LEGISLATIVE COUNCIL

Wednesday 11 October 1989

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

QUESTION ON NOTICE

The PRESIDENT: I direct that the written answer to Question on Notice No. 13, as detailed in the schedule that I now table, be distributed and printed in *Hansard.*

GOVERNMENT MARKET RESEARCH

13. **The Hon. R. I. LUCAS**, on notice, asked the Attorney-General: Will the Premier confirm that—

1. All detailed information (both published and unpublished) from Government market research programs is made available to the State Secretary of the ALP, and, if it is, why?

2. Surveys include questions on present voting intentions as well as past voting patterns?

3. Surveys include questions on the Premier's present approval rating?

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

1. No such information is made available to the State Secretary of the ALP.

2. I refer the honourable member to my statement in the *Advertiser* of 3 May 1988, namely:

> Mr Bannon said voting intentions were a standard question and important in building a profile of people being questioned, in the same way as questions on age and sex were included.

3. Questions concerning the approval rating of the Premier or any other member of Parliament are not included.

PUBLIC WORKS COMMITTEE REPORTS

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

Port Pirie Regional Health Service Incorporated,
Queen Elizabeth Hospital,
Royal Adelaide Hospital,
Wynn Vale West Primary School.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Tourism, for the Attorney-General (Hon. C.J. Sumner):

- Commissioner of Police—Report, 1988
- Commissioner for Public Employment and the Department of Personnel and Industrial Relations—Report, 1988-89.
- Parliamentary Superannuation Scheme—Report, 1988-89.
- S.A. State Emergency Service—Report, 1989.
- Remuneration Tribunal—Reports relating to Determinations Nos. 1 and 2 of 1989.
- Children's Protection and Young Offenders Act, 1979—Regulations—Infringement Notices.

By the Minister of Tourism, for the Minister of Corporate Affairs (Hon. C.J. Sumner):

- Regulations under the following Acts:
  - Companies (Application of Laws) Act 1982—Co-operative Scheme Legislation.
  - Futures Industry (Application of Laws) Act 1986—Co-operative Scheme Legislation.
  - Securities Industry (Application of Laws) Act 1981—Co-operative Scheme Legislation.

By the Minister of Tourism (Hon. Barbara Wiese):

- Office of the Commissioner for the Ageing—Report, 1988-89.
- Electricity Trust of South Australia—Report, 1988-89.
- Office of Energy Planning—Report, 1988-89.
- South Australian Housing Trust—Report, 1988-89.
- South Australian Department of Housing and Construction—Report, 1988-89.
- Metropolitan Milk Board—Report, 1989.
- Department of Mines and Energy—Report, 1988-89.
- Nurses Board of South Australia—Report, 1988-89.
- Pipelines Authority of South Australia—Report and Statement, 1988-89.
- Small Business Corporation of S.A.—Report, 1988-89.
- Technology Development Corporation—Report, 1988-89.
- South Australian Timber Corporation—Report, 1988-89.
- Woods and Forests Department—Report, 1988-89.
- Fisheries Act 1982—Regulations—Exotic Fish, Farming and Diseases—Permits (Amendment).
- Petroleum Act 1940—General Regulations.

By the Minister of Local Government (Hon. Anne Levy):

- Engineering and Water Supply Department—Report, 1988-89.
- Highways Department—Report, 1988-89.
- Department of Local Government—Report, 1988-89.
- Metropolitan Taxi-Cab Board—Report, 1988-89.
- Outback Areas Community Development Trust—Report, 1988-89.
- Parks Community Centre—Report, 1988-89.
- Department of Transport—Report, 1988-89.
- University of Adelaide—Report, 1988 and Statutes.
- Crown Lands Act 1929—
  - Return of Cancellation of Closer Settlement Lands, year ended 30 June, 1989;
  - Return of Surrenders Declined, year ended 30 June 1989.
- Discharged Soldiers Settlement Act 1934—Return pursuant to section 30, year ended 30 June 1989.
- Pastoral Act 1936—Schedule of Pastoral Improvements, year ended 30 June 1989.
- Public Parks Act 1943—Disposal of Parklands, Young Street, Parkside.

By the Minister for the Arts (Hon. Anne Levy):

- Adelaide Festival Centre Trust—Report, 1988-89.
- State Theatre Company—Report, 1988-89.

QUESTIONS

QUEEN ELIZABETH HOSPITAL

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question relating to the Queen Elizabeth Hospital.

Leave granted.

The Hon. M.B. CAMERON: I refer to the article in the *Advertiser* dated Saturday 30 September 1989 headed 'Hospital facing $400 000 deficit'. The article states that the Queen Elizabeth Hospital is facing a budget shortfall of $400 000 by the end of the fiscal year as a result of last year's recurrent budget being short by the same amount. In the article the hospital's medical staff society chairman, Dr David Henderson, is quoted as saying most of the $400 000 shortfall had been made up by the hospital's deferring payments of accounts.

Dr Henderson said the shortfall had not been built into this year's budget base and so the hospital was left with no choice but to look at ways of saving it before the 'chickens come home to roost at the end of this financial year'. Dr Henderson went on to say:

We consider the hospital is run very efficiently and there is very little the board will be able to do to make further economies. It will be difficult to maintain high-quality services and keep within our present budget.

It is very difficult to fund new initiatives in a hospital when there is no money. You can't keep running a hospital in 1990 as it was in 1989—you have to keep changing, otherwise hospitals would be like they were in 1934.

Dr Henderson went on to say that, despite the economies achieved by the QEH, the Health Commission had told the hospital it did not have any more money. In view of Dr Henderson's comment on the QEH's funding problems, and the difficulty in maintaining high quality hospital services and staying within budget, what steps will the Minister take to review the hospital's allocation for this financial year in order to overcome this deficit that has obviously flowed over from last year.

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

MINISTERIAL STATEMENT: NORTH-EAST BUSWAY ACCIDENT

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

Leave granted.

The Hon. ANNE LEVY: On Monday 2 October at around 1.30 p.m., two STA buses were travelling to the city via the North-East busway. Both buses had just left the guided track to enter the Klemzig interchange when the rear vehicle, a rigid bus, ran into the tail of the leading vehicle, an articulated bus. Both buses were moving at the time. As a result of the crash, 80 people were injured and later admitted to hospital. Emergency services were on the scene of the crash within nine minutes of the call and they did a tremendous job. All but one of the injured have now been discharged from hospital. The bus driver is still in hospital and is now in a satisfactory condition. The STA is now offering assistance and information on post-trauma counselling and support to all accident victims, the costs of which will be paid for by the STA.

On the afternoon of the accident, a board of inquiry was established which has two objectives: first, to try to determine the cause of the accident; and, secondly, to review existing procedures operating on the O-Bahn system, and to make any necessary recommendations for change. The board is made up of senior officers of the STA and union representatives. The Chairperson is Mr Bob Heath, the STA's Director of Operations, with membership of the board comprising the Risk and Injury Manager, the Director of Engineering, the medical officer and two occupational health and safety representatives from the St Agnes depot.

Following an offer from the police, the board coopted the services of the Police Accident and Investigation Squad to conduct the investigation into the crash. The police team, headed by Chief Superintendent Collins and Chief Inspector Hay, has set up headquarters at Holden Hill Police Station to carry out this task. It has interviewed all available witnesses, the STA's mechanical report on the buses has been finalised and the police technical analysis of this data is now taking place.

We know that speed was a contributing factor to the accident. We also know that there was nothing wrong with the bus braking systems. However, the complexity of technical analysis, which in this case is yet to involve a detailed re-enactment of the accident, means the investigation will take some time to complete.

The Minister of Transport has therefore directed the General Manager of the State Transport Authority to prepare an interim report on the cause of the accident as soon as it is known. This report will be complete within a few weeks, at which time it will be immediately released to the public and made available to the Parliament. The final report, including the technical analysis and any recommendations on changes to procedure, will follow and, again, will be publicly released.

I would like to comment on various issues raised in the last week regarding the accident. First, I refer to the suggestion by the Opposition that infra-red detectors had been offered to the South Australian Government by Daimler-Benz for use on our O-Bahn system. This claim has been checked out both with our O-Bahn project team and Daimler-Benz in Germany, who both refute that such an offer was ever made, as such a system does not actually exist. However, people have been sending in some very constructive suggestions of remedies. These are all being looked at, but the best solution can only be established once we know what the problem is.

Another matter was raised by a former employee of the State Transport Authority, Mr Jim Sinclair. While employed as the Area Safety Officer at the Hackney Depot in 1987, Mr Sinclair was asked to carry out an investigation into the distance between buses travelling at high speed on the busway. As a result of his subsequent report, the STA implemented the suggestions he made which were practical—in particular, further efforts to enforce the existing STA rule that buses should not travel any closer than 150 metres apart. However, other proposals, such as the installation of marker posts every 150 metres along the busway, were not considered practical and were therefore not proceeded with.

An issue raised by the bus drivers' union, ATMOA, concerned rosters and the possibility of driver fatigue being a contributory factor to the accident. The bus driver in the rear bus was working overtime. However, he had just had two rostered days off prior to that particular shift. There is no argument that the driver could have been overworked. The State Transport Authority only rosters staff within the conditions of the award, and if the union has any complaints about that procedure it should negotiate change through the normal industrial processes, that is, through the Industrial Commission.

Also, various claims and questions where raised last week regarding the STA's insurance liability. As the Minister of Transport said immediately after the accident, and as he has reiterated today, all those injured as the result of the accident will be compensated. The State Transport Authority carries the risk for up to $1 million public liability and rolling stock damage within its own budget. For claims exceeding that amount, the authority is insured with the Government Insurance Risk Management Program administered by the Public Actuary.

In regard to rolling stock, there was considerable damage to the buses involved in the accident. However, both the articulated bus, worth around $400 000, and the rigid bus, worth around $200 000, can and will be repaired.

As I said earlier, Mr President, the Government will release both the interim report into the cause of the accident and the final report with the conclusions of the technical analysis with recommendations as soon as they are available. Without pre-empting the inquiry, I can say with some confidence that the integrity of the O-Bahn guided busway system is not in question, but the procedures associated with the interchange areas do need to be and are being reviewed.

MINISTERIAL STATEMENT: PRISONER FRATERNISATION

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

Leave granted.

The Hon. ANNE LEVY: On Thursday 29 September, in the other House the member for Mitcham asked the Minister of Transport a question about prison officers fraternising with prisoners. During the course of the answer, the Minister undertook to thoroughly investigate and report back to the House on the veracity of the case to which the member for Mitcham had referred in his question, and the other cases which the honourable member later gave to him.

I can now report to the Council that the results of that investigation have shown that there has been no improper conduct by any prison officer with any prisoner while that prisoner has been under the care and control of the Department of Correctional Services.

In addition, the allegation that a prison officer is now or ever has been living with a prisoner whilst the prisoner is on the home detention scheme is not correct. Mr President, the Minister is happy for any member of this Parliament to peruse the departmental file on the investigation, if they so desire. However, the Minister does not think it appropriate for him to publicly release the details of the personal lives of the prison officers concerned. The member for Mitcham stated in his explanation:

> The information we have suggests that, contrary to Government statements that prisoners are not allowed conjugal rights, these activities are taking place within our prisons provided the other party is a prison officer.

On behalf of the Department of Correctional Services and all prison officers, the Minister refutes the allegations made by the member for Mitcham and calls on him to apologise to all staff of the Department of Correctional Services.

QUESTIONS RESUMED

STIRLING COUNCIL

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Minister of Local Government a question about the Stirling council.

Leave granted.

