5—Caravans and Camping.
Onkaparinga:
No. 2—Streets and Public Places.
No. 3—Garbage Containers.
No. 4—Parklands.
No. 8—Bees.
Willunga:
No. 6—Inflammable Undergrowth.
No. 14—Street Traders.
No. 17—Penalties.
No. 19—Dogs.
No. 20—Poultry.
Ministerial Statement: West Beach Trust and Zhen Yun Australia Hotels Pty Ltd—Lease.

By the Minister of Aboriginal Affairs (Hon. M.D. Rann)—
Aboriginal Lands Trust—Report, 1988-89.

QUESTION TIME

ELECTORAL REFORM

Mr D.S. BAKER (Leader of the Opposition): In view of the Government's continuing uncertainty over electoral reform reflected by the very vague commitment in the program of business for this session put before the Parliament this afternoon which refers only to a review of the mechanisms for electoral redistribution, will the Premier say when the Government intends to reveal its specific proposals for action on this key issue? Will he give a commitment that any action taken by the Government will seek to guarantee that the Party which wins a majority of the two-Party preferred vote can govern, so that we change the system which at the last election denied office to the Liberal Party even though it won 52 per cent of the vote? If the Premier cannot give any commitment, even to a timetable for action, will the Government support the select committee sought by the Liberal Party to deal with this matter?

The Hon. J.C. BANNON: First, I congratulate the Leader of the Opposition on his appointment to that difficult position. I look forward to our constructive relationship over the next few years.

His question is obviously a fundamental one. In preface to my reply, I point out that the issue of electoral reform and devising an appropriate electoral system was one of the most lively, contentious and important issues occupying this State and Parliament through the 1950s, 1960s and into the early 1970s. I would have thought that by the mid-1970s, as a combination of brinkmanship and action taken, in part, by the then Premier Steele Hall and also during his time as Leader of the Opposition, but most importantly through the untiring efforts to ensure a fair electoral system in this State by the then Premier Don Dunstan, we have arrived at the system under which we operate today. It has been universally recognised as being, based around the single member constituency, the best of its kind in Australia. The Opposition brutes these figures around and keeps talking about this 52 per cent: to arrive at that figure requires a number of assumptions which are not necessarily correct.

It requires a number of assumptions as to the deployment of votes in relation to those seats won by Independents or where others polled significantly. It is absolute nonsense to say—as is being said—that a clear-cut conclusion can be drawn from the voting pattern of the last election. Be that as it may, I have said quite strongly that, because of the extension to four-year terms of the Parliament of this State, it is clear that the provisions that were adequate when they were brought in in terms of the periodic redistribution are no longer adequate; and that, if we go to the next election on the present boundaries, there will be major discrepancies among the single member constituencies above and below the quota. The Government accepts that: we have no argument at all on that matter, and we have said that it must be addressed. How it is addressed is the important issue. It is not an easy matter: there are questions of referendum and questions of the size of the House. It is interesting that the Leader proposes this motion on this occasion: this is about the third or fourth approach the Opposition has taken on the question of redistribution.

At one stage members opposite were in favour of a referendum, even though they opposed the Federal referendum that would have effected the redistribution that they claim is needed. Members should remember that. That is how fair dinkum members opposite are about electoral reform. The opportunity was there in that Commonwealth referendum to fix up our Act, and that was rejected. The second approach they took was to say—

Members interjecting:

The SPEAKER: Order! The honourable member for Kavel has had a fair go. The question was asked by the Leader. If the honourable member wants an answer, he should listen. Otherwise we will have to do something about it.

The Hon. J.C. BANNON: The second approach was a drastic reduction in the numbers of the House to 41. I do not know the status of that proposal urged by the Opposition last year. That would trigger a redistribution; everyone accepts that. But I suggest that it would have severe implications for the representation of the people of South Australia, particularly those in country areas. But that was what was being proposed.

Now we come to the next step, which is a major select committee inquiry into the system and which calls into question even the single member constituency. I suggest that, where we have an Upper House which is elected by the State as a whole under proportional representation, a single member constituency for the House of Assembly is the appropriate way to go. That is obviously something with which the Opposition disagrees. If that is the position, let the Opposition state it clearly. If not, let it concentrate on the simple issue that we should have a redistribution based on the one vote one value principle, which this Party stood for and ensured was implemented in South Australia. We will do that by effecting a redistribution before the next election. It is our intention to facilitate that. Exactly in what way we will announce at the appropriate time. It will be shortly.

CHILDREN'S SERVICES

Mr FERGUSON (Henley Beach): Is the Minister of Children's Services aware of the latest proposals by the Henley and Grange council for the establishment of a child-care centre at Grange? I understand that the city of Henley and Grange has established a register of interest for the establishment of a child-care centre in the suburb of Grange. To my knowledge the council has provided the greatest support

I have known from any council for the building of a child-care facility. The Henley and Grange Council is prepared to support a day-care centre with sponsorship of the land, waiving payment of land rates for the first five years, providing outside ground maintenance and making a donation of $2 000 for administration or responsibility for the annual audit of the centre's books. It has been reported to me that there is a need for a long day-care centre for children in this area.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. He is well known in this place for his interest in children's services in his electorate. All members will know that the provision of child-care is substantially a responsibility of the Commonwealth Government. All members will also know most acutely that there is a very strong demand for child-care not only in South Australia but right across the nation.

The Hawke Government, upon its election in 1973, in conjunction with the States, embarked on a substantial program to provide a much needed fillip for this area of children's services. There has now been a series of joint Commonwealth-State agreements to provide not only long day-care centres but more recently occasional care programs and increased family day-care provisions. It is most welcoming to hear of the commitment at local government level and, in this case, of the Henley and Grange council. I will be most interested to discuss this proposal with that council and with the honourable member. I understand that the Director of the Children's Services Office has already commenced discussions at officer level. An announcement of a further program of long day-care centres is to be made during this year.

Both the Federal Minister of Community Services and Health and I receive advice from an expert committee, which advises on the placement of such centres. In due course we will receive those recommendations, but I will ensure that the interests of this council and the needs of the local community, as they have been assessed by the council, are put before the committee and my Federal colleague.

HOMESURE

Mr S.J. BAKER (Deputy Leader of the Opposition): My question is to the Minister of Housing and Construction. Why did the Government mislead thousands of South Australian homebuyers when it began advertising the Homesure scheme last month and will the Minister now confirm that this advertising was in fact further proof of this broken election promise?

The Government began advertising Homesure in the *Advertiser* on 2 January. The first advertisement published on that day listed criteria for eligibility and, in relation to first homebuyers, made quite clear that they did not need to be paying more than 30 per cent of household income in loan repayments to qualify. The wording of that advertisement shows this restriction was specifically reserved for second and subsequent homebuyers. However, in the second advertisement, published in the *Advertiser* four days later, on 6 January, this restriction was extended to cover first homebuyers as well.

Information from lending institutions shows that this key additional restriction will deny interest rate relief to at least 15 000 and possibly up to 30 000 families. A person who has been involved in advising the Government on the implementation of Homesure has informed the Opposition that the change in the advertising is further proof that the Premier's election promise on interest rate relief was a panic response to the fully costed Liberal Party policy, and is now being broken.

Further, we have been told that, after the election, the Government decided to impose major restrictions on Homesure eligibility following budget advice that it could not afford the scheme promised and still honour its other spending commitments made during the election.

These decisions were made just before Christmas, but over the holiday break the Government overlooked the need to change Homesure advertising, which had been prepared to promote the Premier's original election promise. Accordingly, the advertisement on 2 January misled thousands of first homebuyers who will not qualify for this relief unless their mortgages are taking up more than 30 per cent of household income. If the Minister has any doubt about the massive difference in these two advertisements, I can provide him with the pieces of advertising.

The Hon. M.K. MAYES: First, let me congratulate the honourable member on his appointment; I wish him well in that office and look forward to working with him. It is interesting to note that the Opposition has latched onto this issue with childish zeal. Quite frankly, the situation—

Mr S.J. Baker interjecting:

The Hon. M.K. MAYES: I thank the member for Mitcham for his question, because he helped to run the Unley campaign for the Liberal Party—and did so well in that campaign. I was delighted to see that he was involved and I look forward to his continued support of the Liberal Party candidate because, as usual, he managed with great skill to support the failure of that candidate. So, I will ignore his interjections and turn to the body of the question.

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: I would have thought that the honourable member had retired. If one looks at the cynical way in which the Liberal Party structured its desperate campaign bid and its scheme for mortgage relief, one sees that it is quite clear that it is transparent. If one refers to the documents which the Liberal Party put out with regard to the scheme that it proposed, one sees quite clearly that what it was offering was purely a bid to attract as many votes as it could on the day, because from 1 January 1991 its scheme was to tail back its offer: mortgage repayments would relate to the principal place of residence.

The Liberal Party's scheme was designed not for a family. In its campaign the Liberal Party kept talking about the family, but there was no mention of the family: the scheme was designed for anyone who happened to wander through and managed to qualify.

However, to qualify for the annual cash grant home buyers had to be paying more than 30 per cent of their gross family income. The member for Mitcham argues that the Government's Homesure package does not meet the needs of the community. Quite obviously the Liberal Party designed its scheme to get as many votes as it could on the day, and after that it intended to curtail the scheme. That is quite obvious.

The SPEAKER: Order! I ask the Minister to resume his seat. The member for Kavel is having a lend of me. He knows the consequences of his actions. I also ask the Minister to answer the question.

The Hon. M.K. MAYES: The Government's policy, quite clearly, offers significant relief to the South Australian community in terms of housing and support for those people in the HomeStart scheme and in respect of stamp duty and all programs being put forward. The Homesure package offers that very same relief. At this point the procedure being followed to process those applications is working very

well and we are encouraging people to apply. We will be advertising throughout the press to encourage people to apply for the relief available.

The Government's scheme works on an equitable basis. It is aimed at those people who pay more than 15 per cent interest per annum on their mortgage, which is identical to what the Liberal Party proposed in its second scheme. However, the Government's scheme takes into account the family and includes a higher income level so that families with four or more dependants can qualify. There is no comparison with the Liberal Party's scheme. Its scheme cuts off at $45 000 whereas the Government's scheme goes up to $55 000. Our scheme offers support to those people paying a mortgage which amounts to more than 30 per cent of their income. Those people are the most in need and they will get our support. Our scheme has a sensible and sound basis and will continue to offer relief to the many thousands of South Australians feeling the pressure of interest rates in purchasing their home. We make no apology for that.

Our scheme is a good scheme and is equitably based. It offers a great deal of support for the South Australian community and for those people suffering under the pressure of the interest rate burden. All of us look forward to the time when interest rates drop below 15 per cent and the pressure on South Australian families is reduced. I stress that our scheme is designed to help families. I note from the pamphlets and publicity—

An honourable member interjecting:

The SPEAKER: Order! I ask the honourable member for Mount Gambier to take note of his actions and the consequences of them.

The Hon. M.K. MAYES: Our scheme is designed for the family. I note from publicity information provided by the Liberal Party in its cynical attempt to win votes at the last election that its scheme was not designed for the family but for anyone from whom it could win a vote.

FEDERAL HEALTH INITIATIVES

Mr HAMILTON (Albert Park): I congratulate you, Sir, on your elevation to the position of Speaker. Is the Minister of Health in a position to advise the House of the likely impact of the Federal Government's health initiatives for rural services in South Australia and on how those initiatives will improve access to health services by country women? During my recent visit to a number of country towns I was asked by many country women how such initiatives would help them in rural areas.

The Hon. D.J. HOPGOOD: I take this opportunity to express the point of view that quite possibly the honourable member picked up some of this as a result of his walk to the north; and, of course, we should all congratulate him not only for his stamina but also for the amount of money he raised for very worthy causes. The South Australian Health Commission will, of course, cooperate fully with the Commonwealth Government in these very important initiatives which are very much directed towards the maintenance of health and health services and, in particular, that thrust which means that the more we can keep people out of the health system the better for them and the better for the costs of the health system itself.

To give a few details, although more can be made available, the Commonwealth initiatives with which we will be cooperating include things such as mobile breast cancer screening units, and these will operate in all the States and the Northern Territory; family planning services for people in remote locations; funding to enable frontier services to establish a women's health care services program; and an enhanced domestic violence education campaign. There are a number of other initiatives, including a considerable amount of money for geriatric assessment units in rural areas to ensure that elderly people in more isolated areas receive home or institutional care that meets their particular needs.

I think that all honourable members would agree that nowhere is this more important than in country areas, where the tyranny of distance often militates against the sorts of service available to those people—services which we in the city and the suburban areas sometimes take for granted. So, I can assure the honourable member that we will cooperate with the Commonwealth as fully as we possibly can in these important initiatives.

HOMESURE

The Hon. D.C. WOTTON (Heysen): I direct my question to the Minister of Housing and Construction. How many South Australian home buyers have so far qualified for Homesure assistance and how many does the Government expect will qualify during 1990?

The Hon. M.K. MAYES: At the moment I think that something over 300 applications have been processed and approved.

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: I imagine that, in the time available to process applications, many thousands of home buyers will qualify for Homesure assistance.

Members interjecting:

The SPEAKER: Order! The member for Mount Gambier is warned. The honourable Minister.

The Hon. M.K. MAYES: As I said, in the processing of those applications—and it is reasonably complex to assess the applications—I would imagine that over the next few months many thousands of South Australian families will benefit from the Homesure scheme.

HOUSING TRUST

Mr M.J. EVANS (Elizabeth): Will the Minister of Housing and Construction consider bringing the Housing Trust entirely under the Residential Tenancies Act in order to ensure that tenants and the trust do not have to use the expensive and slow legal mechanisms of the Supreme Court to resolve matters such as eviction for the non-payment of rent? The trust is presently required to seek, through the Supreme Court, eviction orders for the non-payment of rent or for other good cause. It is a very slow and expensive process with all the final costs being passed on to the tenants if the trust's application is successful.