The Hon. K.T. GRIFFIN: I understand that the liability of the Stirling council arising from the Ash Wednesday 1980 bushfire has now crystallised at $14.5 million. This, I understand, has been loaned by the Government to the council, is secured by a debenture and is required to be repaid by the council to the Government by 31 March 1990. That liability cannot possibly be met by ratepayers, so some Government assistance will be necessary. The number of ratable properties in the Stirling council area is 7 200; if one were to average the $14.5 million across those properties, disregarding their relative values, the result is $2 000 per property. If one takes as the basis the population, which is about 16 000 in the Stirling council area, it works out at about $906 per man, woman and child in the council area. So it is quite obvious that, if the council were required to pay that liability, it would be a substantial burden on the ratepayers of the Stirling council area. I have been told that there has been some reluctance on the part of the Government and its officers to meet the council and to reach a speedy conclusion on the issue of who pays the $14.5 million. My questions to the Minister are:

1. When will the Government be resolving the question as to how much the council will be required to meet of this $14.5 million?

2. Is the Minister able to say what amount the Government is prepared to pay towards meeting that liability?

The Hon. ANNE LEVY: I certainly endorse the remarks of the honourable member that Stirling council and Stirling ratepayers cannot be expected to meet the total liability of $14.5 million. This is not something new. The Government has for a long time said that the complete liability would be beyond the resources of the Stirling council. The honourable member suggests that Government assistance will be necessary in paying the debt. The Government has stated on numerous occasions that discussions are occurring as to the financing of that portion of the debt that Stirling council is not able to meet. It has never said that it will be picking up the tab. Discussions are occurring involving officials of Treasury and representatives of the Local Government Association as to the possible means of financing the gap between what Stirling council can afford and the $14.5 million.

There has been no reluctance on the part of Government officers to meet with representatives of Stirling council to discuss the total liability that the council can be expected to meet. Discussions have occurred on this matter, and I understand that further discussions are scheduled. This matter needs to be gone into very carefully. Discussions have commenced and are proceeding to determine a reasonable contribution that Stirling council can be expected to make in relation to this debt, without its unduly affecting rates or drastically affecting services provided by the council to its residents.

I trust that these discussions will be concluded in the not too distant future. As far as I know, there is no set termination date for the discussions; they are continuing to determine a reasonable contribution that Stirling can make.

The Hon. K.T. GRIFFIN: On a supplementary question, what tentative sum has been determined as the amount that the Stirling council could be expected to meet? What discussions have already occurred, and between whom have they occurred? Also, is this matter likely to be concluded this year or into 1990?

The Hon. ANNE LEVY: I do not know what figure is being suggested as a reasonable amount. I know that a member of Stirling council, in private conversation with me, did at one stage mention an amount of $4 million. I think that this was an amount off the top of his head and may not have been based on any particular investigation. I have not seen the documentation on which these discussions and conclusions will be based, and I do not know of any figure that is officially being considered at the moment.

I know that the discussions that have occurred have involved at least one officer of the Department of Local Government and, I think, the Chair of Stirling council—or it may have been the Deputy Chair of Stirling council, because the Chair has been overseas or unavailable for some time. I cannot give more detail than that. I will certainly make inquiries and bring back the detailed information.

The Hon. K.T. Griffin: Is the conclusion this year or next year?

The Hon. ANNE LEVY: I have no notion of when the discussions will conclude. No date has been suggested to me about when the discussions will be finalised. I presume it depends on whether there is agreement in the discussions or whether there have to be detailed negotiations. It is in the hands of the officers to arrive at a conclusion as speedily as possible.

AUSTRALIA DAY HOLIDAY

The Hon. L.H. DAVIS: I seek leave to make a statement before asking the Minister of Local Government a question about the Australia Day holiday.

Leave granted.

The Hon. L.H. DAVIS: I recently received correspondence from the National Australia Day Council, which had surveyed Sydney consulates and established that no other country in the world did not celebrate its national day on the day. It noted that South Australia, along with Victoria and Western Australia, is the world's last haven of the mobile national day. On 16 August this year I asked the Minister whether, in her capacity as Minister of Local Government, she would take notice of the majority view in local government in South Australia which favoured celebrating Australia Day on the correct day. In her response, the Minister said:

> I have received no communication from any council, mayor or district chair in this State, or from the Local Government Association to which I could be expected to respond in any way.

Today I spoke to the Local Government Association, because I understand that it has conducted a survey of all councils on this subject. This survey asked all 121 councils three questions: first, whether the council favoured scheduling the Australia Day holiday on 26 January; secondly, whether it favoured scheduling the Australia Day holiday on an appropriate day, not necessarily 26 January; or, thirdly, whether it did not have a view on this matter. In other words, the survey canvassed three options: 26 January, a day other than 26 January, or no opinion. Responses have been received from 69 of the 121 councils in South Australia—nearly 60 per cent—and responses are still coming in. Sixty-two of the 69 councils have said that they favour scheduling the Australia Day holiday on 26 January, two do not have a view on the matter; and only five believe that the Australia Day holiday should be celebrated—

The PRESIDENT: Order! Hon. Mr Davis, I would draw to your attention that Standing Orders do not provide for members to promote or discuss an Order of the Day other than a matter on the Notice Paper, particularly a matter that must be cited without debate. I draw to your attention that you have on the Notice Paper a motion, Order of the Day No. 6:

> That this Council strongly supports the Australia Day holiday in South Australia being celebrated on 26 January each year.

That being the case, it is entirely inappropriate that what could be debated later in this Council now become a question, contrary to Standing Orders.

The Hon. L.H. DAVIS: With respect, Mr President, I am seeking to ask the Minister a question about a very specific matter, that is, the attitude of local government. The motion on the Notice Paper relates to a much broader debate. It calls upon this Council to express a view that the day should be celebrated on the correct day. However, I am now responding to a reply which the Minister gave two months ago.

The PRESIDENT: Order! Possibly, the lead-up to your question should be framed differently.

The Hon. L.H. DAVIS: I am just about to frame the question and, Mr President, I am sure that you will have no objection to it. In other words, the response of local government was more than 12 to one in favour of holding Australia Day on the correct day. As the Minister will be aware, that result matches those of other commissioned and informal polls which show a six to one ratio in favour of holding the celebration on 26 January. Has the Minister herself made inquiries of the Local Government Association about this matter and, given the information which I have just made public, will the Government persist with its decision to hold Australia Day on the Monday nearest 26 January?

The Hon. ANNE LEVY: I have had no correspondence to or from the Local Government Association regarding this matter, and asking my views on the Government's decision regarding the Australia Day holiday clearly contravenes the Standing Order regarding notice.

Members interjecting:

The Hon. ANNE LEVY: The second question has nothing to do with local government; I have answered that question.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: The second question requested my views on the Australia Day holiday, and I would take that as being contrary to the Standing Order that prohibits questioning on an Order of the Day on the Notice Paper. Mr President, I would ask you to rule accordingly.

BIKE HELMETS

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about bike helmets.

Leave granted.

The Hon. I. GILFILLAN: I have it on very reliable authority that the Government stands to announce a subsidy for the purchase of bike helmets the week after the Grand Prix, which, as members would realise, is a very strategic time building up to the election. It is an attempt to curry favour with another section of the population whose support the Government hopes to lure for the election. Be that as it may, it is well recognised in the health field that the wearing of a proper bike helmet is the biggest single factor in dramatically reducing—and even preventing—brain damage from bicycle accidents. Members would have already been made aware that the simplest form of accident, even falling off a stationary bike on to a hard surface, can cause permanent brain damage.

At a recent public meeting Dr Ron Summers, a Health Commission officer, gave irrefutable evidence that the wearing of helmets was a significant health measure and he gave a personal opinion, for which I hold him in very high regard, that the wearing of bike helmets should be made compulsory. In that context, it is interesting to note—and again I have this from a most reliable authority—that, in the middle of 1990, Victoria will legislate to make the wearing of bike helmets compulsory, and New South Wales will follow with similar legislation in 1991.

The issue must have been discussed in Cabinet, so it need not be referred specifically to the Minister of Health. Will the Minister say whether the Government has any plans to subsidise the cost of the purchase of bike helmets and, if so, what is it and when will it be announced? Further, in view of the moves for compulsory helmet wearing in both New South Wales and Victoria, does the South Australian Government intend to follow that track and make the wearing of bike helmets compulsory in this State?

The Hon. ANNE LEVY: This is not a matter which comes within my portfolio responsibilities. The question is properly directed to the Minister of Transport in another place, and I will refer it to him.

The Hon. I. GILFILLAN: As a supplementary question, will the Minister indicate whether there has been any discussion by her in her ministerial capacity with her colleagues on the question of subsidies for bike helmet purchases?

The Hon. ANNE LEVY: I am sure that the honourable member knows, as well as anyone else, that Cabinet discussions are matters which are treated as completely confidential.

DISTINGUISHED VISITORS

The PRESIDENT: I draw to the attention of members the presence in the gallery of members of the United Kingdom's parliamentary delegation. I extend to them a very cordial welcome on behalf of honourable members, and ask the honourable Minister of Tourism and the honourable Leader of the Opposition to escort Sir Michael Shaw, MP, leader of the delegation, to a seat on the floor of the Council to the right of the Chair.

The Hon. Sir Michael Shaw was escorted by the Hon. Barbara Wiese and the Hon. M.B. Cameron to a seat on the floor of the Council.

SCRIMBER

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Forests, a question on the subject of scrimber.

Leave granted.

The Hon. T. CROTHERS: On Thursday 7 September the Hon. Mr Davis directed a series of questions on the subject of scrimber to the Minister of Tourism who was, at that time, the acting Leader of the Government in this Council. I will not canvass whether or not those questions were of the usual gloom and doom type that we have come to expect from some members opposite but, by sheer coincidence, the following day I came across an article on scrimber in a journal. The article was headed, 'Australia Advancing Into the Next Century'.

The Hon. L.H. Davis interjecting:

The Hon. T. CROTHERS: I will come to that. The journal was put out by the CSIRO, and I believe that most members in this place would have nothing but good thoughts for that Australian institution. The article described the properties of scrimber in very great detail. It stated:

> It's tough, it's strong and it looks great. In fact, it has the properties of high quality wood and yet its production does not require the destruction of native forests . . . Scrimber is made from small diameter logs which can either be plantation grown over a seven to 10 year period or obtained as thinnings which would otherwise be wasted or used only as pulp. Conventional sawmilling techniques use only about 40 per cent of the log; the production of scrimber uses more than 85 per cent, so fewer trees face the chop. In the past, attempts to reconstitute wood have been largely aimed at the production of sheet materials.

The Hon. M.B. Cameron interjecting:

The Hon. T. CROTHERS: The original log speaks up. On the other hand, as the article continues:

> Because the natural orientation of the wood fibres is preserved and knots and other imperfections are eliminated, scrimber has uniform and predictable strength. It can be produced in straight lengths, up to 1.2 metres wide, 124 millimetres thick—

there is an appropriate word to use at this moment when the Leader of the Opposition interjects—

> and 12 metres long, a size very hard to get from trees.

Further, the article states:

> Unlike natural timber, scrimber has little tendency to bow. It is ideal for building beams and will be competitive with structural beams including steel and concrete ones.

Finally, the article makes it plain—

Members interjecting:

The PRESIDENT: Order!

The Hon. T. CROTHERS: I will come to the Hon. Mr Davis in a moment. The article states:

> Scrimber can be used in the same ways as ordinary timber—it can be machined, sawn, painted, nailed and moulded using conventional tools.

The Hon. L.H. Davis: It's about time somebody nailed you.

The Hon. T. CROTHERS: Well, they nailed the Almighty two millenia ago, and you've been trying to nail me. I suggest that it will take you two millennia to nail me.

The PRESIDENT: Order! The honourable member will address the Chair.

The Hon. T. CROTHERS: Does the Minister believe that the moneys invested in scrimber, which is a new technology—

An honourable member interjecting:

The Hon. T. CROTHERS: Well, the Hon. Mr Lucas from the South-East interjects! I hope he supports what I am saying. Does the Minister believe that the moneys invested in scrimber, which is a new technology, will serve future generations of South Australians well in much the same way as the foresight of our ancestors who, over 100 years ago, determined to establish the forestry plantations in South Australia's South-East? Take note, Mr Lucas. Secondly, given that scrimber is a brand new technology, does the Minister believe that questions of the type asked by the Hon. Mr Davis serve any useful purpose by way of assisting scrimber to establish itself in the market place? Finally, but by no means exhaustively, does the Minister believe that the manner in which scrimber will husband our forestry resources will be of beneficial consequence to our environment and, if she does, can she please tell this Council just what those benefits may be?

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: The Hon. Mr Crothers has clearly indicated during the course of his explanation the very negative approach that has been taken by members opposite on the matter of the development of scrimber. In fact, I believe it is true to say that the closer the scrimber concept comes to—

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —reality, the louder and more negative become their cries. In fact, it is rather difficult to avoid the view—and it is a view that has been expressed by a number of people in the community—that the bleating of these people is largely related to the sour grapes that now exists; they see that this concept will be developed, and they are rather sorry that they did not see the potential at the time. That is the reality because people in the private sector were given the opportunity to participate in the development of this concept, and they did not take it up.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: It took the partnership between the South Australian Timber Corporation—

Members interjecting:

The PRESIDENT: Order! There is too much interjecting.

The Hon. BARBARA WIESE: —and the State Government Insurance Commission to actually get it off the ground. The result has been the company known as Scrimber International. That technology has now been developed in collaboration with the CSIRO and RAFOR Limited, and we are now close to opening the world's first manufacturing plant in Mount Gambier.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: The honourable member kindly gave me some warning of his questions, and I am able to supply replies to them as a result of information given to me by my colleague in another place. I will respond individually to the honourable member's questions. The answer to the first question is 'Yes', the Government does believe that the money invested in the new scrimber technology will have benefits for South Australians, similar to those which have flowed from the foresight of the early settlers who established the State's softwood plantations.

The reasons are many, but include the following: Scrimber will ensure a better economic return from our plantation forests. It will turn low value pine thinnings into a high quality, high value, large section structural timber product. Currently, this type of material is cut mainly from Australian or overseas native forests—a diminishing and finite resource. Scrimber technology is exportable and Scrimber Intenational is entitled to a share of the technology exports. Two-thirds of South Australia's forest products are exported interstate. Scrimber production will add value to those exports and create additional employment in our State.

Secondly, opposition criticism of the scrimber project is not helpful for a new product soon to be launched on the market. However, so far scrimber has shown itself to be resistant to white ants of the Opposition variety.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: Thousands of inquiries have been received by Scrimber International from potential purchasers of the product and the initial few months production has already been sold. This indicates that the builders, engineers and architects of Australia have considerably more accurate perceptions than Opposition parliamentarians in this State of the virtues of scrimber.

Thirdly, there is no doubt that scrimber will enable South Australia to obtain better value from its forests. The CSIRO publication referred to by the Hon. Mr Crothers states:

> Conventional sawmilling techniques use only about 40 per cent of the log; the production of scrimber uses more than 85 per cent. So fewer trees face the chop.

It is perfectly feasible for forests to be specifically grown for the production of scrimber. It takes only seven to 10 years for pinus radiata to reach a suitable size for scrimber production. Many species of trees are likely to prove satisfactory for scrimber production and the process has the potential to minimise the exploitation of the world's ever declining areas of mature native forests which yield most of our structural timber.

CORPORAL PUNISHMENT

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Local Government a question about corporal punishment.

Leave granted.

The Hon. R.I. LUCAS: For many years, the Minister has been a firm advocate in this place and in the public arena—

The Hon. Carolyn Pickles: Do you believe in spanking?

The Hon. R.I. LUCAS: Why would you like to know?

The PRESIDENT: Order! The honourable member will address the Chair.

The Hon. R.I. LUCAS: I am interested to know why Ms Pickles would like to know whether I support spanking. For many years, the Minister has been a firm advocate of preventing teachers from using corporal punishment in our schools. Indeed, the Bannon Government has decided to ban its use in schools by 1992. Today, the possibility of similar action being taken within the family home has been raised in the national media. On behalf of the Bannon Government, the Deputy Premier, Don Hopgood, drew a distinction in his response between what was raised and the possibilities of clear cases of child abuse. He said that clearly they were already covered by existing law. He expressed some concern about the administration of possible new legislation in this area, but in the end did not indicate, on behalf of the Bannon Government, outright opposition to such a proposal. Indeed, his final comment in this afternoon's *News* is as follows:

> We will just have to wait and see what the National Committee on Violence comes up with.

In addition to this, an organ of the Bannon Government's Public Service in South Australia—the Children's Interest Bureau—in its May 1989 bulletin, 'Interesting', made the following comments on the use of such discipline by parents in the family home:

> The Children's Interest Bureau has, since its inception, been opposed to the use of corporal punishment in schools. The human rights arguments used to question the morality of hitting children at school also apply to the use of corporal punishment in the home.

Does the Minister agree with this statement from the Children's Interest Bureau, and has she ever expressed support for such action being taken in this area?

The Hon. ANNE LEVY: I do not wish to comment on what the Children's Interest Bureau has said—certainly not without an opportunity to see it in context. I have followed with interest the Swedish legislation, which has banned corporal punishment throughout the nation in all circumstances. I do not feel in any way tempted to spank my children as they are considerably bigger than I am. I believe it could be rather dangerous for me to attempt to do such a thing.

The Hon. R.I. Lucas interjecting:

The Hon. ANNE LEVY: I have followed the Swedish-style legislation with great interest. I do not believe I have publicly expressed support or lack of support for it.

Members interjecting:

The Hon. ANNE LEVY: I have been aware of this Swedish legislation for quite some time and I have followed its progress with interest.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: However, I can only reiterate the comments by the Deputy Premier, that certainly the recommendations of the National Committee on Violence should be awaited. I certainly look forward to what these recommendations will be, as I hope every member of this Parliament will be interested in seeing what recommendations this important body brings down.

The Hon. R.I. LUCAS: As a supplementary question: will the Minister give an unequivocal guarantee that she would not support legislation in this area should the Bannon Government be re-elected for another term?

The Hon. ANNE LEVY: Of course I cannot give such unequivocal guarantees—and the honourable member knows that perfectly well. He is wasting the time of the Council in asking such ridiculous questions.

ENERGY CONSERVATION

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Mines and Energy, a question about energy conservation.

Leave granted.

The Hon. M.J. ELLIOTT: I have been informed that the Premier has announced today that South Australia will have a sustainable economy. As energy conservation is seen as a core matter in relation to the sustainability of the economy, I would like to raise a few matters in relation to that. People were somewhat concerned about a comment made yesterday by the Federal Minister for Resources (Senator Cook) that the inevitable consequences of a reduction in energy usage would be a lowering of Australian export activity and of Australian international competitiveness. What Senator Cook has said is a direct contradiction of what the Federal Minister for green things, Senator Richardson, has suggested, in that we might cut energy consumption by as much as 40 per cent. We are faced with a contradiction between what the Environment Minister is saying and what the Minister for Resources has had to say on exactly the same matter.

Both the New South Wales Government and the Victorian Government have announced that there will be a 20 per cent interim reduction target, based on 1988 emission levels. Quite clearly, they are looking at a very dramatic reduction in fuel usage. I also draw to the attention of the Minister an article in *Business Week* from the United States, dated 9 January 1989, which makes it quite clear that in the United States the energy utilities are finding that they can actually make money out of conservation. Quoting from the article, a spokesman for North-East Utilities said:

We sell comfort and light, not kilowatt hours.

Quite clearly he recognises that consumption of energy does not necessarily have a direct link with the comfort that can be supplied to people. I have also noticed in some recent reading that I have done that it has been claimed that Japan consumes less energy now than it did in the early 1970s, and, in fact, Japan has a distinct competitive advantage over other economies because of energy conservation. Certainly there is a contradiction in relation to what the Federal Minister for Resources said yesterday.

I ask the Minister the following three questions. First, will the Minister consider separating the mines and energy portfolio, because it is quite clear that the mines lobby sometimes gets in the way of what is sensible to do with energy? Thank goodness, federally the resources portfolio has been separated from the environment portfolio. Secondly, does South Australia have a goal, like Victoria and New South Wales, of conserving energy and what target is it setting? Thirdly, what is the current timetable for construction of our next power station, or is the Government at last considering the possibility that we need no longer build it?

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

PARENTAL RESPONSIBILITY

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Community Welfare, a question about the Department for Community Welfare and parental responsibility.

Leave granted.

The Hon. DIANA LAIDLAW: Eleven days ago a 17-year-old youth was beaten up by a gang of about 40 young people as he departed from a cinema in Rundle Mall. The incident has prompted anger amongst parents, and members who have read recent newspaper accounts and listened to talkback radio would be aware of this. Parents generally are concerned not only about the violence in the mall but also about the fact that they do not feel confident about permitting their children to go out at night as they do not know whether they will come back in the same condition as when they left.

Also, many parents have expressed the view that they now feel constrained to be vigilant about the freedoms that they allow their children to exercise. This latter response is interesting in the light of frequent representations that I have received from parents over some period of time who are enraged that workers in the welfare and youth fields, and often school councillors, rarely support parents in their exercise of parental responsibility. Yet, it is well recognised that endeavours by parents to set standards of behaviour, to define times when their children should be at home at night and to mark 'off limits' the places that their children can frequent regularly leads to resentment among young people and often to family argument.

I suspect that this situation is little different today than when I grew up, and certainly when some members older than myself grew up—like the Hon. Mr Weatherill. The different element today is the trend for young people to run away from home in such circumstances, confident in the knowledge that they have rights and that there is no law which prevents persons from giving advice to minors who are not under any State care order, and that there is no duty on a person or agency to liaise with parents or inform parents about the whereabouts of a child who has run away from home.

I therefore ask the Minister, in the name of what is in the best interests of children, what action, if any, he proposes to take to balance the current emphasis on the rights of a child with policies and practices which promote the exercise of responsibility in family situations by both parents and children. Further, has the Department for Community Welfare formulated a policy or guidelines in respect of children who run away from home, which involves seeking the views of parents which takes account of parental responsibility and which also addresses the question of maintaining a child's request for information to be kept confidential from their parents?

The Hon. BARBARA WIESE: I will refer those questions to my colleague in the other place and bring back a reply.

COUNCIL RATES

The Hon. CAROLYN PICKLES: I understand that the Minister of Local Government has an answer to my question of 24 August concerning council rates.

The Hon. ANNE LEVY: The matter of supplementary council rates notices issued as a result of amended property valuations was referred to the Crown Solicitor for consideration. I am advised that in the event that a valuation of land is superseded by a supplementary valuation under the Valuation of Land Act, and where the supplementary valuation was not available to the council at the time it adopted its estimates of income and expenditure for the ensuing year, the supplementary valuation cannot be used by the council for rating purposes pursuant to section 171 of the Local Government Act, unless it resulted from a formal objection, review or appeal against the original valuation. All councils have been advised of this requirement.

HOPE VALLEY RESERVOIR

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Local Govern-

ment, representing the Minister of Water Resources, a question about Hope Valley Reservoir.

Leave granted.

The Hon. J.C. BURDETT: On 26 September I asked a question about two spillages of raw sewage which recently escaped from sewerage mains in the vicinity of Hope Valley Reservoir. I stated that the first spillage escaped into the reservoir itself. This has been acknowledged. I also said that the second spillage had escaped into the River Torrens, and this is still my information. I have not yet received an answer to my question, but in view of the date on which it was asked I am not complaining about that.