By comparison, the Residential Tenancies Act provides a quick and equitable system for dealing with these matters and avoids the high legal costs inherent in the present legal arrangements. The tribunal also provides an effective and efficient process for ensuring that all South Australian tenants are given the full protection of the law.

The Hon. M.K. MAYES: I thank the honourable member for his question, and in doing so I acknowledge the work of my predecessor, the Hon. Terry Hemmings, who did some very good work in this area. I acknowledge his exceptional work as Minister of Housing and Construction over many years.

Mr LEWIS: I rise on a point of order, Mr Speaker. I understand that the Minister referred to another honourable member by name and not by his electorate. Standing Orders, as I read them, still require members and Ministers to refer to other members by the electorate they represent. Mr Speaker, will you please direct the Minister's attention to that Standing Order?

The SPEAKER: It is a technical point, and I ask the Minister to observe the technicality of that Standing Order.

The Hon. M.K. MAYES: I certainly will, Mr Speaker. Over the years the member for Napier has become a close friend of mine and it is easy to slip into reference to that personal relationship. The member for Napier's commitment to the housing community, and particularly to the area of public housing, is well known throughout the community. In this area he has done some preliminary work and I congratulate him on that because he has explored, with the Housing Trust, alternatives available from the processes that are currently followed, as cited by the member for Elizabeth. I understand that in September 1989, at the Minister's initiative, discussions were held with the trust to look at the potential of moving to the use of the Residential Tenancies Tribunal and other methods to avoid what obviously is a costly and distressing process for both tenants and the trust.

It is important that we now consider what has been raised not only by the Minister initially and now by the member for Elizabeth but also by the Public Tenants Association which in the past week formally raised the matter with me as Minister. I am more than willing to take on board the steps already initiated by my predecessor the former Minister of Housing and Construction (the member for Napier), and I have some enthusiasm for this. Obviously, what will be required is an amendment to section 6 of the Residential Tenancies Act to allow for the tribunal to be taken into account. As members will appreciate, some procedures need to be undertaken. Overall, I believe that would meet with the current spirit of the renegotiated Commonwealth/State Housing Agreement.

Certain benefits could flow from a package that would perhaps involve the use of the tribunal both in an administrative way and in a quasi legal sense for the benefit of not only the trust but also the tenants. Those discussions must proceed with the tribunal in order to obtain its concurrence and support for such an amendment. I will be pleased to proceed with that, and I think that in due course we may see legislation before this place to address this issue as well as the administrative changes which I would hope will bring about a smoother, less costly and certainly less distressful method of dealing with these issues. I thank the member for Elizabeth for raising this matter. I am more than happy to take on board his comments in regard to these discussions.

NATIONAL CRIME AUTHORITY

Mr INGERSON (Bragg): My question is directed to the Minister of Emergency Services. Following the Attorney-General's statement on the *7.30 Report* on Monday that the Government was now considering the report of the Operation Ark investigation completed in June last year—more than seven months ago—while Mr Justice Stewart was still head of the National Crime Authority, does the Attorney's statement mean that the Commissioner of Police is now, as recommended in that report, reviewing the suitability of three officers in the light of matters canvassed in the report and, if not, why not?

Members interjecting:

The SPEAKER: Order!

The Hon. J.H.C. KLUNDER: For the edification of members, I have been Minister of Emergency Services for more than six months, as far as I am concerned. Perhaps it is due to the fact that members have not caught up with that situation that they have asked me so few questions about the emergency services portfolio. As I understand it, the situation now is that the Commissioner of Police has the names of several officers looked at by the NCA for certain purposes. He will now look at the record and possible redeployment or otherwise of those officers.

RECYCLED PAPER

The Hon. J.P. TRAINER (Walsh): Before asking my question I would like to extend formally my congratulations to you, Mr Speaker, in the same manner as I have privately, to ensure that they are recorded in *Hansard.*

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: I wish to direct my question to the Minister of Education, who might need to consult with his colleague the Minister for Environment and Planning before replying. Will the Minister conduct an inquiry into the feasibility of using recycled paper for school exercise books? I hope that I can briefly explain the question without the degree of comment introduced by some members opposite.

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: I had some difficulty in commencing my question because of the bad manners of the member for Kavel, who is continuing his tradition. I was tempted to say that the member for Kavel does not have the manners of a pig, but that is obviously untrue.

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: My attention was drawn to a letter in this morning's *Advertiser* which put forward a proposal for the use of recycled paper, and which also—

The SPEAKER: Will the honourable member resume his seat; there is a point of order.

Mr S.J. BAKER: The House was indeed generous in accepting the honourable member's first comment, but I believe it is his duty to withdraw the comment he just made about the member for Kavel.

The SPEAKER: If the member for Kavel takes umbrage, he can request withdrawal of the comment.

The Hon. E.R. GOLDSWORTHY: Mr Speaker, I do not have much of an opinion of him, either.

Members interjecting:

The SPEAKER: Order! This is the first day of a new session. You are all fitting in the same as me, so let us remember that we are being observed by the public of South Australia. This is an important part of the parliamentary process, and I believe that we owe it to ourselves as well as the public of South Australia to conduct ourselves correctly. The honourable member for Walsh.

The Hon. J.P. TRAINER: You have my assurance, Sir, that whatever is necessary to help you uphold the order of the House will be done. I refer to a letter from J. Truscott, of Wattle Park, in this morning's *Advertiser* dealing with the use of paper and plastic. I am aware of the wastage of exercise books that occurs at the end of each year, many books with perhaps only half a dozen pages having been used, being consigned to rubbish bins and backyard incin-

erators. It may be appropriate for this to be resolved in the manner outlined.

The Hon. G.J. CRAFTER: I thank the honourable member for his interest in this matter, which obviously merits further consideration. I shall be pleased to take advice on this matter from my colleague the Minister for Environment and Planning. I believe it is of concern that there is, to some extent, a degree of commercialisation of the beginning of the school year and of the marketing of a range of products which may not altogether be necessary for the required needs of students in our schools. I believe that all students, parents and, indeed, teachers need to be aware of the pressure, including peer pressure, placed on young people to purchase of goods and materials that may not really go to the core of what is essential for the learning program and the needs of students in our schools.

The recycling of paper is a matter of great concern to us all, and I believe that we should pursue, not only at a governmental but also family level within each home, with each school and within each enterprise in our community, ways in which we can conserve not only paper but also other waste materials for the benefit of our community and, indeed, future generations.

NATIONAL CRIME AUTHORITY

The Hon. H. ALLISON (Mount Gambier): Mr Speaker, I offer you congratulations upon your appointment, and I assure you of my utmost cooperation. I apologise for my exuberance a little earlier in believing that 300 applicants for mortgage relief would qualify for $1.2 million each. I also congratulate the Premier upon his return to office, with this Government as a minority Government. When did the Premier become aware that the National Crime Authority was conducting the so-called Operation Ark, and when was he advised that the former head of the National Crime Authority, Mr Justice Stewart, had compiled a 139 page report on this investigation?

The Hon. J.C. BANNON: In a mood of congratulation, let me return one to the honourable member on finding his place on the front bench once again after a somewhat lengthy absence. I am delighted to see him there.

In relation to the question, I cannot recall precisely, because I have not been handling these matters, which are the delegated responsibility of the Attorney-General, who has given the sequence of events precisely as far as he is concerned. In relation to the report forwarded to the Government, the Attorney-General certainly advised me that there would be such a report. As to when or at what time I knew of the existence of this draft report, supposed report, or whatever the expression is—the first report—I cannot say. I do not think that it is particularly relevant because, as far as I am concerned, the way in which the matter is being handled, combined with the sequence of events, has been quite proper and adequate.

ROAD SAFETY

Mr HOLLOWAY (Mitchell): I should like to add my congratulations to you, Mr Speaker, on attaining your high office. Will the Minister of Transport outline to the House the South Australian Government's view on the Federal Government's $110 million road safety package? Late last year the Federal Government announced a road safety package which demanded certain road safety standards throughout Australia in return for $110 million to reconstruct accident black spots on our major roads. I am sure that everybody would deplore the present road toll, including the two tragic heavy vehicle accidents which have occurred in the State in the last few days.

The SPEAKER: Order! The honourable member has asked his question, but I suggest there may be better ways to phrase questions. However, I will accept it on this occasion.

The Hon. FRANK BLEVINS: It appears to be obligatory to congratulate everybody around the place. May I offer my congratulations to you, Sir, on your elevation, although I must say that, when your nomination was being put forward by the Premier and he was commenting on your background, he said that you were a boxer, a rugby player (this was in the context of being something of a hard case) and you were also a maritime worker.

The SPEAKER: Order! I am also now the Speaker. Will you please come back to the question.

The Hon. FRANK BLEVINS: But, as you know, Sir, maritime workers are gentle. I should like to congratulate members opposite who have been elevated. I will speak about them on another occasion. I will not go into great detail now. I also congratulate the new members on the back bench. There are lots of them. I have not met them yet, but I am sure I will. It is very nice to see them here. Perhaps I can say what they have to look forward to. They will work 18 hours—

The SPEAKER: Order! Will the Minister please listen to what I have to say and will he come to the question.

The Hon. FRANK BLEVINS: Yes, Sir; I am coming to the question. However, I thought that it would be nice to welcome the new members opposite.

I thank the member for Mitchell for his important question. The Government's view on the heavy vehicle road safety package that was put forward by the Federal Government was generally favourable. The package in all areas made a great deal of sense. I think that it would make a significant contribution to reducing the deaths on our roads, particularly those caused by heavy vehicles. Heavy vehicles are over represented in the statistics. Generally the consequences of accidents involving heavy vehicles are usually more serious than if a light vehicle is involved.

The package essentially involved a greater degree of uniformity in our road laws. I think that we would all agree that that was generally desirable. The South Australian Government does not believe that uniformity for uniformity's sake, or uniformity to the lowest common denominator, would necessarily be desirable. We have legislation in this State that is considerably stronger than legislation in other States. I would not want standards in South Australia to be lowered for the sake of uniformity.

One of the principal things put forward by the Federal Government was a uniform speed limit of 100 km per hour for heavy vehicles. I agree that would be very sensible. Incidentally, I notice that the Liberal Government of New South Wales disagrees, but that is something that it will have to sort out. Another proposal was a single national driving licence for heavy vehicle drivers. I do not think that anybody could argue with that, particularly if higher standards of driving skills have to be demonstrated before a driver can qualify for that licence.

One contentious issue was the question of the blood alcohol level. Members will recall that the Hon. Michael Wilson, when he was Minister of Transport, initiated a select committee into random breath testing. I was a member of that Upper House select committee, and we looked at the question whether .08 should be reduced to .05 at that time. It was an all-Party committee, and certainly a non-

political committee. There were no political arguments on the issues before the select committee. We agreed unanimously that .08 was the appropriate level, based principally on the work done by Dr Jack McLean of the road accident research unit of Adelaide University. He is the foremost South Australian authority. We have always accepted that that was quality work, and we accepted his recommendations.

When I went to the ATAC meeting and put forward this view, I was not warmly welcomed. The other States and the Federal Government were not impressed with that work. I have asked them, before we will agree to .05, to prepare the case for .05 to persuade us—when I say 'us', I mean everybody in the Parliament—and that material will be distributed very soon. The funds that will come to South Australia if we agree to uniform standards would be about $12 million. That would have the effect of considerably improving some of our accident black spots around the State. It has been calculated that, if we spend $500 000 in one of these black spot areas, that will equate to one life saved each year. That certainly would be worth while. Again, I thank the member for Mitchell for his question and look forward to many more from him over the years.

MARINELAND

Mr BECKER (Hanson): I direct my question to the Minister for Environment and Planning. Will the Government delay relocation of the Marineland dolphins and other animals until a proposed select committee of inquiry has reported back to this Parliament; and, if not, will the Minister reveal when the Government intends to move the animals and to which locations?

The Hon. S.M. LENEHAN: I thank the honourable member for his question and I am delighted that he has got around to raising it in a sensible manner. The simple answer to the question is, 'No, the Government does not intend to delay the relocation of the Marineland animals in relation to proposals for a select committee'. There has not been any move in this House for a select committee and I will explain the reasons why the Government will not delay the relocation of these Marineland animals.

First, if we look at the Marineland facility—and I have extensive briefing notes about the standard of this facility—we see that there is evidence to support the claim that the facility is highly dangerous. It is structurally unsound—and I am sure that the honourable member is aware of this—and therefore it is not a tenable proposition to leave these animals in their present location. I do not believe that any person in the Sate of South Australia for one moment would suggest that these animals should be left there any longer than is absolutely necessary. Certainly no one who purports to have any feeling for these animals or commitment to animal welfare would suggest that.

Secondly, as the honourable member would know, a number of proposals have been put forward to the Government with respect to the best relocation option for the full range of animals at Marineland. In consultation with a number of experts I recently looked at a proposal to relocate the animals to the Port River. I sought professional comment and opinions from 10 different sources in relation to this proposal, which I took very seriously because I believe that the people involved genuinely believed that the rehabilitation and release option was a very good one.

However, I have made my decision and announced it to the community of South Australia—that, on the balance of probabilities, the likelihood of these animals dying as a result of such a move is extremely high. Therefore, as Minister responsible for animal welfare I could not, and have not, approved this relocation option. Some time ago I sought the expertise and advice of Dr David Obendorf, who is considered to be a veterinary expert on dolphins and who resides in Tasmania. I duly released his report to the public, and I am sure that the honourable member has seen it. In his report, Dr Obendorf stated clearly that, in his view, the options for these dolphins in particular and for the other animals was, first, to euthanase them but, if that was not considered to be an option by the Government, to relocate them to a facility very similar to the one from which they came.