The matter was referred to in the *Messenger* leader of 4 October 1989. A spokeswoman for the Minister is reported as having said that sewage spills were diverted into an overflow drain which leads to an aqueduct and a dam where the spill would be dried out. I am at a loss to see how anything would be dried out in this weather. The facts are that spills are diverted (unless they in fact get into the reservoir as occurred in September) into two open concrete drains on either side of the reservoir. The two drains meet just below the earth dam wall of the reservoir adjacent to Lyons Road, and diversions flow into what I would describe as a swamp, rather than a dam. The water in the swamp is visible from Lyons Road. Reeds grow prolifically in the swamp. No drying out can occur at this time of the year, and perhaps at no time.

The overflow from the swamp follows a route alongside the North-East busway and is visible from the busway. It flows alongside Willowbrook Avenue through a small reserve into the River Torrens. Via this route diversions, including sewage leakage, do reach the River Torrens. Some of the liquid in the swamp, including sewage diversions, reach a dam on land owned by the Engineering and Water Supply Department where it is used by a lessee from the department to irrigate a market garden. The water in this dam is visibly dark, almost black in colour. My questions are:

1. Will the Minister confirm or deny that diversions through the drains on each side of the reservoir, including sewage leakage, do flow into the River Torrens?

2. Will the Minister investigate the effect that this is having on the ecology of the River Torrens?

3. Will the Minister investigate the safety or otherwise of irrigating vegetables for sale with water polluted by raw sewage?

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

HOUSING COSTS

The Hon. T. CROTHERS: I understand that the Minister of Tourism has an answer to a question I asked in this place on 8 August 1989 in respect of comparative housing costs.

The Hon. BARBARA WIESE: I am happy to provide for the honourable member a full copy of the report by BIS Shrapnel Pty Ltd into Building Industry Prospects, to which he refers. In short, South Australians enjoy cost advantages when purchasing new homes compared to residents of other States as a direct consequence of the progressive policies of the Bannon Government in relation to the supply of land for home building, maintenance of a stable industrial environment and continued sound management of the State's economy.

The figures quoted by BIS-Shrapnel are derived from the Australian Bureau of Statistics price index of material used in house building. These figures are collected in each State from a sample of builders who supply the estimated cost of constructing a dwelling at the time of approval. The total cost is not always comparable between States or even between dwellings as costs may include the construction of fencing, sheds, carports, minor landscaping and other such items.

Housing and housing material costs are lower in Adelaide than most other capital cities for a range of reasons. Land prices have remained stable and relatively low at $24 000-$25 000, while a comparable allotment in Victoria can cost $50 000 and $60 000-$70 000 in New South Wales. Land supply has remained relatively plentiful in South Australia, owing to the land planning strategies of the South Australian Government. Another factor which has increased the price of home construction in other States is the high labour costs and high level of pent up demand, both of which have not occurred to such a degree in South Australia. South Australia's consistent performance as the State with by far the least working days lost through industrial disputes has further limited the extent to which home building costs have escalated due to delays in completion.

Large fluctuations in housing demand and the resultant price changes which characterise the housing market in other States have not occurred in South Australia. Competition between builders has also kept prices low. South Australia has experienced relatively small fluctuations in housing demand as a result of steady population growth and therefore relatively small changes in the cost of housing. With a continuation of the progressive policies of the Bannon Labor Government, South Australians can expect to continue to experience cost advantages when purchasing new homes.

TUNA QUOTAS

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister representing the Minister of Fisheries a question about Port Lincoln tuna quotas.

Leave granted.

The Hon. PETER DUNN: A couple of months ago the Prime Minister, when delivering his conservation policy at Renmark, said he was exploring the possibility of a moratorium on tuna quotas for Australia, and that quota predominantly is handled by the Port Lincoln fishery and is at present 6 250 tonnes. That brings into the State between $50 million and $70 million in export revenue. About a month later, it was stated by the Federal Government that Port Lincoln had been chosen as a port for the maintenance of Russian ships, the exchange of crews, bunkering, etc., and also that Australia could benefit from fishing skills which could be shown to South Australian fishermen. It was also suggested that they would be catching their fish outside the 200 mile zone.

If that is the case, who will know if they are catching tuna? What instructions have been given in the light of the fact that negotiations are taking place in Canberra at the moment for tuna quotas on a worldwide basis? What instructions have been given to the Director of Fisheries or his officers by the Government for negotiations between Australia, Japan, Taiwan or other countries regarding world tuna quotas? In particular, what quotas are being asked for by South Australian negotiators for South Australia, and will these negotiators be asking for compensation from the Federal Government for South Australian tuna fishermen should tuna quotas be cut in South Australia?

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

ROAD SAFETY DIVISION

The Hon. I. GILFILLAN: Has the Minister of Local Government an answer to my question of 6 September regarding the Road Safety Division?

The Hon. ANNE LEVY: I seek leave to have the answer inserted in *Hansard* without my reading it.

Leave granted.

My colleague, the Minister of Transport, has advised me that Mr I. Lees continues to be employed in the Transport portfolio at the same classification level, namely, EO-3. The reorganisation of administrative units within the Transport portfolio was initiated by the Government to provide for a more responsive and effective service to the public, while at the same time ensuring that a high level focus on road safety matters is maintained.

The Office of Road Safety within the Department of Road Transport formed by the reorganisation will provide two principal roles, namely:

(i) Provision of technical advice and administrative support to a Road Safety Management and Co-ordination Group comprising the CEO's of relevant government departments and a nominee of the Local Government Association.

(ii) Provision of high level policy advice to the Minister and the CEO on matters of road safety and traffic control.

The reporting relationship of the head of the Office of Road Safety will not alter the roles or responsibilities of the office. Road safety as a government responsibility needs to be addressed at the highest level of Government without regard for reporting levels within administrative units. Road safety programs require co-ordination across portfolio boundaries; a responsibility which will be provided by the Management and Co-ordination Group. The level and relevance of technical or policy advice will not alter and certainly has not been downgraded.

HOME AND COMMUNITY CARE FUNDING

The Hon. DIANA LAIDLAW: I have been advised by the Minister of Tourism that she has an answer to my question of 10 August regarding the home and community care program.

The Hon. BARBARA WIESE: I seek leave to have the reply incorporated in *Hansard* without my reading it.

Leave granted.

The South Australian Government is currently negotiating with the Commonwealth with the objective of providing the maximum expansion funding for the HACC Program for 1989-90. The South Australian Government will negotiate for the provision of the State's maximum entitlement of any additional funds available under the Commonwealth's unmatched funding program. It should be noted that under this program, the State is entitled to a maximum of $3.1 million in 1990-91. The State has already obtained a commitment of $1.981 million in recognition of its level of funding during the first three years of the Program. The remaining $1.1 million will be negotiated.

MAREEBA CLINIC

The Hon. DIANA LAIDLAW: I have been advised by the Minister of Tourism that she has an answer to a question on 3 August regarding the Mareeba Pregnancy Advisory Centre.

The Hon. BARBARA WIESE: I seek leave to have the reply incorporated in *Hansard* without my reading it.

Leave granted.

The following information is provided in response to the honourable member's questions:

The Minister of Health is satisfied that the Woodville Council was fully and adequately consulted prior to approval being given by Cabinet.

The Minister and officers of the SA Health Commission met with the Mayor and other Council representatives on 5 July 1989 to discuss the proposed use of the Mareeba complex as a Pregnancy Advisory Centre (PAC).

The Planning Act is not relevant because no change of land use as defined in the Planning Act is involved. However, there is a commitment to the Mayor and Council, given at the meeting, to consult fully of planning type matters to do with the Centre's car parking and the like.

EDUCATION CUTS

The Hon. R.I. LUCAS: I understand that the Minister of Local Government has an answer to my question on 22 August about education cuts.

The Hon. ANNE LEVY: I seek leave to have the answer incorporated in *Hansard* without my reading it.

Leave granted.

My colleague, the Minister of Education, has assured me that the assertion that there have been education cuts is incorrect. Review of enrolment projections made by schools in the Adelaide area for 1990 was primarily based on statistical data over a period of eight years. This has included the actual annual retention rates from year level to year level within each school and the accuracy with which enrolments have been estimated in individual schools in recent years.

For some schools, estimated enrolments forwarded by Principals were reviewed and adjusted on this basis. These changes were discussed with the Principals concerned.

The process used this year is in line with that used in previous years. Enrolment estimates, established in this way in the Adelaide area have provided an accurate way of staffing schools in recent years. In spite of this moderation, school estimates on the whole have still been higher than actual enrolments at the beginning of the new school year.

MARINELAND

The Hon. J.C. IRWIN: I understand that the Minister of Local Government has an answer to my question of 27 September regarding Marineland.

The Hon. ANNE LEVY: I seek leave to have the answer incorporated in *Hansard* without my reading it.

Leave granted.

The lease between the West Beach Trust and Zhen Yun Australia Hotels Pty Ltd authorises the lessee to demolish and remove any buildings existing on the land the subject of the lease other than the villas. The cost of demolition is the business of the lessee.

SELECT COMMITTEE ON THE ABORIGINAL HEALTH ORGANISATION

The Hon. CAROLYN PICKLES: I move:

That the time for bringing up the report of the select committee be extended until Wednesday 8 November 1989.

Motion carried.

SELECT COMMITTEE ON CHILD PROTECTION POLICIES, PRACTICES AND PROCEDURES IN SOUTH AUSTRALIA

The Hon. CAROLYN PICKLES: I move:

That the time for bringing up the report of the select committee be extended until Wednesday 8 November 1989.

Motion carried.

CURRICULUM GUARANTEE

Adjourned debate on motion of Hon. R.I. Lucas:

That this Council:

1. Expresses its opposition to the education implications of the Bannon Government's supposed 'curriculum guarantee' package.
2. Calls on the Bannon Government to take urgent action to make significant changes to its policy so that an educationally better curriculum guarantee package can be introduced.

(Continued from 27 September. Page 907.)

The Hon. R.I. LUCAS: When last I spoke I highlighted the significant problems of the supposed curriculum guarantee for country students. I now wish to comment further in relation to country students, before commenting about students generally in both city and country schools. I note that in speaking to another private members' business motion the Hon. Trevor Crothers attributed to me some quotes that the record shows were incorrect, and he might like to check the *Hansard* and establish that his recollection was not accurate. The Hon. Mr Crothers alleged that I had admitted that small schools were not viable. The *Hansard* record shows that in no way did I say or even imply that small schools were not viable.

It is true to say that small area schools and small country schools have some restricted subject choice in comparison to a big metropolitan high school, for example, Christies Beach High School with 1 400 students, or other schools that might have approximately 1 000 students. Admittedly, there is no way that a Pinnaroo or even a Lameroo Area School could hope to compete with the subject choice that can be delivered in a face-to-face teaching mode in a school such as Christies Beach or a big metropolitan high school. But, it is a far cry to jump—it is a huge leap in illogic, I suggest—from that statement which, I believe, to be a statement of fact, to a statement that small schools are not viable. Indeed, if one were to argue that, whether one was on the Government or the alternative Government side of the debate, it would probably mean closing down the majority of schools in country South Australia.

While I believe that the Bannon Government has a hidden agenda to close country schools and to accelerate that process—and I indicated that when I last spoke—I certainly do not believe that even the Bannon Government would be foolish enough to close the majority of schools in country areas on the basis that they were small; indeed, neither would the alternative Government wish to adopt a policy like that.