Therefore, the Government has taken the decision, which I announced last Sunday—and I have given a commitment to the people of South Australia—that none of the dolphins will be euthanased, but that they will be relocated to Sea World in Queensland. The Sea World management made an offer to South Australia, after I had discussions with the management as long ago as May last year, that it would, on humanitarian grounds, take the dolphins. Subsequently, it is taking a number of the other marine animals from Marineland. The Sea World management applied a normal condition in these circumstances, that is, that the animals must be free from contageous diseases, including tuberculosis, leptospirosis and brucellosis.

An honourable member interjecting:

The Hon. S.M. LENEHAN: Yes, it is taking every one of the dolphins. Mr Speaker, I was diverted for a moment by what I thought was a reasonable question. In answer to that interjection, which I realise is not allowable, I point out that all of the dolphins will be moved to Sea World. The two tests in relation to leptospirosis and brucellosis were clear. However, in relation to tuberculosis, Dr Needham, the vet who has been looking after these animals for many years, indicated that he did not believe that it was clear that none of the animals at Marineland had tuberculosis.

I believe that the honourable member knows the course of events and in an attempt to keep my answer brief I am happy to provide him with a personal briefing on this matter. We are awaiting the final culturing of the test for tuberculosis and I am informed by the receiver that the final result of the testing will be at the end of March. It is obviously the Government's intention to move these animals to their new home at Sea World. I remind the honourable member that, on all expert advice, that decision was taken by me as Minister responsible for animal welfare and subsequently it was endorsed by the Cabinet that we would be looking at moving the animals after that date,

NORTH-WEST RING ROUTE

Mr ATKINSON (Spence): Can the Minister of Transport say when the Hawker Street to Port Road section of the north-west ring route at Bowden will be completed? Under the metropolitan Adelaide transport scheme, the suburbs of Bowden, Ovingham and Brompton would have disappeared under a series of elevated freeways. The constituency that I have the honour to represent was spared that fate. The north-west ring route is one of the alternatives to the Mats plan. A completed north-west ring route would relieve the inner north-west of much through traffic and further would spare the residents of Park Terrace the noise of further road construction.

The Hon. FRANK BLEVINS: I thank the member for

Spence and congratulate him and all the other new members on their election. I will tell them when they are in a better frame of mind what they can expect from four years in this place, but for the moment—

Mr Olsen interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: If the honourable member for Custance—

The SPEAKER: Order! The member for Custance is out of order. The Minister will come back to the answer to the question.

The Hon. FRANK BLEVINS: Mr Speaker, I thank you for your protection from the member for Custance. I am able to give the honourable member details in relation to the section of the north-west ring route which involves Fitzroy Terrace, Park Terrace, Port Road and Adam Street. The first stage of the upgrading of the Park Terrace-Fitzroy Terrace section to a four lane dual carriageway with surfaced roads was completed in 1986-87 at a field construction cost of $4.4 million.

Stage 2, which is the stage referred to by the member for Spence, involves the elimination of the North Adelaide railway crossing by the construction of a bridge over the main north railway line. The contract for the construction of the bridge at a cost of $5.8 million was awarded to McConnell Dowell Constructors (Aust.) Pty Ltd in January of last year. Those works are expected to be completed by April of this year. I know that the constituents of the member for Spence will be pleased to see that bridge completed. It will be some time later this year before the roadworks on the bridge and its approaches are completed.

I am also happy to let the member for Spence know that design work for stage 3, the upgrading of Adam Street from Port Road to Manton Street, has already been completed as part of the north-west ring route project. By way of a little more detail to enable the honourable member to inform his constituents further, I point out that the existing carriageway will be rehabilitated to form the carriageway for west-bound traffic travelling towards Manton Street; a new carriageway will be constructed for east-bound traffic travelling towards Port Road; and the road improvements will facilitate access to and from Grange Road via Manton Street to the city and will allow the reintroduction of right turns from both Park Terrace and Adam Street into Port Road.

Negotiations are in progress with the Department of Lands to acquire the necessary land from the site set aside for the development of the entertainment centre and the cost of acquisition will be approximately $1.4 million. A pedestrian crossing and additional lighting will be provided on the Port Road frontage of the entertainment centre because of increased pedestrian movement as a result of this project. Construction of that stage is expected to commence in March 1990 and it is hoped that it will be completed in October 1990 at a cost of about $600 000.

So, it is certainly a comprehensive program for that section of the honourable member's electorate. Even though there is some disruption, it is far better than the disruption to which the honourable member referred, namely, the late and unlamented MATS plan which would have decimated the inner western suburbs of Adelaide. It was a sensible decision taken by a previous Labor Government to finally can the MATS plan.

NATIONAL CRIME AUTHORITY

Mr MEIER (Goyder): I also congratulate you, Sir, on your election to the office of Speaker today. My question is directed to the Premier. When the Premier met the new head of the National Crime Authority, Mr Faris, on 1 August last year, did the Premier discuss with Mr Faris the Operation Ark investigation and the report of this investigation compiled while Mr Justice Stewart was head of the authority? Further, did Mr Faris say he was reviewing the report of Mr Justice Stewart and, if so, what reasons did Mr Faris give for this?

The Hon. J.C. BANNON: No.

DAVENPORT ABORIGINAL COMMUNITY SECURITY SERVICE

Mrs HUTCHISON (Stuart): I also add my congratulations to those expressed by other members, Mr Speaker. Will the Minister of Aboriginal Affairs advise the House whether funding for the Davenport Aboriginal Community Security Service will be continued? The Davenport Aboriginal Community Security Service is managed and administered by the community council and employs approximately three people who conduct regular nightly patrols. This service was initially set up for six months only but, because of its success, it is generally agreed by all parties involved that the service and the funding should continue.

The Hon. M.D. RANN: I thank the honourable member for her question. Members would be aware of the tragic fire that occurred at Bungala estate near Port Augusta last year in which six Aboriginal people lost their lives. Following that fire, a security service for the Davenport Aboriginal community to deal with problems being experienced in that community was set up for six months, with funding from the Commonwealth Department of Aboriginal Affairs and the Aboriginal Development Commission.

The service has been managed and administered by the community council and employs three people who conduct regular nightly patrols throughout the Davenport reserve area, at Bungala Estate and the Wami Kata Old Folks Home located within the Davenport area. Reports indicate that, during the time the service has been in operation, the incidence of vandalism, assaults and other disruptive events has been reduced significantly. The police have also reported that call outs to the area have been gradually reduced during this time.

The service was initially set up for just six months and has been widely applauded in both the Davenport and Port Augusta areas. It had six months funding, which was about to run out when the member for Stuart notified my office that the community would be without a security service. The State Office of Aboriginal Affairs gave interim funding of $4 500 to continue funding of the service while I negotiated with the Commonwealth to secure ongoing funding. I am pleased to advise that the Department of Employment, Education and Training has indicated that it will provide extra funding for a further 10 weeks.

Last Friday I met with my Federal counterpart, Gerry Hand, who has promised to look at the matter sympathetically and I expect that he will announce soon that there will be ongoing funding for the Davenport community, at least until the end of this financial year. The Davenport community made clear to me upon visiting the area last week that it wants the power to control liquor in its area, as do other Aboriginal lands trust communities, hence the introduction next week of amendments to the Aboriginal Lands Trust Act.

NATIONAL CRIME AUTHORITY

Mr LEWIS (Murray-Mallee): I add my congratulations to you, Sir, upon your election to your high office. My

question is directed to the Premier. What assurance can the Premier give the House that neither he, nor any member of his Government nor any person acting on behalf of his Government took any action to delay, until after the 25 November State election, the transmittal to the Government of reports concerning Operation Ark?

The Hon. J.C. BANNON: I can give an assurance on that. The timing is not in our hands: the timing is obviously in the hands of the NCA. How it operates has been made abundantly clear. The reference is made to the NCA, it goes about its business and, when it believes it has something to report and is in a position to do so, that report is duly forwarded to the Government, where appropriate. That is a matter for the NCA and, presumably, such reports can be made available only when investigations are completed.

SKILLSHARE

Mr HERON (Peake): Will the Minister of Employment and Further Education advise whether the State Government supports the Federal Government's Skillshare program which this year is providing job training for 70 000 people in Australia? I have been approached by a constituent who is concerned that, under the Federal Coalition's policy, the 371 Skillshare programs operating in Australia would be scrapped and incorporated in JobTrain, a program whereby Government pays organisations to provide courses.

The Hon. M.D. RANN: I thank the honourable member for his question. The Skillshare program is the Commonwealth Government's biggest contribution, other than the unemployment benefit, to people in our community who are disadvantaged in gaining employment. It is aimed at providing relevant training and employment opportunities which will lead individuals away from dependence on Government support and into a productive and independent future. It serves in the long run both to reduce the costs to Government of support for the disadvantaged and to make a significant contribution to the reskilling of Australia, which all commentators would agree is vital for our economic future.

The honourable member's comments about the Liberal Party's attitude at the Federal level to Skillshare are interesting. The Federal Opposition is facing a backlash within its own ranks over plans to axe the Government's Skillshare program which this year is providing job training for 70 000 people around Australia. Recently the Federal Leader of the Opposition, Mr Andrew Peacock, announced his economic action plan known as EAP, which is supposed to be the Coalition's blueprint for its first year in office. It announced the scrapping of Skillshare if it came to office. As with its health policy, there seem to be a few problems.

Last week the *Australian* obtained copies of 12 letters written by Opposition members to Government Ministers requesting additional funding for Skillshare—the actual program the Opposition is saying it will axe. The signatories of the letters include the Leader of the Opposition, Mr Peacock (who announced that he will axe the scheme but is actually asking for more funding), the National Party Leader (Mr Blunt) and the Opposition spokesman on Employment, Training and Youth Affairs (Mr Julian Beale). They wrote for more support for Skillshare a couple of days before the announcement that it would be scrapped.

There appear to be considerable problems. At least one Skillshare office contacted by the *Australian* last week was told that it would survive the Coalition plan and a Federal Liberal candidate in Queensland joined his local Skillshare board after the economic action plan was released. One of the most enthusiastic supporters of Skillshare, which Andrew Peacock wants to scrap simultaneously with its gaining office, is the Liberal member for Adelaide, Mr Michael Pratt, who has retained senior positions on Skillshare boards in his electorate. It is quite clear that Mr Pratt is confused about whether he is to support Andrew Peacock in scrapping Skillshare or to support his leader in terms of more funds for it.

ADELAIDE UNIVERSITY COUNCIL

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

That Messrs Atkinson, M.J. Evans and Lewis be appointed to the Council of the University of Adelaide as provided by the University of Adelaide Act 1971.

Motion carried.

FLINDERS UNIVERSITY COUNCIL

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

That Messrs Heron, Holloway and Such be appointed to the Council of the Flinders University of South Australia as provided by the Flinders University of South Australia Act 1966.

Motion carried.

SESSIONAL COMMITTEES

Sessional committees were appointed as follows:

Standing Orders: The Speaker and Messrs Ferguson, Gunn, Oswald and Trainer.

Printing: Mr Atkinson, Mrs Hutchison, Mrs Kotz and Messrs Matthew and McKee.

JOINT PARLIAMENTARY SERVICE COMMITTEE

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

That, pursuant to section 5 of the Parliament (Joint Services) Act 1985, Messrs De Laine and Lewis be appointed to act with Mr Speaker as members of the Joint Parliamentary Service Committee, and that Mr M.J. Evans be appointed the alternate member of the committee to Mr Speaker, Mr Heron alternate member to Mr De Laine, and the Hon. E.R. Goldsworthy alternate member to Mr Lewis; and that a message be sent to the Legislative Council informing it of the foregoing resolution.

Motion carried.

PUBLIC ACCOUNTS COMMITTEE

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

That, pursuant to the Public Accounts Committee Act 1972, a Public Accounts Committee be appointed consisting of the Hon. H. Allison and Messrs Becker, Ferguson, Groom and Hamilton.

Motion carried.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION

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

That the House of Assembly request the concurrence of the Legislative Council in the appointment for the present Parliament of the Joint Committee on Subordinate Legislation in accordance with Joint Standing Orders Nos 19 to 31; that the representatives of the House of Assembly on the said committee be Messrs. M.J.

Evans, McKee, and Meier; and that a message be sent to the Legislative Council in accordance with the foregoing resolution.

Motion carried.

ADDRESS IN REPLY

The Hon. D.J. HOPGOOD (Deputy Premier): I nominate the member for Playford to move an Address in Reply to His Excellency's opening speech, and move:

That consideration of the Address in Reply be made an Order of the Day for Tuesday next.

Motion carried.

DA COSTA SAMARITAN FUND (INCORPORATION OF TRUSTEES) ACT AMENDMENT BILL

The Hon. D.J. HOPGOOD (Deputy Premier) obtained leave and introduced a Bill for an Act to amend the Da Costa Samaritan Fund (Incorporation of Trustees) Act 1953. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this short Bill is to give effect to a request of the trustees to extend the list of hospitals to which the Act applies. The Da Costa Samaritan Trust was initially established at the turn of the century by way of a bequest of Louisa Da Costa. Its funds were to be applied for the relief of convalescent patients of the Royal Adelaide Hospital.

In 1953 the Da Costa Samaritan Fund (Incorporation of Trustees) Act was passed. The Act provided the trustees with corporate status, and generally facilitated the management of the trust. In keeping with the original trust deed the Act provides that there shall be mot less than three trustees. who are currently Mr P. B. Wells. AM, Mr K. B. Price and Mrs B. F. Garrett, MBE.

In 1969 amendments were made to the Act to extend the powers of the trust beyond providing benefits to convalescent patients of Royal Adelaide Hospital. By virtue of the amendments the trust could then apply its funds to patients of the Queen Elizabeth Hospital and any other hospital as may be proclaimed (such hospital being a public hospital within the meaning of the Hospitals Act). Flinders Medical Centre and Modbury Hospital have since been so proclaimed.