In relation to this notion of restricted choice, many people in country areas and city areas are pushing for changes, as a matter of choice, in curriculum along those lines—that is, they believe that there should be some narrowing of the curriculum and that there should be a greater concentration on core curriculum and basics within our Government school education system. I am not saying that that is an attitude that the alternative Government is expressing; what I am saying is that a good number of parents believe that narrowing the curriculum to what they see as the more traditional educational options is along the lines of what they wish for their students and their schools. To be honest, many other parents and families support the broadening of the curriculum and subject choice that they have seen in our education system through the latter part of the 1970s, and this has certainly accelerated through the decade of the 1980s.

That debate came about as a result of a point that I raised regarding what is known as open access teacher salaries for schools under the curriculum guarantee proposal. I indicated, both in this Council and subsequently in a press release of 30 September, that the Bannon Government had, in my view, a hidden agenda to force more country school closures in South Australia. My argument was, quite simply, that the Bannon Government was saying to small area schools and small country high schools that if they did not have 50 students in years 11 and 12 they would not be provided with any assistance at all by way of this new formula for open access teacher salaries.

The Bannon Government is saying that the small schools—those which need assistance to provide extra subject choice through the option of distance education or open access education—would be denied assistance, when schools with more than 50 students in years 11 and 12 would be provided with salary assistance for distance education or open access education. I indicated quite clearly in my press release that on 1988 enrolments some 30 area schools would have similar enrolments in 1990 under the curriculum guarantee and that they would receive no assistance for distance education or open access education.

As is the Government's, and indeed the Minister's, wont there was a hurried reaction from the Minister by way of a press release on 4 October—it took them four days to crank themselves up. Under the heading 'State Opposition negative attack over country schools distorts reality of State Government commitment', the Minister stated:

> The facts demonstrate how wrong the Opposition is. Of the 33 country schools highlighted by the Opposition as not gaining an open access teacher, 15 of the schools will in fact get staff for this purpose.

I want to explore this press release and the Minister's claim. As it is generally the Hon. Mr Crothers who draws the short straw on behalf of the Government to read the speech of the Minister of Education in this place on education matters, I would state that when we see that response we will want from the Minister a clarification of that statement in the press release. It is my view that the Minister has been too clever by half and will be caught out when we get a response to this question.

The matter of open access teacher salaries that I raised, both in this Chamber and specifically in a press release, related to year 11 and year 12 students. I indicated in my speech two weeks ago that a similar formula applied to years 8 to 10 students. The matter that the Liberal Party raised in this Chamber was the fact that, in the critical area of years 11 and 12, assistance was not being provided to small area schools for open access teachers. On the surface, it would appear that the Minister rejects that notion and that he has backed down, at least partially, from the curriculum guarantee that he issued to schools. However, if one reads the Minister's statement closely, one sees that he does

not refer at all to years 11 and 12, the years that I had mentioned in the press release. In that statement, he said that 15 schools will get staff by way of the open access teacher salary formula.

If one goes through the 33 schools that I mentioned, and if one looks at enrolments for years 8 to 10, one will see that about 15 of those schools have more than 50 students in years 8 to 10. If that is the case in 1990, they would then qualify for open access salary assistance for students in years 8 to 10. I indicate again that that was not the matter I raised—although one could put that point—by way of press release on 30 September. The matter that I raised on behalf of area schools related particularly to years 11 and 12. What is needed from the Minister, by way of the Hon. Trevor Crothers, is a clarification of this statement. Is it a partial backdown on the part of the Minister from his curriculum guarantee, as he would want the community to believe, or is he—as I suggested at the outset—being too clever by half, by referring to open access salaried assistance for years 8 to 10 and not for years 11 to 12? Whether or not we get an honest answer from the Minister, the Liberal Party will contact those schools and associations representing them and will follow up this claim in the Minister's press release of 4 October.

Another matter I want to raise in relation to the curriculum guarantee involves the number of teachers that we have in our schools. I do not want to take up the time of the Council this afternoon in a long dissertation on the cutbacks inflicted on schools by the Bannon Government in the four years since 1985. Suffice to say that one statistic starkly bears out the effects of the Bannon Government's policies on our schools: that is, contrary to the specific election promise made by Premier Bannon in 1985 that there would be no cutback in teacher numbers, despite declining student enrolments, the Bannon Government has cut 700 teachers from our schools over the past four years. Two weeks ago when this matter was last debated, Government members—the Hon. Mr Crothers and the Hon. Mr Roberts—by way of interjection and speech tried to highlight the fact that there had been a significant decline in student enrolments. That figure is correct but, as I said, the Premier knew that when he made the promise in 1985.

The figures that the Hon. Mr Crothers and the Hon. Mr Roberts have been using are highly misleading. What they seek to indicate is that there has been a drop of some 23 000 students in Government schools over the past six years. That is approximately the correct figure, but what the Government members do not indicate is that almost half that decline in student enrolments has been due to a drift or movement from the Government school system to non-government schools. So, it is a reflection on the inadequate educational policies of the Bannon Government that we have seen a good part of the student decline in Government schools over recent years. It is not that there have been 23 000 fewer school-aged children in South Australia; it is that a significant number of Government school students and their families have chosen to move out of the Government system and into non-government education.

As a result of the attacks by the Liberal Party and all those with a genuine interest in education over the past few years in relation to the 700 teacher cutback in our schools, the Bannon Government wished, through the curriculum guarantee package, to retrieve some lost ground in the education community. It sought, by way of the curriculum guarantee, to create the impression that significantly increased resources would be going into Government schools over the next few years.

Members interjecting:

The Hon. R.I. LUCAS: That is right. The Government bandied around figures such as a $54 million increase over the next four years, by way of additional resources under the curriculum guarantee package, going into Government schools. Obviously from that, there was a commitment for increases, not only in resources generally but also in teachers for our Government schools. We have been able to establish now that the Education Department figures—approved by Treasury and therefore not prepared by the Opposition or the alternative Government—have predicted that there will be fewer teachers in our schools next year when compared with this year, and that there will be a further cut of some 27 teachers in Government schools, even with the introduction of the curriculum guarantee package.

That cut of 27 teachers must go on top of the existing cuts of almost 700 teachers in our Government schools over the past four years. So, rather than seeing increased teacher numbers in Government schools under the curriculum guarantee package, we will see—and the Government has now had to concede, and admit this—fewer teachers in our schools. The Minister of Education was flaying about on morning radio recently, trying to respond to some pertinent and perceptive media questions on this matter. His response was that the Opposition was playing with statistics. It is not the Opposition concocting statistics in this area; these are official, Government endorsed figures from the department and approved by Treasury.

The Minister then went on to say that we were being selective in our use of statistics and looking at teacher numbers at a particular time of the year. What he did not realise was that he had already provided a written response to me on a previous occasion, indicating that the Government and the Education Department believed that the statistic on the average number of full-time equivalents over a 12 month period was the only figure that could and should be used by anyone wishing to comment on teacher numbers in Government schools.

Because of seasonal functions, etc., he rejected the use of the number of teachers at a particular point in time, such as the end of the financial year, for that reason. So, the figures that he has provided to the Parliament and the alternative Government were based on the average number of full-time equivalents over a 12-month period, and it was the measure that he said needed to be used and should be used by anyone wishing to comment on teacher numbers. As I said, the Minister's response on morning radio the other morning certainly flew in the face of all that he has said and all that the Education Department and Treasury have said to him on the question of measuring teacher numbers in our schools.

In the time remaining, I will briefly touch on three or four other areas in relation to major defects in the curriculum guarantee package. As we indicated briefly last week, the actual guarantee for schools now—and conceded by the Bannon Government—is really only for one year, 1990, and the Government has refused to guarantee any curriculum or subject choice for 1991 or beyond.

Another area of great concern to our friends in the ethnic communities and in those schools that offer a significant number of language programs is the effect that the curriculum guarantee package will have on language programs. Indeed, language programs in some schools will be decimated with some schools having to reduce their offerings by up to four languages. In particular, mother tongue maintenance languages will be the ones lost in those schools. The Cowandilla Primary School this year has 2.4 salaries for five separate language programs, but it has been told that, under the curriculum guarantee, it will have only .8 salaries

next year. It will have to reduce its number of language options by four.

Under this election face-saving guarantee that the Minister has given, at least for next year, the first year after the election, extra assistance will be provided to guarantee curriculum in schools. I indicated earlier, however, the Minister will not guarantee it for 1991 and beyond, and there is no doubt that, away from the pressing urgency of an election campaign, the true intentions of the Minister and the Bannon Government in relation to curriculum cutback and cutback in subject choice will be implemented, and schools such as Cowandilla, if they can struggle to hold on to their language options for next year, will certainly lose them under a Bannon Government should it be re-elected at the coming election. The cutback in special education programs for children with disabilities is not just limited to country schools. Many schools in the city have grave concerns about their special education programs being cut under the curriculum guarantee.

The last area I want to raise under the curriculum guarantee and its defects is what is known by the schools as special programs. With regard to staffing arrangements, schools currently receive a basic staffing formula and, over and above that, they have what is known as negotiable staffing. As the name suggests, they negotiate with the Education Department for portions of a salary or salaries and are able, on a submission basis, to implement many quality programs over and above what can be provided under the basic staffing formula. As an example, the Magill Primary School has an excellent program for gifted and talented students. It has felt that it needs to do that through the negotiable staffing because there has been very limited assistance from the Education Department for programs for gifted and talented students in our schools.

That sort of program would be lost because, under the curriculum guarantee, schools such as Magill Primary will not qualify for that level of negotiable staffing assistance for which it formerly qualified. Other examples in that area are remedial education programs, programs for instrumental music, computer education, dance and school-parent liaison programs. They would also have to stop in a number of schools because the schools would not be receiving the sort of assistance they currently receive under negotiable staffing.

As I said, this curriculum guarantee is a fraud of a document. Even if the Government provides some additional assistance to get it through the election period to protect schools for 1990, we know from what we have seen already that the Government will implement the curriculum guarantee in all its stark ferocity from 1991 onwards, should it be re-elected. It is the view of the alternative Government that the educational implications of the curriculum guarantee are a matter of grave concern, not just to politicians in this place but, more importantly, to teachers, principals and parents in many school communities in South Australia. They do not want this document which has been foist upon them; they want something which will provide a more generous and educationally better curriculum guarantee for their students and schools to take South Australian youngsters into the 1990s. With those remarks, I urge all members in this Chamber to support the motion.

The Hon. G. WEATHERILL secured the adjournment of the debate.

LAKE BONNEY

Adjourned debate on motion of Hon. M.J. Elliott:

That this Council requests that—

1. A detailed chemical and biological study of Lake Bonney in the South East be carried out as a matter of urgency.
2. A detailed study of the impacts of releases of water from Lake Bonney into the marine environment be made.
3. The impact of effluents to Lake Bonney from the paper mill and other sources be assessed.
4. A plan be developed to return Lake Bonney as nearly as possible to its natural condition.

(Continued from 27 September. Page 912.)

The Hon. M.B. CAMERON (Leader of Opposition): The Opposition supports this motion. It is a matter of some considerable concern and I guess it arises largely from the concern that has been gathering force over latter years in relation to paper mills. I should make it absolutely clear right from the beginning that the responsibility for the problem does not rest with Apcel, the manufacturers, because, under the indentures that were signed many years ago, Apcel was relieved of the responsibility of handling the effluent from the time it left the factory gate.

That is not to say that the companies do not have a responsibility to ensure that whatever methods can be undertaken to ensure that the effluent is as least potent as possible, should not be taken. In my earlier days in the arena of politics in 1966, 1967 and 1968, I clearly recall taking up this matter of Lake Bonney as a candidate for the seat of Millicent. It was a matter of some concern, although at that time it was a matter of visual pollution because there was not the knowledge then of the materials that were going into the lakes. There was growing concern about the effects of the effluent, but there was an assumption that it related to the physical problems of the rubbish going into the lakes which were the more visible signs—the material on the shore, the colour of the lake and various other problems such as those. The chemical problems associated with the effluent were not known then to the extent that they are today. As a result of activities of that time of various candidates, the mills put in the means to take out much of the solids which were previously going into the lake and which were causing a problem.

In its early pristine days before the agreement by the Playford Government for it to be used for the disposal of effluent from the paper mills, Lake Bonney was a magnificent lake that was used as a recreation area for people in the surrounding district. It had magnificent sandy shores. It was the base of a large bird population; it had a huge ibis rookery. It is a matter of concern that the lake has ended up in the state it is in today. I do not believe there is a person in that district who had knowledge of it prior to the advent of the paper mills who does not now regret the decision that was made at that time. I hope it is a lesson to all of us in the future when we move towards the development of industry that we keep in mind the sorts of problems that have been created. There is no lack of people to do that these days, but in those days development at any price tended to be the way of life of all Governments of either persuasion. So, that is the way it happened. However, the past is past.

I believe the other matter of regret is that there was a means installed to put this material out to sea. I recall the first time that happened there was great jubilation that the lake was able to be lowered at that time, and the net result of that was that the ibis left the lake, and the problem we have now became a permanent solution for any overflows into what was then turned into farming land. It is always a problem when land is drained that the farmers who take up that land do not want to be swamped by water in the future. We have the situation today of some material, about which we do not know enough, going into the ocean. I am a resident of that district, and I am also a resident of and

have been brought up in a small fishing town nearby, and I have just been there for the weekend. Let me assure members of the Government that the people of that area are deeply concerned about the impact of the material now being let out to sea.

I realise that this has happened before: it is nothing new. Over the years, it has happened on several occasions in a wet year. However, I feel it is one of those things where knowledge is growing and people's awareness of the impact of the materials in that lake is growing. I have been told that, if all that lake was let into the sea, the impact on the coast could well be disastrous. I do not know what the end result will be. However, because of our lack of knowledge, I believe any release of the materials through this outlet should be severely restricted at this time. Now is not the time to empty the lake to lower than normal levels in order to hunt for logs that are purported to be still in the lake.

I do not have any problem at all with the first paragraph of the motion, that a detailed chemical and biological study of Lake Bonney in the South-East be carried out as a matter of urgency. I do not think there are any fish in there now. It used to be like Lake George, which is quite a magnificent fishing spot. Many of the fish that are in Lake Bonney now are deformed. I have seen them with sores on them; they are absolutely dreadful. It is clear that there is material in the lake which has absolutely destroyed it as a marine environment. What impact the releases of waters out of Lake Bonney on the environment are, and what impact they have for the future, I believe nobody knows. If one drives along the shore and sees no dead fish, that is not an indicator that everything is all right. I believe it is a somewhat shallow way of doing an assessment of the impact of such materials on the environment, because it goes a little further than that.

The lobster industry is complex and lobsters are complex creatures. We could well be destroying quite a large area for future stocks. We will not know the impact of it, and there is no way of assessing that. There is no way of assessing the effect on the catch in that area, and surrounding areas. Until we know what the material is and what the impact is on juvenile lobsters, we should not be doing it. It is a bit like the famous Finger Point sewage outlet from Mount Gambier, which new members will not recall. I have raised this matter on many occasions over the years, and we had no idea—and I guess we never will have any idea—of the impact of putting that material in the ocean. That went on for years and years.

Paragraph 3 refers to the impact of influents to Lake Bonney from the paper mill and other sources, I believe that would be the easiest of the lot to assess. It turns the lake pink, blue or white—depending on the colour of paper being processed in any one period. It is a changing lake. Perhaps we could make it a tourist attraction as a result of those changing colours from the different papers produced. The impact of material on the lake is absolutely obvious. However, to see what the lake used to be like, one can merely go to Lake George, which is a similar lake and which is untouched, apart from some inland freshwater going into it. Paragraph 4 refers to a plan being developed to return Lake Bonney as nearly as possible to its natural condition. That is absolutely essential. It will take many years—it might even take a century—to return it to its pristine condition. Indeed, maybe that will never happen. I believe we should start thinking about it now. I will repeat what I said at the beginning: it is a problem for Governments, not a problem for the manufacturers. They have an indenture. I am certain that, if approached in the right way, those mill operators will be cooperative, but we have to put some disciplines into the system through government and through whatever means are available to us. We cannot allow this process of continuing destruction of what should be and was a magnificent lake—one of the biggest freshwater lakes in South Australia. I support the motion.

The Hon. DIANA LAIDLAW: I, too, support the motion. My knowledge of Lake Bonney, both in a visual sense and in terms of the current chemical problems, is not as long standing or as extensive as the Hon. Mr Cameron's.

The Hon. J.C. Irwin interjecting:

The Hon. DIANA LAIDLAW: Subtly I was trying to suggest that it was a matter of years, not the degree of enthusiasm for the subject. However, I have visited Lake Bonney on a number of occasions. I have also taken a particular interest in this subject of chemical pollution since receiving correspondence from Mr J.E. Harris, former Managing Director of Adelaide and Wallaroo Fertilisers. I understand that Mr Harris wrote to the Minister of State Development and Technology some time ago (5 July), and that he might still be awaiting an acknowledgement from the Minister in relation to that correspondence. A matter that interested me concerns a project which Mr Harris, when Managing Director of Adelaide and Wallaroo Fertilisers, put to Apcel in relation to an option for the disposal of the effluent that Apcel was discharging into Lake Bonney, and which it continues to discharge into the lake.

Adelaide and Wallaroo Fertilisers back in 1972 was keen to use the effluent to produce a product called torula yeast, which, depending on the grade of the product, is a food supplement for both animals and humans. Apparently, the St Regis Paper Company in Wisconsin, USA, has produced torula yeast as a profitable adjunct to its paper milling operation for some 25 to 30 years. It seems a sad fact that to date in South Australia we have not been able to benefit from the experience of this major paper company in Wisconsin and that we have continued to discharge effluent into Lake Bonney, when in fact that same effluent could have been used in a profitable enterprise in its own right.

The Hon. M.J. Elliott: There might be problems with organochlorins, though.

The Hon. DIANA LAIDLAW: I understand that Apcel rejected Adelaide and Wallaroo Fertilisers' offer at that time not on any environmental grounds but because it saw a potentially undesirable constraint on its freedom to operate the plant. Notwithstanding this rationale, 15 years ago Apcel did not face the same environmental considerations that apply today, which considerations the Hon. Mr Elliott has outlined in his motion. Back in 1972, and again this year, Mr Harris proposed that the current concern about Apcel's practice of discharging its effluent into Lake Bonney may prompt the company or some other company to consider applying the technology necessary to produce torula yeast. I believe that this promising initiative and enterprise should be investigated. It appears that it could provide a new and profitable industry that could be established in the South-East. It could address the Lake Bonney effluent problem and the establishment costs of such an operation would be offset. The offsetting of the establishment costs has immense appeal in its own right.

I support the Hon. Mr Elliott's motion. It seeks to determine answers to a variety of problems concerning communities not only in the South-East but throughout the State. I hope that, in pursuing these detailed studies, as outlined in the motion, the proposition put forward by Mr Harris to me and also to the Minister of State Development and Technology in July this year for the manufacture of

torula yeast from the effluent discharge can be looked at at the time when the studies are undertaken.

The Hon. T.G. ROBERTS: I oppose the Hon. Mr Elliott's motion, not because I disagree with its content but because the Government is in fact addressing a lot of the problems that are referred to in the motion. The points raised by the Hon. Mr Cameron are correct. The local communities do see the lake as a recreational resource, and over a number of years the people in the area have seen the quality of the lake disintegrate because of the effluent discharges from the paper mills in the area.

To some extent this was done during a period when there was a lot of ignorance all round—on the part of Governments and also the manufacturers themselves. However, that is no longer an excuse. The information that is around now should be used and built on. The Minister has taken steps to set up a monitoring committee and a local consultative group, consisting of employer representatives of Kimberly-Clark, local residents and departmental advisers. That should go a long way to first recognising some of the problems raised by the Hon. Mr Cameron and in terms of identifying the whole problem. After identification we can then address the twin problems associated with the pollution of the lake—the lake itself and the drain through the outlet into the sea at times when the lake builds up to a point where it floods surrounding farmland.

In addressing the issues, I guess one has to go back to the 1950s and 1960s, or even before that, when a cardboard manufacturing company was first set up. It was set up with an indenture that allowed for the disposal of waste into a drain that passed right next to the Cellulose Australia Ltd mill, and the same drain was the supplier of fresh water for the pulp process of the Cellulose Australia mill. This water was obtained from a freshwater spring about 1½ kilometres from the Cellulose site, and the effluent discharge was west of the suction area, which allowed for weir gates to be put in and for freshwater to be drawn in, with the effluent then being discharged into the drain.

The drain took the effluent discharge directly into Lake Bonney. The majority of the discharge from the paper mill at that time was from the waste management cycling program, which included all sorts of plastics that were caught up in that program. This involved a most unsightly pollutant which ended up washed up on the shores of Lake Bonney, along with the pulp solids that were discharged from the downstream discharge that the drainage system and the effluent system from Cellulose Australia poured into it.

In the main, the effluent that was coming from Cellulose Australia, although unsightly, was not making the impact on the quality of the water in the lake as the progression of the effluent which was discharged in the late 1960s from Apcel and which relied basically on a chemical process to bleach its pulp using chlorine bleach and dies, as indicated by the Hon. Mr Cameron, in the process of producing toilet paper and facial tissues. The problems that were associated with Cellulose's discharge in the main were addressed to some degree by technological advances in the early 1970s that were put in place by Cellulose Australia. In the late 1970s and early 1980s Cellulose no longer became a pollutant to any major degree into the lake because of the reduced activity of that mill. It was a mill employing somewhere in the vicinity of 450 people when Cellulose Australia owned it (it was a South Australian company in the main owned by the State and by Sir Thomas Barr-Smith), and it chugged along making reasonable profits into the mid-1960s at a degree that was acceptable to both Governments in using the log resources that were located nearby; also, the shareholders seemed to be happy with the refuse coming from Cellulose Australia.

It was regarded as a good corporate citizen basically. When the Government spoke to people involved about the pollution problems, those problems were addressed. In the mid to late 1960s it was taken over by a competitor, APM, now Amcor, and the management of APM had a different view regarding Cellulose Australia Ltd. The modest profits that it was making at that time were not particularly seen by APM as being in any way magnificent, and it moved to downgrade the role that Cellulose Australia Ltd played in supplying profits into the corporate structure and downgraded the whole of the process at Cellulose.

The Hon. R.J. Ritson interjecting:

The Hon. T.G. ROBERTS: The company was well managed. It was a place where employers and employees had a very good relationship and, until the point of takeover, industrial relations were quite good. Unfortunately, after the takeover there was a changed attitude to the management role at Cellulose Australia Ltd, and the product that Cellulose was making was transferred interstate. It was one of those restructuring programs which took place in the late 1960s and early 1970s, and through which South Australia lost some of its manufacturing base to the Eastern States. This was one case where the corporate structures in takeovers and buy-outs disadvantaged not just the employees of that mill but also the community as a whole.

The activity levels since 1967-68 have dropped off, causing other problems in the area. Certainly, however, the problems associated with the pollution of the lake were minimised as far as Cellulose's contribution was concerned. At the same point that Cellulose took a downturn in its activities, Kimberly Clark APM, which owned the Apcel mill across the way from Cellulose lifted its levels of activity and, with the associated effluent disposal problems that it had, it contributed markedly to the deteriorating situation that was occurring in Lake Bonney.