The trust plays an important role in assisting convalescent patients of limited means. Hospital personnel screen the financial situation of patients and make requests for assistance. Applications are also considered from organisations which help convalescent public hospital patients. The trust spends a major proportion of its income on individual patient help, special equipment and projects. Individual assistance includes night or supplementary day nursing, parapalegic supplies, special glasses and shoes, hearing aids, travelling expenses to receive special treatment, nebulisers, oxygen concentrators and rehabilitation equipment for disabled persons.

While there are some established schemes, that is, for assistance with patient transport or purchase of equipment for disabled persons. the trust does not duplicate, but caters for people in need who, for one reason or another, fall outside the schemes.

The trust has sufficient funds to assist a wider range of patients in the metropolitan and the country area, and has sought to broaden its scope. The Act contains an impediment in that under section 19 (3) only public hospitals within the meaning of the Hospitals Act 1934-1967 can be proclaimed to be hospitals to which the section applies. The provision is anachronistic—not all hospitals which the trustees have in mind are 'public hospitals' within the meaning of the Hospitals Act, nor would it be appropriate to so declare them. as the Hospitals Act has been superseded by the South Australian Health Commission Act, and the Hospitals Act will be repealed in due course.

In order to give effect to the trustees' wish to extend their scope, the amendment therefore deletes reference to the Hospitals Act prerequisite and substitutes a requirement that a hospital must be an incorporated hospital within the meaning of the South Australian Health Commission Act as a prerequisite to the Governor issuing a proclamation. The amendment also provides for the trustees to recommend those hospitals they wish to be proclaimed. thereby ensuring that they retain control of the process. The trustees have indicated that the hospitals they have in mind at this stage (all of which are incorporated under the SAHC Act) include:

Lyell McEwin Health Service
Adelaide Medical Centre for Women and Children
Berri Regional Hospital Inc.
Mount Gambier Hospital Incorporated
Port Pirie Regional Health Service Incorporated
Whyalla Hospital & Health Services Incorporated (The)

and

Port Lincoln Health and Hospital Services Inc.

The Government supports the good work of the trust and is anxious to facilitate its operations. The amending Bill is a hybrid Bill and, as a matter of course, will need to be referred to a select committee.

Clause 1 is formal.

Clause 2 provides for commencement on a day to be fixed by proclamation.

Clause 3 amends section 19 of the principal Act. section 19 enables the Da Costa Samaritan Fund Trust to apply the balance of its income, after payment of management and other expenses, for the benefit of convalescent patients of the Royal Adelaide Hospital, the Queen Elizabeth Hospital and any other hospital declared by proclamation to be a hospital to which the section applies. Under the current subsection (3) only public hospitals within the meaning of the Hospitals Act 1934-1967, can be proclaimed to be hospitals to which the section applies. This clause deletes subsection (3) and substitutes a new subsection under which only incorporated hospitals within the meaning of the South Australian Health Commission Act 1976 can be so proclaimed. The new subsection also specifies that any such proclamation must be on the recommendation of the trustees.

Mr S.J. BAKER secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL

The Hon. FRANK BLEVINS (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act 1961. Read a first time.

The Hon. FRANK BLEVINS: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Drink driving remains the single most important cause of road accidents in South Australia. About 50 per cent of fatal and 20 per cent to 30 per cent of injury accidents involve a driver with an illegal blood alcohol concentration. It is the Government's policy to prevent accidents involving alcohol by deterring people from driving after drinking. Effective deterrence requires both a high risk of being caught drink driving, and severe consequences if one is caught. Random breath testing (RBT) was introduced to raise the perceived risk of being caught drink driving. After operating at suboptimal levels, RBT was increased in 1987 and was found to have succeeded in deterring drink driving.

However, penalties for drink driving have changed little since 1981, and monetary penalties have not changed at all. Work carried out for the Road Safety Division in 1988 showed that drivers believe the penalties for drink driving are no longer of sufficient severity to act as a deterrent. This weakens the impact of RBT, since there is little point in raising the perceived risk of being detected drink driving, if the penalties for detection are thought to be minor. The objective of this Bill is to raise penalties to a level which is sufficient to act as a deterrent to drink driving.

The most effective combination of penalties for drink driving is accepted as being a fine and a period of licence disqualification. For persistent offenders, rehabilitation and/or imprisonment are options. Licence disqualification periods for first offenders were increased on 1 July 1985 and are in line with disqualification periods in other States. However, the fines have not been increased since June 1981.

Since 1981 the consumer price index (CPI) has increased by about 80 per cent in Adelaide. The values of the fines in relation to the average wage have almost been halved which in turn leads to a partial explanation of their perceived lack of severity. The maximum fines which apply in South Australia are low compared with those in other mainland States. In fact, the maximum fines which apply in South Australia are lowest or equal lowest for the mainland States.

Simply increasing fines in line with the CPI is inappropriate. A more valid approach is to set maximum fines in accordance with those accepted and operating nationally. The overall result means that some increases would be slightly less than CPI whilst, for the most serious offences, increases would be considerably greater.

South Australia has minimum as well as maximum fines for drink driving. Minimum fines act as a message to the public and the judiciary about the seriousness with which drink driving is regarded by Parliament. It is proposed that minimum fines also be raised to approximately maintain the percentage relationship to maximum fines. I commend the Bill to members.

Clause 1 is formal.

Clause 2 amends section 47 of the principal Act, increasing the fines that can be imposed for the offence of driving under the influence of intoxicating liquor or drugs. Clause 2 also removes the reference in this section to the endorsement of conditions on a driver's licence under section 81a of the Motor Vehicles Act 1959. Section 81a of that Act no longer requires the conditions imposed by the section to be endorsed on a licence.

Clause 3 amends section 47b of the principal Act, increasing the fines that can be imposed for the offence of driving with more than the prescribed concentration of alcohol in the blood. This clause also removes the reference in section 47b to the endorsement of conditions on a driver's licence under section 81a of the Motor Vehicles Act 1959.

Clause 4 amends section 47e of the principal Act, increasing the fines that can be imposed for the offence of refusing or failing to comply with a direction to take an alcotest or breath analysis. Clause 4 also removes a reference in section 47e to the endorsement of conditions on a driver's licence under section 81a of the Motor Vehicles Act 1959.

Clause 5 amends section 47i of the principal Act, increasing the fines that can be imposed for the offence of refusing to submit to the taking of a blood sample. It also corrects an anomaly by extending the existing additional penalty of licence disqualification for a second offence to third and subsequent offences as well. Clause 5 also removes the reference in section 47i to the endorsement of conditions on a driver's licence under section 81a of the Motor Vehicles Act 1959.

Mr INGERSON secured the adjournment of the debate.

WATER RESOURCES BILL

The Hon. S.M. LENEHAN (Minister of Water Resources) obtained leave and introduced a Bill for an Act to provide for the management of the water resources of the State; to preserve water quality; to provide for the sharing of available water on a fair basis; to repeal the Water Resources Act 1976; and for other purposes. Read a first time.

The Hon. S.M. LENEHAN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

A Water Resources Bill was presented to this House and passed in October last year. Further consideration of this legislation was curtailed however when Parliament was prorogued in consequence of the calling of the last election. The Bill now introduced is a modification of the previous Bill taking account of the debate which took place in this House and comments which have been received from the community. Nevertheless the fundamentals remain unchanged and I reitterate substantially the explanation which I previously gave.

The proper management of our water resources is as essential to the State as the resource is to survival. It is widely recognised that such management will face many and diverse challenges in tne 1990's and beyond. Indeed, with a resource which is so vital to the State's welfare it is essential to cast one's mind forward for several decades in considering arrangements for proper water resource management. The integration of the management of land, water and the environment must progress to more practical implementation. Careful consideration must be given to the most appropriate supplies of water for domestic, irrigation, industrial and commercial purposes. The protection of water quality, particularly as regards diffuse source pollution, but also with point source discharges, is a problem both of detection and proof. The need to protect our wetlands and the ecosystems which depend upon them is not only evident out is also demanded by a more informed community.

These factors combined with the fiscal pressures to achieve more with less dictate the need for a comprehensive review of all water related legislation to provide a legislative framework capable of dealing with today's problems and yet have the flexibility to cope with the needs of the future.

This Bill is the first step in the review process. It is the management component forming the umbrella for legisla-

tion governing water, sewerage and irrigation activities which are more business oriented and are to follow later. It builds on the significant legislative reform which took place in 1976. The Water Resources Act was then the most advanced of its kind and many of its provisions have been adopted by other Governments.

The administration of this Act over the last 13 years has identified a number of areas where improvements can be made. While flexibility, clarity and proactivity are all elements of these changes, the fundamental objective is to make it easier for the genuine, conscientious and fair water user and as tough as possible for those who through indifference, negligence or self-interest are putting our water resources at risk.

The review of this Act has involved public consultation. A Green Paper was released in October 1988 and 46 submissions were received from a broad cross-section of the community. A copy of the Bill has been sent to all who responded to the Green Paper (including organisations such as the United Farmers and Stockowners of South Australia Inc., the Local Government Association, etc.) as well as the Water Resources Council and all regional advisory committees. Reaction to the proposals was generally favourable. This Bill takes account of all comments received.

Many of the concepts of the exisiting Water Resources Act have been retained in this Bill. I now proceed to explain those areas where the reasons for change are not self-evident. In keeping with recent trends in legislation, the objects of the Bill are stated to provide focus and direction in its administration. The key elements include the sustainable use of water, its protection from pollution, its equitable distribution as well as the protection of wetlands and ecosystems.

The functions of the Minister are also clearly identified. I draw attention particularly to the responsibility to endeavour to integrate the policies relating to the management of land, water and the environment. Members will be aware that there has been much talk about integrated catchment management over the last few years. This is the first time in this State that this concept has received legislative expression by incorporating it as part of the Minister's functions.

The need for increased interaction with the community has two facets. The Minister is required to undertake public awareness programs as well as to involve the community in the preparation of regional management plans. Another important aspect of the Minister's functions is to adopt policies which encourage the attainment of the objects of the legislation. This will ensure that there is not the need for constant recourse to the punitive measures provided.

The establishment of the advisory network has been one of the most innovative aspects of the current Act. At present, in addition to the Water Resources Council there are nine Regional Advisory Committees widely dispersed throughout the State as well as the Well Drillers Examination Committee. While there may have been some criticism from time to time about the composition of some committees or their method of operation, it is generally accepted that the network has been useful in ensuring that the local and regional concerns have been properly addressed.

In considering the future of the council and the role of committees, it is important to recognise that—

(a) over the past 13 years, most of the policies required to assist the management of water usage for irrigated agriculture have been formulated;

(b) there is acceptance that local people with practical experience can make a more significant contribution in water resource management. There is merit in introducing some level of self-management and hence more responsibility to committees;

(c) greater efficiencies will be achieved if recommendations or decisions made by committees within approved policies did not have to be submitted to council;

(d) the broad-based expertise of council should be available to assist in the development of policies in all aspects of water management rather than limited to issues arising under the Water Resources Act only.

The responsibilities of council will evolve over the next few years. The type of policies in which it could become involved could include matters such as domestic water usage, pricing policies, standards for water services, strategies for water conservation and wastewater reduction.

A degree of flexibility is required in the composition of council. This is achieved in the Bill by firstly diversifying membership and by providing scope to appoint up to four members with unspecified qualification. The council itself will have the opportunity to periodically assess the type of skills required for it to discharge its responsibilities.

This will assist the Minister in deciding whether to recommend the appointment of additional members and if so will identify the attributes they should have. As a general rule, selection will be either by inviting appropriate organisations to submit a panel of names or by inviting applications publicly.

Two of the most important changes relating to committees are:

(a) a stipulation that they should, as part of their function, have a closer liaison with the community;

(b) the capacity to delegate to them some executive functions.

It is important to recognise that such delegation of powers will occur after full consultation with the committee concerned; executive powers will not be forced on unwilling committees. Quite a lot has happened in the regulation of the quantity of water taken particularly for irrigation purposes. Currently there are three watercourses and 12 regions covering the most critical underground water basins which have been proclaimed for water quantity control. This aspect of the legislation has worked quite well.

At the administrative level, the Bill removes the artificial separation of provisions between surface and underground water in the water quantity section in the current Act. The new provisions recognise that even in proclaimed regions, there are some activities such as domestic, holiday homes or stock watering where the use of water is small and where it is unreasonable to require that a licence be obtained. The Minister is empowered to exempt water taken for certain purposes by gazettal.

The Bill also provides some power even in unproclaimed areas for the Minister to act in cases where there are blatant abuses in the taking of water by any individual. This provides much quicker remedy for those affected and obviates the delays and costs of having recourse to the common law. A person aggrieved by an action of the Minister has a right of appeal to the Tribunal.

The provisions relating to water quality have been significantly modified. Underpinning this reform are some fundamental concepts—

(a) it is unrealistic to expect that the same level of stringent restrictions should apply throughout the State; although the minimum requirement should ensure that material should not be released into our waters if this would endanger plant, animal or fish life or the environment;

(b) there will inevitably be some sensitive locations such as the public water supply catchment area of the Mount Lofty Ranges where more stringent controls will be essential. This might include controls on the type of material which can be released and could extend to acts or activities on land (similar to those applying currently under the Waterworks regulations);

(c) it is important that any system of management should have the flexibility to exempt certain types of wastes where beneficial uses of water resources are not jeopardised and to grant licences for the discharge of other pollutants subject to appropriate conditions;

(d) more proactivity is required. Taking action after pollution has occurred is not the answer. It is important that action commence as soon as the potential for problem has been identified;

(e) the level of maximum penalties must be commensurate with the worst offence which can be committed. For instance, what penalty would be appropriate if someone released material which rendered a domestic water supply unuseable? Courts can be relied upon to impose fines which are not excessive for the offence committed. Where blatant pollution occurs, persons who offend should be required to pay for any damage done.