Prior to 1965 the local people in the area saw the lake as a recreational resource. It did have nice sandy beaches, and shellgrit, which is rarely seen around any of the lakes in South Australia, was in abundance. It had a somewhat rocky floor which contributed to a lot of stubbed toes. I remember as a child not liking it for that reason because I could not swim and had to walk on the limestone bottom and invariably stubbed my feet. I was probably an awkward child, like most children, and ended up with very sore feet so I did not like swimming in it.

The Hon. R.J. Ritson: It cured you as a boy.

The Hon. T.G. ROBERTS: It cured everything. It had a miraculous effect on skin ailments that children used to have in those days, and the only problem one had in Lake Bonney, particularly at the northern shore, was red mite. If one went in the tea tree shrub at the edge of the lake one had an infestation of red mite on one's skin. So, one had to stay away from the bottom of the lake and from the tea tree. Fish were caught. I know that the adults with whom I went to Lake Bonney caught fish from a boat. Everybody had a swim, got on the back of a buckboard and then went home having had a good day. Unfortunately, that is not the situation at the moment. If you swam in Lake Bonney now you would probably come away with more than stubbed toes. Some of the problems that one would get would probably be similar to those that the fish are experiencing at the moment.

The problem has been around for a long time, and again I must state that I am opposing the motion because I believe that the steps being taken by the Government and the

Minister involve an attempt to try to address the problems that have been associated with the pollution of the lake over the last 40 years. It is because of the sharpened conscience of many people now that there is a whole philosophical package that people like to see as quality of life measures. Although they want to see industry development, they also want to see quality of life protected at the same time, and it is this question that I would like to address. I believe that we can have both: a lake clean-up program which is being initiated by the Minister in conjunction with the Kimberly Clark management and the local community, as well as industry development.

There is no need to be heavy-handed and close down any of the operations that are currently being conducted on the Apcel site. Certainly Apcel management, the Government and the local community must work close together to make sure that any future pollutants are removed from the discharges that are currently put into the drain that Apcel uses to flow into the lake. That is a different drain, further south than that which Cellulose Australia used. One can tell the difference between the two discharges by the shores of both drains. The drain that Apcel uses is devoid of any growth at all on its banks. The fence lines along the shores of the drains are all rusted because of some of the air-borne pollution that comes from the drain. It is pretty easy to see, as a lay person, that the discharges from the Apcel site are not doing the countryside or the lake any good.

Local agriculturists that bound the borders of the drain from Apcel to Lake Bonney have been continually concerned about the discharges and have taken up the matter with local management. There has been, by degrees, work done by Kimberly Clark itself in the mid-1970s in response to some union and community pressures. They spent some $2 million on a pulp reclamation program by building an effluent saving disposal clarifier which took out most of the solids, although the liquid still remained.

The problem in the lake at present is caused by those liquid discharges associated with the chlorination process. At the moment the Government is talking with management about the displacement of the chlorination process. That process is being altered worldwide after the pollution of the Great Lakes in North America and Canada, and this experience has shown that one needs to be more careful about effluent disposal from paper mills.

The Minister, the Government and I, in particular, are going to some lengths to ensure that the lessons learned in North America are passed on because, basically, Australia is in its infancy in terms of land and water pollution when compared with North America, Canada and Europe. If one looks at some of the problems that are presently being experienced in other parts of the world, one will see the environmental desert that stretches almost from Denmark to France as a result of Northern Europe's rivers draining into the North Sea and the English Channel, and the river systems of England and Scotland draining into the North Sea.

I think we can learn from some of those experiences. Certainly, the Government intends to ensure that the problems with seaborne pollutants and land pollution is minimised. I believe that the steps we are taking are adequate to come to terms not only with the prevention of future pollution but also, hopefully, with cleaning up the lake and rehabilitating it. We hope to get it back to its pristine state. I agree with the Hon. Mr Cameron: it will be very difficult in our expected time frame to get the lake back to a point where one can catch fish one would be pleased to eat.

When looking at the problems of pollution in Northern Europe, Japan and North America, the Government, the Minister and I are aware of the fact that we should not set up new industries that discharge chemicals into recreational rivers or lakes; and for these reasons I oppose the motion. Problems are many because of the 700 000 chemicals in use, and it comes back to the Hon. Mr Cameron's point of identifying the chemicals and working out the problems associated with them.

There are not too many alternatives to clearing agricultural flooded land. There is pressure from some agriculturalists in the area when we have wet winters to lower the level of the lake because the rising water makes a lot of the agricultural land unuseable for some time, but I venture to say that the main concern should be the fishing grounds, and that is the view the Minister takes. The Engineering & Water Supply Department, and now the Department of Fisheries, is continually monitoring the effects of discharges into the lake. The local fishing villages of Carpenter Rocks, Port MacDonnell, Southend, and Beachport have members on the committee who are in constant contact with the Minister and the departments to learn what is being picked up when monitoring those discharges.

I notice that Greenpeace has been to the South East and has taken independent samples. It indicated high levels of organochlorins in the lake; and Greenpeace is very concerned about this. I suspect that there will be a cooperative effort not only by local people but also by outside agencies. I understand that Greenpeace has conducted independent tests, and I also applaud the outside monitoring as well as the departmental monitoring—

The Hon. M.J. Elliott: It's a pity the Government didn't do it; it didn't do it until three months ago.

The Hon. T.G. ROBERTS: I applaud the initiatives taken by the Government and the outside bodies. Rather than being adversarial, which occurred in the late 1960s and early 1970s when one was seen to be in either one camp or the other—one was either pro development or pro environmental—I think that the green movement, Greenpeace itself, and those associated with environmental groups have matured to the point where they now know that to solve a problem one has to draw all sides together, share information and act on that information.

Over the years it has been very difficult to obtain detailed analyses of the contents of not only the lake but also other areas of the State, nation and world that have been polluted, and to then obtain academic advice that agrees with the recommended solutions about the effects of the pollutants not only on mankind but also on animals and fish. There is a great variation in the effects that different academics see certain chemicals have—about what is a carcinogen and what is a mutogen. Not too many academics would agree about the levels of pollution that cause these problems. For this reason everyone has to work together and draw on the experiences of the Northern European, North American, Canadian and Japanese companies, which have, unfortunately, experienced far worse problems than this State has. to work out the best solution.

The other steps taken by the Minister are outlined in a press release. They include not only the monitoring program but also consultation with the community to bring people up to date about the effects of the monitoring. The next question that those conducting the monitoring will have to tackle is to what degree the pollutants cause the damage. I suspect that outside academic assistance will have to be supplied in relation to this; they will have to rely on some degree of departmental analysis and advice, and on Kimberly-Clark Australia to supply that information, chemical expertise and backup to support the argument it puts for-

ward; and there will have to be an agreement about the level of discharge from the Apcel mill.

The other problems faced by the communities to some degree are being tackled in a cooperative manner worldwide. However, one problem that is not being tackled in a cooperative way and is still adversarial to some degree is the international toxic dumping of waste from developed to underdeveloped countries. A number of those issues have been raised over the past six months, and it was cited that Italy was using Africa, the United States was using South America and the Pacific nations, and Europe was using other third world countries to dump pollutants.

I suspect that solutions for those international problems would require a greater degree of cooperation and a greater degree of understanding about the toxicity of those pollutants. I suggest, that they will come to a more mature understanding of just what dangers they are posing and harm they are doing to the planet and that those tactics will become intolerable to the international community, which will bring pressure to bear to try to eliminate some of the practices that are being forced on third world countries. I draw a parallel between that and the local situation because we have been through a period where there has not been the degree of cooperation that I suspect is around now and it is now up to the initiatives taken by the Minister and by the Government, supported by Kimberly Clark Australia itself, and monitored and policed by the local community and the Government, in coming to terms with the elimination finally of all those harmful chemicals that have been polluting the lake.

With those comments, I oppose the motion. I do not oppose the sentiments but I oppose the motion on the grounds that the Government has set into train those strategies that I have outlined. I believe that, with monitoring processes, the cooperation of the company itself and policing by the departments, the problem can be successfully tackled. If the problem is not tackled successfully and if the position of the Government, the Minister and the community is not heeded and taken into account by the Kimberly Clark management, I am sure that pressure will be brought to bear for punitive measures, which would include heavy fines. Unfortunately, this has been associated with some of the solutions in the United States, Canada and Europe. I hope punitive measures will not be brought before the House for discussion at a later date; I would hope that it is a problem that can be solved by negotiation and that all those people who are involved in the discharge of chemicals and the use of chemicals on that site are educated to a point where they understand exactly what they are working with and the dangers that they present, not just to Lake Bonney but to the fishing community in the South-East as a whole.

The Hon. M.J. ELLIOTT: What a disgrace! The largest freshwater lake in South Australia has been essentially destroyed over a period of 2½ to three decades. All three political Parties now agree that it should never have occurred, but there is a very real danger that nothing will be done except to talk. It is an absolute disgrace that something was not done about this a long time ago. Here we are, voting on a motion, and the Government is saying that it is doing something about the problem, six weeks before an election. Why something was not done a long time ago needs a great deal of explaining. It is not news that that lake has serious problems. In fact, people from all Parties have personal knowledge that there have been problems with that lake for some time. Why on earth did we ever allow that to happen? I express fears as to what may continue to happen if we are not careful and if it is all nothing but words. I am disappointed that the Government has chosen to ignore a motion which is totally non-political and does not attack the Government in any way. It is a simple request that four things be done. I would have thought that all four things were reasonable requests; even if the Government felt it was already implementing them, it is hard to understand by what sort of reverse logic the Government wants to oppose the motion.

Members interjecting:

The Hon. M.J. ELLIOTT: What do you mean, you had an amendment? Nobody told me about any amendment.

The Hon. T.G. Roberts: It is all in place.

The Hon. M.J. ELLIOTT: I know the Hon. Mr Roberts agrees with the sentiments of the motion. I find it hard to understand why the Government does not agree with the motion. He announced that the Government has some things in place; in fact, most of them were announced after I first presented this motion, some days after I had first given notice of it. I still have some reservations that they may be preemptive strikes before an election—nothing more nor less. The Minister for Environment and Planning has set up an amazing number of committees in the past few months. The list of those now in place is extensive; they are largely consultative committees with a few locals. If anybody cares to raise a few doubts about that, the Minister's response is, 'Do not worry about that; we have committees; we are consulting.' We have committees looking at Marino Rocks, underground water pollution and waste management, all of them set up in the past couple of months, in a flat panic to dampen down anything like a problem. What we have not seen is anything like positive action.

One committee was set up a few months ago, which considered Lake Bonney and which caused a lot of problems. That was the interdepartmental committee to which the Hon. Mr Roberts referred. It was set up for a purpose which still has not been discussed other than by me when I first introduced this motion. It is a plan that the mill be doubled in size. In fact, the guidelines for the environmental impact statement landed on my desk only today. It is likely that this committee was set up more to manoeuvre the planned expansion of the mill than to cope with what the Hon. Mr Arnold first announced was to clean up the lake. There are very real fears that these committees are sops, nothing more nor less, but I guess only time will tell us whether I am right or wrong.

I do not intend to protract this debate. The Hon. Mr Roberts said there was a need for cooperation. I am more than happy to cooperate; I only wish that, when I first started asking questions 12 months ago about organochlorin levels, the Government was willing to cooperate then. It said it would consider doing that. I wrote three letters to the Minister and on each occasion the Minister refused to test for organochlorins. The Government only tested for them very recently and the results were never released publicly. The *Advertiser* got one set of results but, when they were pursued further, the Government would not say where the samples were taken, whether they were from water or from sludge at the bottom of the lake, and so on. Talking of cooperation is something of a farce when the Government has so far been more willing to cover up than to cooperate.