The Bill incorporates these concepts.

The provisions relating to wells have been modified to incorporate some key exemptions which are currently specified by proclamation. The Bill, nevertheless, provides for further exemptions to be granted by proclamation. It is intended that immediately this Bill becomes law, a number of activities (including trenches, excavations or other construction works associated with building, public services, experimentation, etc.) will be exempted, provided the excavation is not to be used as a source of underground water supply.

Members will note that the current flood management measures have not been retained, because in their current form they are of little effect. In addition, flood forecasting and warning in some areas is to be undertaken by the Bureau of Meteorology. While acknowledging the important role of local government authorities in planning land use which takes into account flood risk, nevertheless regulation-making powers have been retained in case legal status must be given to some flood maps, or for other contingencies.

Finally, members will note that the range of matters which can be appealed against have been expanded. Ministerial decisions which impact on individuals are all now open to appeal. This is considered necessary to balance the greater powers sought.

This Bill, in providing a wider and more flexible range of powers and in clearly enunciating its objectives as well as the Minister's powers, provides a legislative framework which will enable sound water resource management to continue in the future, building on the excellent foundation established with the Water Resources Act 1976.

Clauses 1 and 2 are formal.

Clause 3 repeals the Water Resource Act 1976.

Clause 4 defines terms used in the Bill.

Clause 5 provides that the Bill will bind the Crown.

Clause 6 makes the Bill subject to the Acts and agreements set out in schedule 1.

Clause 7 sets out the objects of the Bill.

Clause 8 requires that the Act be administered in accordance with its objects.

Clause 9 enumerates the functions of the Minister.

Clause 10 sets out the Minister's powers.

Clause 11 is a power of delegation.

Clause 12 provides for the establishment of the South Australian Water Resources Council.

Clauses 13 to 16 are machinery provisions.

Clause 17 sets out the function of the council.

Clause 18 excludes a member of the council with a personal or pecuniary interest from participating in the council's deliberations.

Clause 19 provides for the establishment of water resources committees. Subclauses (1) to (3) deal with committees established in relation to a watercourse or lake or proclaimed part of the State. Subclauses (4) and (5) deal with committees established for any other purpose and subclauses (6) and (7) provide for both categories of committees. Subclause (8) provides for the establishment of the Water Well Drilling Committee.

Clause 20 provides for payment of allowances and expenses.

Clause 21 continues the Water Resources Appeal Tribunal in existence and sets out its composition.

Clause 22 makes provisions in relation to permanent members of the tribunal.

Clause 23 provides for payment of allowances and expenses.

Clause 24 provides for the determination of questions by the tribunal.

Clause 25 provides for a Registrar.

Clause 26 excludes a member of the tribunal from participation in the hearing of a matter in which the member has a personal or pecuniary interest. The deputy of a permanent member can act if his or her member is disqualified under this clause. The other members are not a problem because they are selected from a pool of judges or magistrates or from the panel appointed under clause 21 (4).

Clause 27 sets out the powers of the tribunal.

Clause 28 provides for the appointment of authorised officers.

Clause 29 sets out their powers.

Clause 30 makes it an offence to hinder or obstruct an authorised officer.

Clause 31 sets out the Minister's right to take water.

Clause 32 preserves riparian rights subject to the overriding provisions of the Bill.

Clause 33 provides for the proclamation of watercourses, lakes and wells.

Clause 34 restricts the right to take water from proclaimed watercourses, lakes or wells.

Clause 35 provides for the granting of licences to take water.

Clause 36 provides for renewal of licences.

Clause 37 provides for the variation and surrender of licences.

Clause 38 makes it an offence to contravene or fail to comply with a condition of a licence and empowers the Minister to vary, suspend or cancel the licence.

Clause 39 enables the Minister to authorise the taking of water for particular purposes specified by the Minister.

Clause 40 enables the Minister to act if water is being used at an unsustainable rate (40 (1)) or if one person is taking more than his or her fair share (40 (4)).

Clause 41 is an interpretive provision.

Clause 42 deals with the concept of degradation of water. Subclauses (1) and (2) set out different meanings, subclause (1) applying throughout the State and subclause (2) only applying in more sensitive areas proclaimed as water protection areas. To prove degradation of water outside these

restricted areas the prosecution must prove that use or enjoyment of the water has been detrimentally affected or an animal, plant or organism is likely to be detrimentally affected. In the more sensitive areas it is only necessary to prove that the quality of the water was detrimentally affected during its dispersion. This will usually occur in the initial stages of dispersion and may only last for a few seconds. It is not necessary to prove that any person was prevented from using the water during this initial stage or that any person or animal, plant or organism has suffered. This provision will catch people who release small quantities of polluting material which taken in isolation would not be a problem but may well be a problem if released by more than one or two individuals.

Clauses 43 and 44 create offences of polluting water directly (43) or by releasing material onto or from land and polluting water indirectly (44). Subclause (2) of both clauses creates liability for landowners but a landowner who can prove that there was nothing that he or she could reasonably have been expected to have done to prevent the offence has a defence under clause 48 (2).

Clause 45 provides an offence in relation to the storage or disposal of material underground.

Clause 46 provides for regulations prohibiting certain acts or activities that have a pollution potential.

Clause 47 is an evidentiary provision.

Clause 48 sets out certain defences.

Clause 49 provides for the granting of licences.

Clause 50 provides for the renewal of licences.

Clause 51 makes it an offence to contravene a licence.

Clause 52 provides for the variation of licences.

Clause 53 provides for the disposal, escape or storage of material pursuant to regulations.

Clause 54 enables the Minister to take action in the case of unauthorised release of material. The Minister may by notice require prevention of further release and may require clean up of the material already released.

Clause 55 enables the Minister to act if in his or her opinion there is a risk that material will escape into water.

Clause 56 is an interpretive provision.

Clause 57 limits the application of Part VI.

Clause 58 regulates certain activities in relation to watercourses or lakes to which Part VI applies.

Clause 59 provides for the issue of permits.

Clause 60 makes it an offence to contravene a permit.

Clause 61 enables the relevant authority to order a landowner or other person to take remedial action in relation to unauthorised obstructions, maintenance of a watercourse or lake in good condition or in relation to a contravention of clause 58.

Clause 62 is an interpretive provision.

Clause 63 requires that well drilling and associated work must be carried out by or under the supervision of a well driller licensed under Part VII. Subclause (4) provides a defence in the case of an emergency.

Clause 64 provides for the granting of well driller's licences.

Clause 65 provides for renewal of licences.

Clause 66 provides for the issue of a permit to drill a well or carry out other associated work.

Clause 67 provides for contravention of a licence or permit.

Clause 68 enables the Minister to require remedial work to be done if there is a defect in a well or a well is in need of repair or maintenance.

Clause 69 provides for a right of appeal to the tribunal.

Clause 70 allows for a decision that is the subject of an appeal to be suspended pending the appeal.

Clause 71 makes it an offence to provide false or misleading information.

Clause 72 makes it an offence to interfere with property of the Crown.

Clause 73 provides for vicarious liability of employers or principals for offences committed by their employees or agents.

Clause 74 provides that members of the governing body of a body corporate that commits an offence are also guilty of an offence and liable to an equivalent penalty.

Clause 75 is an evidentiary provision.

Clause 76 provides a general defence.

Clause 77 makes the more serious offences under the Bill minor indictable offences and provides that proceedings may be taken within five years after the commission of an offence.

Clause 78 provides that where money is due under the Act to the Minister or a public authority the money is a first charge on the land in relation to which the money is due.

Clause 79 provides for immunity from liability.

Clause 80 provides for exemption from the Act by regulation.

Clause 81 provides for the service of notices.

Clause 82 provides for the making of regulations.

Schedule 1 enumerates the Acts and agreements to which this Act will be subject (see clause 6).

Schedule 2 sets out transitional provisions.

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

REAL PROPERTY ACT AMENDMENT BILL

The Hon. S.M. LENEHAN (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Real Property Act 1886, and to make consequential amendments to the Lands for Public Purposes Acquisition Act 1914, the Local Government Act 1934, the Real Property (Registration of Titles) Act 1945, and the Renmark Irrigation Trust Act 1936. Read a first time.

The Hon. S.M. LENEHAN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to amend the Real Property Act 1886 and other associated statutes to enable the computerisation of the Torrens Register. The Torrens System provides for the issue of a certificate of title to the owner of a land parcel. The certificate guarantees certainty of title.

This Bill does not set out to change the system but simply to record and register land in digital form. Land in South Australia has been registered pursuant to the Real Property Act 1886 and its precursor, the Real Property Act 1858, for more than 131 years and in that time more than one million certificates of title have been issued. The original Act was enacted through the perseverance of Robert Richard Torrens (later Sir). The Torrens System as it has become known quickly spread to all other colonies of Australia and more recently to other countries of the world. This State can be justifiably proud that the system was developed in South Australia.

The Lands Titles Office, like its counterparts in the other States and Territories of Australia, is striving to increase its efficiency and service to the public by making use of the latest technology. In the late 1970's the Department of Lands developed the world acclaimed Land Ownership and Tenure System (LOTS). In 1985 further progress was made in this area with the advent of the Registrar-General's automated unregistered document system, Automated Registration, Indexing and Enquiry System (ARIES). Today, clients of the office can obtain a wealth of information concerning land and the transactions that affect the title to land from terminals in their own offices.

The next logical step in this direction is the computerisation of the Title Register. At present both the original and duplicate certificates of title are maintained in a paper form; under a computerised system the original will be in a digital form on a computer while a duplicate will be issued on security paper and retained by the owner or lending institution. This task is being successfully achieved in New South Wales, and several other States are currently developing computerised title systems.

Three problems can be readily identified with a paper register. First, it is very labour intensive; secondly, access can only be provided directly from one location in the State; and, thirdly, it causes some duplication of effort. Every component of the existing registration process is performed manually. These components include the retrieval of the titles and instruments from a file for endorsing, the actual endorsement on the titles and instruments, the sealing of these endorsements and the subsequent re-filing, etc., upon completion of the registration process within the Lands Titles Office.

In addition to maintaining this paper register, the same information is required to be captured in an automated form for inclusion in the State's world renowned Land Information System (LOTS). This can only be achieved by duplication of input in the present system. In February 1987 a study was carried out to assess the feasibility of computerising the South Australian Title Register. This study and subsequent development work has shown that the project is feasible and cost effective. The cost of maintaining the manual system is high and access is limited to enquirers attending the Lands Titles Registration Office in Adelaide.

The need for a computer based Torrens System has been assessed with research and development being carried out over the past two years. The computerisation of the Torrens Register will provide the following advantages in real terms:

- Makes use of technology to reduce the manual effort required to operate and maintain the register whilst preserving its integrity.
- The computerisation of the Torrens Register enhances the Land Information System (LIS).
- Benefits will accrue incrementally as staged computerisation of the register occurs. Maximum benefits will be attainable from the system when the total register is computerised; it is anticipated that total conversion will take 10 years to achieve, as there are approximately 800 000 current titles to convert.
- Remote Access to Title Register:
  Currently over 2 000 photocopies of titles are requested each day, necessitating clients to physically attend the Lands Titles Office to collect these prints. Photocopies of titles are ordered by clients in all of the Department's Regional and Metropolitan Offices, these orders being filled in Adelalde and dispatched by courier for delivery to the client. The Department of Lands data communicatioms network, which now encompasses over 600 terminals throughout the State, can in the future be utilised to deliver this title data. Computerisation of the Title Register will not only make title data immediately available from any terminal connected to the system, but it will negate the current problems of Certificates of Title not being available because they are 'out of file' for any reason. This will eliminate most of the handling and consequent deterioration of the manual register.
- Simplification of Titles:
  One of the basic tenets of the Torrens Title System is to simplify title to land. For a variety of reasons titles are often complex and therefore require a relatively high level of expertise to interpret. It is intended to rectify this problem in the computerised environment by separating the current and historical elements of the data, standardising the format and by simplifying the wording of titles. Both current and historical information will be available on line to the user.
- Title Diagram:
  A computerised title will be accompanied by a title diagram, if requested. The form that the diagram will take will vary with the category of title and the level of technology that can be economically provided. The Department is currently investigating the latest developments in scanning and imaging in order to produce Title Diagrams more efficiently than at present.
- Improve Efficiency in the Lands Titles Office:
  The processes of issuing new titles and updating existing titles as regards changes of ownerships and encumbrances are very labour intensive. Significant savings in human resource requirements will be achieved by manipuluting data currently input to ARIES to build new titles and to update existing titles. Some current duplication in effort will also be eliminated.
- Records Management:
  The manner in which the automated title register will be stored will eventually stop the growth of the manual register. This will have the effect of containing accommodation and storage levels within the present capacity of the Lands Titles Office.
- Greater security of the Torrens Register will also be obtained.

The system has been designed to meet the requirements of South Australian real estate industries and to become an integral component of the successful Land Information System. The system designers have closely followed the development of similar programs in other States and have drawn from their experience to provide South Australia.

Clauses 1 and 2 are formal.

Clause 3 amends the definition of "appropriate form". Instead of forms being set out in regulations it is proposed that the Registrar-General should have a discretion to approve the form to be used. There are many references throughout the Act to "appropriate form" and rather than change each of these it was considered more convenient to alter the definition.

Clause 4 deletes words from section 21 that are superfluous.

Clause 5 removes an anachronistic requirement that the address for service under section 29 must be within the City of Adelaide.

Clause 6 provides new headings to Part V. The Bill divides Part V into three divisions. Division I deals with registration of title by the traditional folio bound in a register book. Division II deals with registration by electronic and similar methods. Division III caters for general provisions that apply to both methods of registration. Conversion of the

Register to the computer system is expected to take about 10 years and during that period it will be necessary for the old and new systems to operate side by side.

Clause 7 replaces section 47 of the principal Act which is obsolete with a provision that confines Division I of Part V to the traditional method of registration.

Clause 8 repeals section 50 of the principal Act. New section 56a inserted by a later provision provides the point in time at which registration of a certificate takes place.

Clause 9 makes an amendment to section 51 of the principal Act.

Clause 10 inserts an evidentiary provision which replaces the evidentiary component of section 80 as it applied to the traditional method of registration.

Clause 11 inserts new division II into Part V. New section 51b provides for registration by different methods and also provides for interpretation of existing provisions of the Act in relation to the new system of registration. Upon registration of an estate or interest under the new system the Registrar-General will issue a certificate of title to the holder of the estate or interest. This title will be equivalent to a duplicate title under the present system. It must be produced for registration of a subsequent dealing and will be destroyed by the Registrar-General who will issue a new certificate in its place (section 51c). Section 51d is an evidentiary provision.

Clause 12 inserts the new heading for Division III of Part V.

Clause 13 replaces section 52 of the principal Act.

Clause 14 replaces section 53 of the principal Act. The new provision is a general requirement that information once recorded by the Registrar-General must be retained.

Clause 15 makes an amendment as to forms that has already been discussed.

Clause 16 repeals section 54a.

Clause 17 inserts new section 56a which pinpoints the time of registration.

Clause 18 simplifies section 66 of the principal Act.

Clause 19 makes an amendment to section 74 that requires the shares in which tenants in common hold an estate or interest in land to be stated in the certificate of title.

Clause 20 removes subsection (3) of section 79.

Clause 21 replaces section 80 of the principal Act.

Clause 22 strikes out the requirement for a plan of an easement in the certificate of title.

Clause 23 provides for registration of Crown Leases by computer.

Clauses 24 and 25 make consequential amendments.

Clause 26 replaces section 143 of the principal Act.

Clause 27 removes from section 156 of the principal Act a requirement that is considered to be unnecessary.

Clause 28 makes a consequential amendment.

Clause 29 replaces section 177 of the principal Act with a provision that gives the Registrar-General a discretion as to the details that should be recorded when registering transmission to the personal representative of a deceased proprietor.

Clause 30 replaces section 184 of the principal Act.

Clause 31 repeals section 189 which will serve no useful purpose in view of the proposed amendment to section 220.

Clause 32 amends section 220 of the principal Act. The amendment expressly empowers the Registrar-General to keep the Register Book up to date. Paragraph *(d)* of the amendment gives the Registrar-General power to destroy duplicate certificates of title.

Clauses 33, 34 and 35 make consequential changes.

Clause 36 tightens the wording of paragraph (III) of section 229.

Clause 37 makes a consequential amendment to section 233 of the principal Act.

Clauses 38 and 39 make consequential changes.

Clause 40 removes an anachronistic provision from the Act.

Clause 41 makes a consequential change.

Clause 42 makes consequential changes to other Acts.

Mr LEWIS secured the adjournment of the debate.

MARINE ENVIRONMENT PROTECTION BILL

The Hon. S.M. LENEHAN (Minister for Environment and Planning) obtained leave and introduced a Bill for an Act to provide for the protection of the marine environment; to make consequential amendments to the Fisheries Act 1982; and for other purposes. Read a first time.

The Hon. S.M. LENEHAN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Marine Environment Protection Bill 1989 received bipartisan support in the Lower House and was passed on 25 October 1989. During the intervening period Parliament was dissolved and the Bill is now re-presented to Parliament as the Marine Environment Protection Bill 1990.

The Government, the Opposition and members of the public have been concerned about the coastal waters of the State for some time. Investigations have identified environmental problems and possible solutions. Some of these problems require solutions different to those applied in other States, as South Australian coastal waters include the large gulfs but receive few major rivers.

The Marine Environment Protection Bill 1990 gives the Minister for Environment and Planning responsibility for protecting and enhancing the quality of the coastal waters of this State. This is not to say that the marine environment in South Australia is in critical condition. The coastal waters, for the most part, provide for the widest range of public uses. However, there is a danger in complacency, as other States have found, and this Government intends to ensure that the coastal waters of South Australia continue to provide all the possible benefits that future generations have a right to expect.

This proposal closes an existing gap in the protection offered to South Australian coastal waters by providing a means to control private, State and local government-run industries and utilities which discharge their wastes into the sea. There are about 80 examples of discharges which go directly to sea, and which require control. Unless these and other discharges can be effectively controlled, marine pollution could reach unacceptable levels.

Examples of substantial discharges are treated sewage off metropolitan Adelaide, and those from metal processing in Spencer Gulf. The problems with these discharges are known to include:

— excessive growth of algae or loss of seagrasses around effluent or sludge outfalls off the metropolitan coast;
— ecological changes and fish contamination.

It is proposed that the Marine Environment Protection Act would be administered by the Environment Management Division of the Department of Environment and Planning. This division specialises in pollution control in respect of

air, noise, chemical and marine issues. These proposals have been developed with wide public consultation, including a White Paper, which was released in July 1989. Whilst this Bill provides for a new Act rather than simply amending the Coast Protection Act, it does not otherwise vary significantly from the proposals in the White paper.

The White Paper was circulated to the 46 coastal councils, all members of Parliament, the Environment Protection Council, the Conservation Centre, the Coast Protection Board, the South Australian Fishing Council and the Recreational Fishing Advisory Council and major firms likely to be affected. The White Paper was also distributed to the Chamber of Mines and Energy, to other professional bodies and conservation groups and to all persons/organisations who responded to the newspaper advertisement or who otherwise expressed an interest.

During the period for response to the White Paper, officers met with most major companies that discharge into the marine environment to discuss the paper and its implications for the operations of each company. Officers also spoke to both the Commercial and Recreational Fishing Councils and to the 60 people who attended a public seminar organised through the South Australian Coastal Protection Group.

There were 42 responses to the White Paper, 15 of which were accepted as late responses. As might be expected there has been broad support for the intent of this legislation from both conservation and industry groups. The support from industry is not surprising and reflects a commitment to environmentally responsible actions. The Chief Executive Officer of the Australian Chemical Industry Council, Mr Frank Phillips, in a letter to the press in June 1989, said that most industry is determined to weed out irresponsible operators and has consistently supported statements of effective laws and tough enforcement of environmental standards.

Although the White Paper indicated that the Coast Protection Act would be the vehicle affording control of what was termed 'point-source' pollution, public response to the White Paper strengthened the view that it would be sensible to anticipate the need to manage more diffuse sources of pollution from such things as stormwater runoff. Therefore, rather than restricting powers only to what was needed for point sources, the Government has prepared a Bill capable of encompassing a broader range of problems. There is, however, no intention to take action in respect of diffuse sources until the point sources have been dealt with and until there has been extensive liaison with local government.

This Bill follows the Environment Protection (Sea Dumping) Act 1984 and the Pollution of Waters by Oil and Noxious Substances Act 1987 and is the next progression in fulfilling requirements arising out of the International Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter, known as the London Convention. Although the main controls are ready to be implemented, the convention also places an additional onus on Government to develop products and processes which will reduce the amount of harmful wastes to be disposed of in relation to pollution through rivers, estuaries, outfalls and pipelines.

The Bill has been drafted to act in addition to other legislation controlling waste, water resources, coastal management, oil spills, sea dumping and marine operations. It complements that legislation. It does not displace any of the action plans or other controls which have been found quite effective in dealing with such emergencies as oil spills, but it does cover gaps in existing legislation. It will not override indentures which previous Governments have entered into with specific industries. However, the Government has been heartened by evidence of a high order of environmental responsibility in major industries in South Australia, as shown, for example, by the action plan developed by BHAS at Port Pirie. This involves planned expenditure of several million dollars.

This draft legislation fulfils a Government commitment to introduce additional protective legislation for the marine environment. In addition the Government will ensure that the complementary provisions of the Environment Protection (Sea Dumping) Act commence, as soon as memoranda of agreement can be exchanged with the Commonwealth.

The legislation as drafted provides that all discharges not covered by other legislation will be licensed annually. Any licence would be subject to conditions that would accord with South Australian marine policy statements, developed with wide public consultation, and consistent with national goals. Existing discharges can be assured of a licence, but deadlines will be set for reductions of discharges to bring them to levels that are in line with international water quality objectives. It is expected that the majority of industries will be in compliance with the objectives within a period of 10 years and that longer periods of up to 15 years will only be required in exceptional circumstances. In practice, reductions in contaminant levels will require industry to introduce the best of proven control technology.

The Bill is based on the 'polluter pays' principle. In addition to equipment costs, licensees would monitor and report on waste output, subject to independent audit. The cost of monitoring discharges, and of collecting and analysing samples for audit, would be borne by the licensee. While there is a necessary power to exempt the unforeseen, this would not extend to any regular industrial process in the public or private sectors. In fact, the South Australian Engineering and Water Supply Department will lead the way with its now well-publicised *Strategy for Mitigation of Marine Pollution in South Australia* which provides for further sewage treatment to reduce contaminant load to the sea.

In October 1989 copies of the Marine Environment Protection Bill were distributed to the Conservation Foundation, the Chamber of Commerce and Industry, the Local Government Association and to all parties who expressed an interest in the White Paper. The Oyster Growers Industry Association of South Australia is given the same assurances as were previously given in this place—that, having been involved in establishing the basis for tenure for oyster farming through the Lands Act, the Government is not about to use this proposed legislation to impede the proper development of this industry. In fact the Government sees the main effect of this legislation as promoting efficient oyster farming. In the practical sense it should be possible to arrive at arrangements that satisfy our obligation to maintain all beneficial uses of the marine environment, and to offer the oyster industry its best chances of success, by consultation through the Aquaculture Committee. There was no other comment on the 1989 Bill and no significant comment is expected in relation to minor amendments made to it during 1990.

The Marine Environment Protection Bill 1990 differs from the Bill of 1989 in that subclauses 22 *(e)*, *(f)*, *(g)* and clause 24 have been amended so as to take account of concerns previously expressed in this House and to more closely align with the Water Resources Bill. For example, the power of an inspector to require any person to produce plans, specifications, books, papers or documents under subclause 22 *(e)* has now been qualified with the requirement that the information be reasonably required in the administration of the Act.

The amendment to clause 24 upgrades the penalty for hindering or obstructing compliance with a ministerial direction, from Division 6 to Division 1. The maximum penalty now accords with that which applies under clause 30 and 52 of the Water Resources Bill and gives more appropriate weighting to a situation which would involve either action to ameliorate conditions arising from an offence or an order to refrain from activity which has caused an offence. Clause 5 (1) states that the Bill does not override any existing Act.

Moreover the Bill now emulates the style of the Water Resources Bill by stating quite clearly in subclause 5 (3) that the Act is subject to the Pulp and Paper Mill Acts of 1958 to 1964 which affect Lake Bonney. This was the subject of some discussion in 1989 with both sides of the House concerned to see a definite improvement in the condition of Lake Bonney and environs. Although the 1964 Indenture provides that neither the industry nor the people of South Australia are legally responsible for the restoration process, members will be pleased to know that negotiations between the Government, the Fishing Industry Council, Local Conservation Groups and APCEL are well progressed and that APCEL has suggested an investment program. It is anticipated sometime during this year that the company will lodge a formal proposal to change its bleach process. If this passes an environmental impact statement then there could be a very significant reduction in contaminants in the effluent and the industry may in effect exert the same degree of control as will eventually be required of other existing industries through licensing.

Clauses 1 and 2 are formal.

Clause 3 is an interpretation provision. The following definitions are central to the measure:

'prescribed matter' means any wastes or other matter, whether in solid, liquid or gaseous form:
Provision is made for the Minister to exclude specified kinds of matter from the definition by notice in the *Gazette*.

'coastal waters' means any part of the sea that is within the limits of the State or that is coastal waters of the State within the meaning of the Commonwealth Coastal Waters (State Powers) Act 1980 and includes any estuary or other tidal waters:

'declared inland waters' means waters constituting the whole or part of a watercourse or lake, underground waters or waste waters or other waters, and declared by the Minister (with the concurrence of the Minister of Water Resources), by notice in the *Gazette*, to be inland waters to which the measure applies:

'land that constitutes part of the coast' is land that is—

(a) within the mean high water mark and the mean low water mark on the seashore at spring tides;

(b) beneath the coastal waters of the State;

(c) beneath or within any estuary, watercourse or lake or section of watercourse or lake and subject to the ebb and flow of the tide;

or

(d) declared by the Minister, by notice in the *Gazette*, to be coastal land to which the measure applies.

Clause 4 provides that the measure binds the Crown.

Clause 5 provides that the measure is in addition to and does not take away from any other Act. It expressly provides that the measure does not apply in relation to any activity controlled by the Environment Protection (Sea Dumping) Act 1984, or the Pollution of Waters by Oil and Noxious Substances Act 1987 and that it is subject to the Pulp and Paper Mills Agreement Act 1958, the Pulp and Paper Mill (Hundred of Gambier) Indenture Act 1961, and the Pulp and Paper Mill (Hundreds of Mayurra and Hindmarsh) Act 1964. The clause enables regulations to be made excluding activities of a specified kind from the application of the measure or part of the measure.

Part II (clauses 6-20) contains provisions for the purposes of controlling discharges into the marine environment.

Clause 6 makes it an offence to discharge prescribed matter into declared inland waters or coastal waters or on land that constitutes part of the coast except as authorised by a licence under the measure. The clause expressly provides that lawful discharge into a sewer will not result in the commission of an offence.

Clause 7 makes it an offence to carry on an activity of a kind prescribed by regulation in the course of which prescribed matter is produced in declared inland waters or coastal waters, or prescribed matter that is already in such waters is disturbed, except as authorised by a licence under the measure.

Clause 8 makes it an offence to install or commence construction of any equipment, structure or works designed or intended for discharging matter pursuant to a licence or carrying out a prescribed activity pursuant to a licence. The clause also contains an administrative provision facilitating the issuing of licences for more than one purpose. The maximum penalty provided for any offence against clauses 6, 7 or 8 is, in the case of a natural person, a Division 1 fine ($60 000) and, in the case of a body corporate, a $100,000 fine.

Clauses 9 to 18 are general licensing provisions.

Clause 9 provides that an application for a licence must be made to the Minister and enables the Minister to require further information from the applicant.

Clause 10 gives the Minister discretion as to the granting of licences but requires the Minister to make a decision within 90 days of an application for a licence.

Clause 11 provides that a licence is subject to any conditions prescribed by regulation and any conditions imposed by the Minister. The clause empowers the Minister to impose, vary or revoke conditions during the period of the licence.

Clause 12 sets the term of a licence at one year and makes provision for all licences to expire on a common day.

Clause 13 is a machinery provision relating to applications for renewal of a licence.

Clause 14 gives the Minister discretion as to the renewal of licences but requires the Minister to make a decision before the date of expiry of the licence.

Clause 15 requires the Minister, in determining whether to grant or refuse a licence or renewal of a licence and what conditions should attach to a licence, to consider official policies, standards and criteria that are applicable. Before granting a licence the Minister must be satisfied that the applicant is a fit and proper person to hold the licence. A licence cannot be granted authorising the discharge of any matter of a kind prescribed by regulation.

Clause 16 makes provision for the continuance of a licensee's business for a limited period after the death of the licensee.

Clause 17 enables the Minister to suspend or cancel a licence if satisfied that—

(a) the licence was obtained improperly;

(b) the licensee has contravened a condition of the licence;

(c) the licensee has otherwise contravened the Act;

(d) the licensee has, in carrying on an activity to which the measure relates, been guilty of negligence or improper conduct;

or

(e) the activity authorised by the licence is having a significantly greater adverse effect on the environment than that anticipated.

Clause 18 makes provision for the Minister to conditionally exempt persons from the requirement to hold a licence under the measure, where the activity for which the exemption is sought is not of a continuing or recurring nature.

Clause 19 requires the Minister to give public notice of any application for a licence or exemption, the granting of a licence or exemption, the variation or revocation of a condition of a licence or exemption or the imposition of a further condition of a licence or exemption.

Clause 20 provides for a public register of information relating to licences and exemptions.

Part III (clauses 21 to 24) contains enforcement provisions.

Clause 21 provides for the appointment of inspectors by the Minister. The instrument of appointment may provide that an inspector may only exercise powers within a limited area. An inspector is required to produce his or her identity card on request.

Clause 22 sets out an inspector's powers. An inspector may, on the authority of a warrant, enter and inspect any land, premises, vehicle, vessel or place in order to determine whether the Act is being complied with and may, where reasonably necessary for that purpose, break into the land, premises, vehicle, vessel or place. An inspector may exercise such powers without the authority of a warrant if the inspector believes, on reasonable grounds, that the circumstances require immediate action to be taken.

Among the other powers given to inspectors are the following:

(a) to direct the driver of a vehicle or vessel to dispose of prescribed matter in or on the vehicle or vessel at a specified place or to store or treat the matter in a specified manner;

(b) to take samples for analysis and to test equipment;

(c) to require a person who the inspector reasonably suspects has knowledge concerning any matter relating to the administration of the measure to answer questions in relation to those matters (although the privilege against self incrimination is preserved).

The clause makes it an offence to hinder or obstruct an inspector or to do other like acts. Special provisions are included for dealing with anything seized by an inspector under the clause and for court orders for forfeiture in certain circumstances.

Clause 23 empowers the Minister to require a licensee to test or monitor the effects of the activities carried on pursuant to the licence and to report the results or to require any person to furnish specified information relating to such activities.

Clause 24 enables the Minister to take certain action to mitigate the effects of any breach of the Act. The Minister may direct an offender to refrain from specified activity or to take specified action to ameliorate conditions resulting from the breach. The Minister may take any urgent action required and may recover costs and expenses incurred in doing so from the offender. The clause makes it an offence to contravene or fail to comply with a direction under the clause with a maximum penalty of, in the case of a natural person, a Division 1 fine ($60 000) and, in the case of a body corporate, a $100 000 fine. A person who hinders or obstructs a person taking such action or complying with such a direction is also to be guilty of an offence and liable to a maximum penalty of a Division 1 fine.

Part IV provides for review of decisions of the Minister under the measure.

Clause 25 provides for a review by the District Court of a decision of the Minister made in relation to a licence or exemption or an application for a licence or exemption or of a requirement or direction of the Minister made in the enforcement of the measure. Any person aggrieved may apply for review. The application must usually be made within three months of the making of the decision, requirement or direction or, where the effect of the decision is recorded in the public register, within three months of that entry being made.

Part V (clauses 26 to 38) contains miscellaneous provisions.

Clause 26 makes it an offence to furnish false or misleading information. The maximum penalty provided is a Division 5 fine ($8 000).

Clause 27 enables the Minister to delegate powers or functions to a Public Service employee.

Clause 28 makes it an offence to divulge confidential information obtained in the administration of the measure except in limited circumstances. The maximum penalty provided is a Division 5 fine ($8 000).

Clause 29 provides immunity from liability to persons engaged in the administration of the measure.

Clause 30 sets out the manner in which notices or documents may be given or served under the measure.

Clause 31 is an evidentiary provision.

Clause 32 makes an employer or principal responsible for his or her employee's or agent's acts or omissions unless it is proved that the employee or agent was not acting in the ordinary course of his or her employment or agency.

Clause 33 provides that, where a body corporate is guilty of an offence gainst the measure, the manager and members of the governing body are each guilty of an offence.

Clause 34 imposes penalties for an offence committed by reason of a continuing act or omission. The offender is liable to an additional penalty of not more than 1/5 th of the maximum penalty for the offence and a similar amount for each day that the offence continues after conviction.

Clause 35 provides that offences against the measure for which the maximum fine prescribed equals or exceeds a Division 1 fine ($60 000) are minor indictable offences and that all other offences against the measure are summary offences. A prosecution may be commenced by an inspector or by any other person authorised by the Minister. The time limit for instituting a prosecution is five years after the date on which the offence is alleged to have been committed. Where a prosecution is taken by an inspector who is an officer or employee of a council, any fine imposed is payable to the council.

Clause 36 enables a court, in addition to imposing any penalty, to order an offender to take specified action to ameliorate conditions resulting from the breach of the measure, to reimburse any public authority for expenses incurred in taking action to ameliorate such conditions or to pay an amount by way of compensation to any person who has suffered loss or damage to property as a result of the breach or who has incurred expenses in preventing or mitigating such loss or damage. The maximum penalty for non-compliance with such an order is, in the case of a natural person, a division 1 fine ($60 000) and, in the case of a body corporate, a $100 000 fine.

Clause 37 provides a general defence to any offence against the measure if the defendant proves that the offence did

not result from any failure on the part of the defendant to take reasonable care to avoid the commission of the offence and that, in the case of an offence involving the discharge, emission, depositing, production or disturbance of prescribed matter, the defendant reported the matter to the Minister in accordance with the regulations. Such a person can still be required to take action to ameliorate the situation or can be required to pay compensation.

Clause 38 provides general regulation making power. In particular, the regulations may provide for different classes of licences and may authorise the release or publication of information of a specified kind obtained in the administration of the measure.

Schedule 1 contains transitional provisions. The Minister is required to grant a licence in respect of an activity that was lawfully carried on by the applicant on a continuous or regular basis during any period up to the passing of the measure. The Minister may impose conditions on the licence requiring the licensee to modify or discontinue the activity within a specified time.

Schedule 2 makes consequential amendments to the Fisheries Act 1982.

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

ADJOURNMENT

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

That the House do now adjourn.

The Hon. E.R. GOLDSWORTHY (Kavel): I wish to deal with two matters during this grievance debate. One refers to the abortion of a free travel scheme that the Government dreamed up during the election campaign, allegedly to give free travel to all school children. The fact is of course that this was a blatant attempt to buy votes in the metropolitan area. The scheme is highly discriminatory and quite unfair to people who live on the fringes of the metropolitan area and to most country people.

First, let me refer to my own electorate where a number of school children resident in the Adelaide Hills are required to travel to Adelaide—

Mr S.G. Evans interjecting:

The Hon. E.R. GOLDSWORTHY: Yes, a large number of students in my electorate, in neighbouring electorates and in most country areas must travel considerable distances to school. If ever there was an unfair scheme, this is it. If ever there was an example of Labor Party pork-barrelling to shore up support in the districts it believed it had a chance of winning, this is it. The fact is that there is a large number of school children not only in my electorate but in other electorates who are required to travel to the city for their education and who do not share in the so-called free travel scheme.

As I described it earlier, it is an abortion of a scheme. It is indicative of the way this Government operates. The Government cares not for fair dealing: its one and only aim in this life is to curry favour in districts in which it believes it may have electoral success. That certainly excludes those areas which I and other members on this side of the House represent. To suggest that there is a free transport scheme for school children when a large number of parents, children and private bus operators are penalised—as they are grossly and unfairly under this scheme—is a disgrace. It is nothing short of a disgrace!

The scheme was promulgated and it was noised abroad that there was to be a free travel scheme for school children. What the Government did not say was that it was a scheme for some school children—those residing in the areas in which the Labor Party thought it had a chance of winning. I will read a letter typical of the many received but couched in rather more polite terms than I would have used in describing the Government scheme. As I say, this is one letter of a large number from people who have come to me and my colleagues to complain about this so-called free scheme. The letter states:

> Dear Sir,
>
> Could you please put pressure on the Labor Party to reconsider its free school transport policy? It is discriminating against Hills school students attending schools in the city. Our son attends Urrbrae Agricultural High School because his only interest in life is rural activity and he hopes to pursue a career in that field. The local schools do not give him the same opportunities. I think we should, under the new policy, be eligible for free transport from Aldgate to Urrbrae. This could be done by way of a subsidy/rebate scheme with Johnson coaches.

That is one of the private bus operators. The letter continues:

> The fare from Woodside to Aldgate would most certainly be less than the $28 every four weeks that we are presently paying.

That very polite letter from my constituent describes the situation, but I do not feel like being polite because this scheme is gross discriminatory in respect of people about whom this Government is not the slightest bit interested.

During the Governor's Speech today we heard that the Government hopes to collect $2 billion no less from the rural economy. There has been a record wheat harvest. The rural economy is the backbone of the economy of this State but, because rural people are politically insignificant to this Government, they are continually penalised. Rural people pay their share to make up the STA's deficit of $115 million and, of course, the STA operates largely in metropolitan Adelaide. Rural people are effectively disfranchised in respect of having any real say in the Government of this State.

Mr 48 per cent—the Premier—gained 48 per cent of the two-Party preferred vote compared with the Liberal Party's 52 per cent which was contributed to largely by the rural people of South Australia. Effectively, rural people are disfranchised under the present system and this abortion of a transport scheme is typical of the way this Government deals with rural people. If the Government has no chance of winning the seat, the people in that electorate can go to hell. That is the Government's view. It is absolutely disgraceful that during the election campaign the Premier, who struts about this State indicating that he is fair-minded and straight dealing, put up a scheme which discriminates so blatantly against a large portion of the people of South Australia who, as I say, voted for the Party that did not win the election.

I was interested to hear former Premier Dunstan being interviewed by a sympathetic commentator on the ABC's 5AN last week. Mr Dunstan was talking about the wonderful reforms which he managed to visit on South Australia and this sympathetic interviewer said, 'Of course, you had to overcome the terrible gerrymander.' Former Premier Dunstan said, 'Of course, we had a clear plurality of votes.' He meant that he had a majority. Mr Dunstan then said, 'Yet we were denied Government. That was disgraceful.' Change resulted only after he brought in his wonderful new scheme. However, the wonderful new scheme resulted in the Liberal Party's being denied government even though it gained 52 per cent of the vote (a result similar to the vote about which Mr Dunstan so bitterly complained in 1969 because he was denied government) and the minority Government opposite achieved 48 per cent. It is an absolute disgrace that the

Government dreams up these highly discriminatory schemes which disadvantage country people who provide the bulk of the income that keeps South Australia afloat.

The second matter I want to mention is the behaviour of the Electricity Trust of South Australia in recent times in shutting off the power to an area in my electorate. I heard on the news that ETSA had decided, because there were high winds in the Norton Summit area, to cut off power to the area. Parliament gave ETSA the power to do that through amendments to the ETSA Act. The member for Light and I were members of the ETSA select committee and we queried this provision in the legislation and suggested to ETSA that this could be a highly dangerous power for it to have. We were both assured—as we were assured on a number of other matters on which ETSA subsequently welched—that it would exercise this power with a great deal of discrimination.

However, on the first opportunity, when there were gusty wind conditions at Norton Summit—but I doubt they were any different to other high risk areas of the Hills—ETSA cut off the power. However, that was a rather short-sighted measure because it resulted in cutting off the power to the fire siren. In that situation, if a fire occurs, one cannot sound the siren.

So, the firefighters cannot be summoned, and that seems to me to be a rather strange turn of events. If people wish to protect their properties and the power is turned off, they cannot use their pumps. If people wish to store their fruit in cold stores and the power goes off, it is likely that the fruit will deteriorate. I believe that ETSA should consider this policy and the way it is implemented. I have had numerous phone calls about this matter—as I had about this abortion of a free travel scheme—and I was told that ETSA had decided to attack Norton Summit because there were two large pine trees which it wished to lop, where the land-holders had said, 'No, you can't lop these pine trees. We don't want them lopped. We are going to appeal.' They duly appealed to the Minister under the terms of the new Act, and the appeal is pending.

So, ETSA decided to penalise the whole district, causing this enormous amount of disruption, including the enormous danger of having no fire siren that will work if there is a fire, and deciding to cut off the power to pumps used to fight the fires, because it is having a squabble with two land-holders who do not want their pine trees lopped.

Now, Sir, let me congratulate you. Every other Tom, Dick and Harry in this House has been congratulated today except you. You are a notable member in this place, and I have a minute to go, so let me take time out to say that I am pleased that you are the Chairman of Committees and Deputy Speaker. I believe that you are one of the more intelligent members of this House, and in due course we expect that you will vote with the side that is talking more sense.

Returning to ETSA, I believe that this is a disgrace and that ETSA should lift its game. If ETSA is going to cut off the power because it is having a row with a couple of land-holders about trimming trees, it had better review its policy and make some sensible decisions, or it is likely to get a fair amount of criticism about the way it operates. It is in a lot of trouble now. We all know we have the dearest electricity in the nation bar none, due to the depredations of the Bannon Labor Government. From being near the bottom of the ladder in 1982 when the Bannon Government assumed office, we now have the dearest power. In addition, ETSA is busy making enemies of my constituents.

The SPEAKER: Order! The honourable member's time has expired. The honourable member for Albert Park.

Mr HAMILTON (Albert Park): Today mention was made of my recent walk to Port Pirie to raise funds for the cardiology and radiology units at the Queen Elizabeth Hospital. It is my intention to talk not about what I did but about a number of people who became involved in that particular project. Behind every good organisation there are people who give their time voluntarily and freely. I will mention a number of those people: in particular, Mr Don Ferguson (who is not the member for Henley Beach but another person, and who is a close friend); Mrs Pauline Tropeano, who is my past secretary and who also contributed enormously to the workload in servicing this fund-raising campaign; and my other office staff, Helen and Andrea, who gave a tremendous amount of effort and time to this exercise. In Port Pirie, two very fine people assisted me: Mr Des Conter and Mr Wray Brooks. The public relations officer for the Queen Elizabeth Hospital, Mrs. Maxine Golding, did a sterling job in publicising all the work that was being carried out on behalf of that establishment.

I believe it is important to recognise the number of people who have contributed financially. First and foremost, I would like to acknowledge the wonderful support and contribution made by Westfield Shoppingtown at Arndale. Last year, when I first embarked upon this project, people cynically labled this as a political exercise and a hairbrained scheme. The stark reality is that the amount—over $36 000—already raised attests to the success of this project and to the generosity of so many sponsors and country people in South Australia, not to mention many people within my electorate of Albert Park.

I would also like to mention the strong support given by Telecom with its back-up telephone service. Without that, there was no way in which I would have been able to have about 20 telephone interviews on talk-back radio and also more than 10 interviews and discussions with the television crews; not to mention, of course, the number of newspaper reporters who visited the whole team along the way to Port Pirie. My particular thanks to Mr Paul Shields from Telecom. I thank the Mayors of Woodville and Port Pirie and express my appreciation for their strong support for this project and indeed for the wonderful reception I and my crew received at Port Pirie. Thanks also to RAA Insurance.

I will name a number of other organisations who contributed enormously to the amount of money I raised, such as RAA Insurance, Thor Lo Socks, Factory to Foot, Hi-Fert, the Granville Hall Patrons Golf Club, the Adelaide Manor Motor Inn, Sarti Liquor, Qantas, Athletes Foot, the Port Adelaide Football Club (and I know that pleases my colleague on the right), the Lower Light Hotel, Heartbeat Port Pirie, the Risdon Hotel, the International Hotel (both in Port Pirie), San Dom Smallgoods, the Woodville Hotel (there was enormous support from that establishment), the Dublin Hotel, the Flinders Range Motor Inn at Port Pirie, Don Haldane and his friends in Port Pirie, Ray Brooks (whom I have mentioned for the sterling effort he made for the people who walked), the Westport Little Athletics in my electorate, the Federated Clerks Union, the Australian Dental Technicians Society, the Highways Department, the National Heart Foundation and the Anti-Cancer Foundation.

It was pleasing to note that the West Lakes Mall also contributed, thereby allowing us to sell in excess of $6 000 worth of bingo tickets. Other contributors were the Woodbridge Social Committee, the Doghouse Club, the Gollywog Bachelors Club (that is a unique organisation and a tremendous group of people), Westpac Bank, Bic Australia, the Lions Club of Port Pirie and indeed all the Lions Clubs

between Adelaide and Port Pirie which gave very strong support, the Virginia Caravan Park, the Australian Central Credit Union, Train Tour Promotions, Pan Pacific Corp, China Gate, Medindie Car Sales, Jim and Eileen Kennedy, Smith's Electrical from Port Pirie, Clive Jacobs, Splitenz Hair Designs, my colleagues Murray De Laine, Rod Sawford (the member for Port Adelaide), the Hon. Anne Levy, the Hon. Ron Roberts and, of course, my new colleague the member for Stuart. I thank all of them for their strong support.

Other contributors were Aquatrade, the Crystal Brook Hotel, the Virginia Lions Club, Hutchesson Meat Service, Neil Messop, David Gillespie, Numeric Tooling Services, Numeric Manufacturing Pty Ltd, Gadac Plastics, M. & L. Mortimer, Castalloy, Symco Australia and Star Rubber, and A.D. & H.W. Bishop. These are just a few of the numerous people who contributed to the $27 000 that was collected.

I would like to make specific mention of the hoteliers between Adelaide and Port Pirie. There is no doubt that country people contributed enormously to the success of this venture. The hoteliers at Dublin, Port Wakefield, Lochiel, Red Hill, Virginia and Port Pirie were magnificent with their very strong support. In particular I would like to mention Boof and Wendy at Lochiel. They put on a barbecue in their very small town and more than $400 was raised on a Monday night. It was a magnificent effort and I express my heartfelt thanks on behalf of the whole team for their ongoing support. Thanks to Barry and Leonie at the Red Hill Hotel, a hotel in a very small country town. More than $700 was contributed by the patrons and people in the surrounding area at a barbecue that night. What a magnificent effort by those country people! Old J.C. Clifford (and he would know who I mean) killed a sheep and that contributed to the profits from that barbecue.

As I said, the country people were magnificent in their response. It is a fact, probably unknown to many people, that the Queen Elizabeth Hospital and the Port Pirie Hospital have a very close working relationship, particularly regarding visiting specialists. It was pleasing to see the tremendous response that we received.

The initiative of the Mayor of Woodville, John Dyer, in announcing the presentation of a cup for a competition between the two cities, was a magnificent gesture. Modesty prevents me from mentioning who that cup was named after. Suffice to say, it will increase the tremendous rapport between country and city people, a rapport I applaud.

As one who lived in Port Pirie for 11 years, I can say that the people were magnificent and absolutely fantastic. The way in which they greeted the team and put their money where their mouth is was a delight to see. On the way from Adelaide to Port Pirie people and motorists were pulled up and they literally gave handfuls of money. It was a delight to see. As some of my colleagues would say, I can be a pretty tough sort of bloke, but there were many occasions on which I was glad that I was wearing my sunglasses, because the manner in which people contributed certainly brought a tear to my eye.

Overall, with the ongoing support of the Queen Elizabeth Hospital, Westfield shopping centre at Arndale, Telecom, and all those other sponsors that I have mentioned, I look forward next year to walking to Port Pirie again. I hope that on the next occasion a number of Australian companies will be prepared to assist.

Ampol has already indicated that it is prepared to assist in this walk. I express my grateful thanks to all those people who have assisted in this walk. I had the easiest part: I just did the walking.

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

Mr BECKER (Hanson): A circular has been distributed, mainly through my electorate and other western suburbs, which reads:

SOUTH AUSTRALIANS WAKE UP!!

In 1954 the West Beach Recreation Area was given to the people of Adelaide by South Australia's longest serving Premier, Sir Thomas Playford, to be developed and maintained 'for all times' as a recreation area

QUESTIONS

* In 1990 will the West Beach Recreational Reserve cease to be Public land?
* Has a viability study been carried out on the Zhen Yun proposal?
* On what basis was the decision made to exclude an Oceanarium facility?
* Has an environmental impact study been implemented on the proposed development on the Marineland site? If not, why not?
* Have discussions taken place to locate a Marina on the West Beach Recreational Area? If no discussions have taken place regarding this matter, will there be?
* What financial commitments have the State or Federal Government given to the Zhen Yun developers using taxpayers money?
* How much Government money will be involved in the project? Will Zhen Yun be paying current market interest rates, or has the State or Federal Government agreed on concessional rates for the project, and, if not, why?
* Will the proposal include foreign shops—catering especially for foreign tourists?
* Will Military Road remain a Public thoroughfare? If not, has an impact study been made to determine the effect on traffic to adjoining residential areas?
* Contact your local members of Parliament for the answers (see page 62 of telephone book)

Do they really care!!!

* This is every South Australian's Land
* Act now before it's too late!

Watch for a media announcement

Compiled and issued by concerned citizens of South Australia

I have read that because a considerable amount of concern is being expressed in the community about the redevelopment of Marineland, but, more importantly, about the type of hotel development that the Government is apparently encouraging.

The ridiculous thing about this whole issue is that the West Beach Reserve Hotel and Convention Centre development scheme, pursuant to section 63 of the Planning Act 1989, was prepared by the Minister for Environment and Planning in December 1989. So, the Minister for Environment and Planning prepared a report to be submitted to the three local councils involved in this general facility to enable the Government to justifiy the building of this hotel on public land. One can imagine what would happen if any organisation, even the Royal Adelaide Hospital, wanted to put a car park on public land in the City of Adelaide. What a scream arose when such a proposal was looked at at one stage.

However, tucked down in the western suburbs, which is a beautiful part of the city, we have the only remaining untouched sand-dune and the Government proposes to build a six-storey 3½ star hotel to cater for about 300 so-called tourists. A 3½ star tourist hotel is not a very high category, particularly when we are told by the Hong Kong developers, who are funded by Chinese money, that it will attract Japanese tourists. I am not aware that Japanese tourists visit 3½ star hotels, because they are very particular as to security and their surrounding environment.

Just to the north of this hotel is the fisheries research station. We were told by the developer that he did not want an oceanarium because the tourists did not want to look down on to fish or whatever. However, adjacent to this

development is the fisheries research station which comprises rusty old buildings and tin tanks or whatever. To the south of the development we have the Glenelg sewage treatment works. Unlike one particular honourable member, I had to wait 11 years before I was allowed to undertake an overseas trip, but in all my travels I have never stayed at a tourist hotel which was situated alongside sewage treatment works and I have never been able to discover a tourist hotel anywhere in the western world that is built alongside such a facility, let alone a fisheries research station.

More importantly, the hotel encroaches on the reserve land designated for a parallel runway for the Adelaide Airport. The Australian Airports Corporation has not agreed to this hotel development, but let us look at what the Minister for Environment and Planning said in the report. Under 'Glenelg Sewage Treatment Works', she states:

> The North Glenelg Sewage Treatment Works lies approximately 700 metres south of the hotel site.

Whoever stepped out that 700 metres must have taken an awfully long way of getting there, because I have checked some of these measurements. However, the report states that in future the treated sewage will be de-watered. The sludge will not be shot out to sea through the four-mile pipe—it will be treated on land, it will be de-watered and it will be stacked in heaps four metres or 13 feet high. As this de-watered sewage builds up it will then be trucked to fertiliser works. We do not know which fertiliser works—it could be trucked down here, but it will be carted away.

Just for the benefit of the Minister, the department and members, I point out that this area is one of the windiest parts of the metropolitan area. Every time one visits Adelaide Airport, there will always be a breeze of some kind. As one gets closer to the coast where the treatment works are located it becomes considerably windy, so we will have a swirling wind with this de-watered sewage floating around not only this lovely 3½ star hotel but also the residents in the area.

What about the residents? As an unfortunate resident of the area, I got in my car, drove to the treatment works and then back to my place. I established that the treatment works are within 400 metres of my residence. The department says, 'Yes, there will be some odour and some problems for those who reside within 400 metres of the treatment works.' I bet London to a brick that everyone residing in that area (and that includes several hundred of my neighbours) will be advised that this Government thinks very little of them or their environment and that it does not give a damn for the residents. It says,' We are going to build an international hotel, and we will also let the sewerage works go ahead.

Is it not a pity that this report came out in December and not October or November? The member for Morphett would have increased his majority by another 10 per cent and the Liberals might have had a good chance to let the people know that this Government does not care at all about the environment. The Minister said that the area is of insignificance environmentally. The new Minister has done nothing to protect and preserve the environment at West Beach where it is proposed to build the hotel. Not only that, the West Beach Trust has spent a considerable amount of money over many years to build a very good public golf course, of which we were very proud, but now it is being run down. This golf course has been run down for several years. We can ask anybody who plays golf on this course and we will find that people are amazed about the way the golf course has been run down.

The lease for this hotel given to the Chinese developer encroaches on the golf course. The story now is that the developer will build this hotel and then—and this is normal development procedure—put it up for sale to a Japanese consortium, and it will insist on a private beach. This is the very beach where Bart Cummings trained his Melbourne Cup winners. The West Beach Trust built a special ramp—which is still there—for the horses to go down to the beach so they could be trained. The lease includes the crucial part of the golf course that accommodates the club facilities.

So, the next thing is that the developer will want to take over the Patawalonga Golf Course for the exclusive use of the Japanese tourists. Can one imagine what will happen and what the people of South Australia will say when they see reserved for overseas tourists not only a private beach but also a public golf course? We do not want to go the same way as Queensland or Surfers Paradise. We should protect our environment and leave it as it is.

There is no reason for us to even contemplate agreeing to this proposal of the Government. It is bad luck for the developer; he has been misled and was never informed of the problems concerning the airport. It is exactly the mirror image of that stupid proposal put up in 1985 to build a hockey stadium and rifle range north of the sewerage treatment works.

Motion carried.

At 5.14 p.m. the House adjourned until Tuesday 13 February at 2 p.m.