I am more than willing to cooperate. I do not want an adversarial situation with regard to any of these matters if they can be resolved properly, but the Government must expect, if it does not act rather than continue to talk, that it will have an adversarial situation because this matter will

not rest until we have a clear undertaking and can see actions that demonstrate that Lake Bonney will be returned to something like its natural state, that people can again stub their toes on the bottom of the lake without poisoning themselves in the process, that they can fish in the lake, and that they can sail and take boats on the lake as once they could.

That is the situation to which we want to return. We want to see that professional fishermen do not feel their livelihood has been put at risk by organochlorins and other materials entering the lake. I am pleased to see that the Liberal Party is supporting this motion. As I said, it is a very logical motion, which simply asks for action to discover the problem, calls for detailed studies of the lake, of the effective releases of lake water into the sea, and of the influence that the mill is having on the lake. They are all reasonable requests, and I urge the Government to reconsider its position and support the motion, which is not an attack on the Government but which suggests that certain action needs to be taken.

Motion carried.

MOUNT LOFTY DEVELOPMENT

Adjourned debate on motion of Hon. Diana Laidlaw:

That this Council condemns the decision-making process adopted by the Bannon Government in relation to the proposed tourism development of Mount Lofty because in selecting to enter into exclusive negotiations with Mount Lofty Development Co. Pty Ltd in May 1986, the Government:

1. Selected a project that not only impacted most heavily on the Mount Lofty environment but also broke planning guidelines for the area.
2. Encouraged the developers to pursue a costly $2 million process for over two years, to then be informed the project, comprising a cable car, was unacceptable on environmental grounds; and
3. Rejected other tenders which submitted smaller, more environmentally sensitive proposals consistent with Hills Face Zone and Conservation Park planning regulations.

(Continued from 6 September. Page 727.)

The Hon. CAROLYN PICKLES: I oppose the motion. First, I will give some background to the details of the Mount Lofty proposal. The St Michaels Seminary adjacent to the Mount Lofty summit was purchased by the Government in 1985 for tourism development purposes. A prospectus was issued in December 1985 inviting tenders for the development of a tourist complex on 3.4 ha of the site. The remaining 4.6 ha of the seminary land was to be incorporated into Cleland Conservation Park.

On 26 May 1986 the State Government considered all the proposals submitted for the development and resolved that while no tender was to be accepted direct negotiations were to proceed with the consortium headed by Touche Ross Services Pty Ltd on the basis of their tender proposal. Accordingly, the Government entered into a 12 month period of exclusive negotiations with the Touche Ross consortium. This was subject to the successful preparation of an enviromental impact statement (EIS) under section 49 of the Planning Act 1982, and agreement being reached between the Govenment and the consortium in relation to the most appropriate tenure, development and management of the final project.

In July 1987 Cabinet agreed to an extension of the negotiation period to April 1988. No extensions have been sought or granted since that time. The proponent completed the EIS documentation on the project in November 1988 and subsequently presented it to the Minister for Environment and Planning for assessment as required under established EIS procedures. In August, Cabinet resolved not to support the Mount Lofty Development Company's proposal, and a financial feasibility of a scaled down project (without cable car) is currently being undertaken.

I would like now to refer specifically to some issues raised by the Hon. Ms Laidlaw. First, she suggested that the Government selected a project that not only impacted most heavily on the Mount Lofty environment but also broke planning guidelines for the area. The facts are that one of the five tenders received in response to the prospectus issued in December 1985 was withdrawn. The remaining four tenders were analysed in detail. The Government formally resolved in May 1986 not to accept any of the tenders but to proceed with direct negotiations with the Touche Ross consortium on the basis of that company's tender proposal. It was believed that the proposal, if it could be brought to fruition, would be a major tourist attraction and asset to the State, which had the potential to provide additional revenue or capital contributions in return for easements through Cleland Conservation Park.

However, the Government recognised that it was dealing with a proposal that was larger and more complex than the alternative tender proposals and what was envisaged for the site. It was also recognised that, because the proposal included the development of a cable car within the Cleland Conservation Park, it had the potential to have greater environmental impact than the alternative tender proposals. However, at that stage the environmental impact of the proposal had not been investigated in detail and, as a result, a thorough environmental analysis of the proposal was required through an EIS. It was recognised that the proposal conflicted with the relevant provisions of the development plan. However, the EIS process would not only provide the public with an opportunity to comment on the proposal but would also allow the significance of the planning implications to be evaluated in detail.

The honourable member also stated that the Government had encouraged the developers to pursue a costly $2 million process for over two years to then be informed that the project, comprising a cable car, was unacceptable on environmental grounds. The facts are that, as with any other project which has the potential to have a major social, economic or environmental impact, the Touche Ross consortium was required to thoroughly investigate the implications of their proposal through an EIS. Requiring the preparation of an EIS does not constitute an approval to a project. Since the Touche Ross consortium was responsible for the preparation of the EIS, the cost and time involved for the proponent in this process was subject to the proponent's discretion. This was a risk accepted by this proponent as part of the process of proving the project. Investigations undertaken during the EIS process, including the Government's assessment of the project, revealed that the social, environmental and economic impacts of the proposal were far more significant than first thought and that, overall, the adverse effects of the project outweighed its merits.

Next, the Hon. Ms Laidlaw stated that the Government rejected other tenders which submitted smaller, more environmentally sensitive proposals consistent with hills face zone and conservation park planning regulations. The facts are that a number of concerns were associated with each of the alternative tender proposals submitted to the Government in 1986. The Government also recognised that the Touche Ross proposal itself raised a number of issues which required detailed analysis.

However, as I have indicated previously, it was considered that the Touche Ross proposal had the potential to be

a major tourist attraction and asset to the State. Following advice of the Government's decision, the Mount Lofty Development Company put a proposition to the Government for it to be involved in a scaled down project. The feasibility of this project is currently being investigated. It is amazing that members opposite have decided to turn green overnight. I note that the Australian Democrats have normally had a reputation for supporting environmental issues, but the Liberal Party never has, and it is my view that it never will have that reputation. So at all stages in the process outlined above, the Government has endeavoured to proceed in the best interests of this State. I believe that the Government's decision is responsible and that there is no basis to support the motion.

The Hon. M.J. ELLIOTT: I rise in support of this motion. In fact, it is entirely consistent with what I had to say when I spoke in the Address in Reply debate earlier in this session. I believe that most of the claims in that motion are ones that I made at that time.

There is absolutely no doubt whatsoever about the way in which this process occurred: the Government put out tenders for a development at Mount Lofty. The Hon. Ms Pickles is correct in saying that five people originally put in tenders and that one withdrew. It is also true that of the remaining four, only one strayed significantly from the guidelines that were initially put out by the Government, and that was the one which was later adopted by the Government. There is no doubt that the Government saw things as very exciting. It went for it with a great deal of enthusiasm.

The Hon. Diana Laidlaw: It is a bit like Marino Rocks.

The Hon. M.J. ELLIOTT: Yes, the parallels between Marino Rocks and what has happened in Wilpena are extraordinary. In fact, for anyone who wishes to take the time to look at what has occurred, the parallel goes further back to Jubilee Point. The environmental impact statement process has been criticised by me in this place virtually since I arrived here; in fact in my first Address in Reply I believe that subject received my attention. The environmental impact statement process has become a very real farce here in South Australia. The final decision after an environmental impact statement is made by Cabinet—that is something of which developers are aware. So, right from the very beginning, developers can be given a 'nudge, nudge, wink, wink, don't worry, we'll look after you' sort of line. Unfortunately, that is what has happened in South Australia, not just on the Mount Lofty development, but also in relation to the Jubilee Point development. The Premier's Department was extremely active in that project. It certainly encouraged developers to spend a great deal of money before they were finally let down.

This motion is not just about environmentalism; it is also about development. It is about developers making sensible decisions. It is about their spending their money wisely. It is not just environmentalists who are concerned about the way in which the Mount Lofty and Marino Rocks developments have been handled in South Australia. I believe the business community has been just as concerned. They both see that whether or not a development proceeds depends more upon the whim of a few of the all-powerful Government members and people associated with the Government than it has to do with what is right or wrong, conservation-wise or development-wise. It has all been decided by a very small clique, some of whom are not elected representatives of the people.

Of course, some of the people in the development industry—although they are getting rather agitated—are not willing to speak out too loudly in protest to what has happened because they will probably be throwing their hats in the ring for the next development. If they protest too loudly about what has happened, they might find that they will never get another development. Even in the case of Touche Ross, they were offered a smaller development project, and I suppose some chance of recovering some of the money they had lost. If they had decided to buck, the Government could simply have said, 'Since we have decided that this project is not to continue, we will start the tendering process all over again.' I do not believe that Touche Ross, after the money they had spent, would have been too excited by such a prospect. Needless to say, I do not intend to speak at length on this motion, as I have already addressed this matter in my Address in Reply debate.

There is no doubt that many rules were broken by this proposed development. It broke the hills face zone regulations. It broke park management regulations. It broke the local development plan rules. In fact, they were out to break any rules that existed. The Government was willing to bulldoze the scheme. Only six weeks ago it realised how great the public opposition to it was that it made a political decision—not an environmental one—that, because there were too many votes to be lost, the Government was not willing to take the risk. Besides, it could probably buy the development lobby off by the next development project, which was Marino Rocks. The Government encouraged developers to waste $2 million on a process on the 'nudge, nudge, wink, wink' basis, and that is simply not good enough. The Democrats support the motion.

The Hon. DIANA LAIDLAW: I thank members who have contributed to the debate on this motion. I am particularly pleased, as are my Liberal colleagues, to know that the motion will pass because it has the support of the Australian Democrats. I suppose I was not surprised by the contribution of the Hon. Ms Pickles, because in truth it would have been hard for her to support a motion condemning the Government in respect of its decision-making process in relation to this Mount Lofty development, and thereby reflecting on the Government.

However, I was surprised by the nature of her contribution, because the three points on which she took issue with me were flimsy, and indeed had little substance. I do not believe it was one of her stronger contributions in this place.

The truth is (and this has not essentially been denied by members opposite) that this whole decision-making process in relation to the Mount Lofty development has been a sorry saga and, as the Hon. Mr Elliott so clearly pointed out, it is an issue that has been of concern not only to environmentalists and conservationists in this State, but also to those who seek to invest in terms of development. It is a fact that the stop-start manner in which the Government has handled this affair is in no-one's interests. It brings into conflict with each other those people who tend to be associated with conservation and those who tend to be associated with development camps.

The Hon. M.J. Elliott interjecting:

The Hon. DIANA LAIDLAW: Unnecessary conflict, not because they will not and cannot see eye to eye on those issues, but because the Government has engineered such a situation in relation to Mount Lofty and the cable car process. It is a fact that the Government chose that project above other tenders which complied with the hills face zone and conservation park planning regulations. In that decision, the Government, in selecting the only project that did not comply with the laws with which every other person in this State must comply, not only and naturally so brought

derision upon itself but also brought parties into conflict. I believe the Government bears a great deal of responsibility and blame for the unfortunate situation that we have in this State where we seem to have such a polarised community. If the Government had just honoured the rules that it requires everyone else to stick to, at least some development at Mount Lofty may have been constructed at this date—six years after the kiosk was burned down.

The Hon. M.B. Cameron interjecting:

The Hon. DIANA LAIDLAW: They do, yes. There is one law for the Government and one law for the rest of us. It is most unfortunate that, if the Government had not acted in that manner, in terms of one law for itself and one law for the rest of us, a development would have been there now, and we would not have what I detect to be some considerable ugliness in our community in terms of the debate about development, environment and conservation.

The Government has an enormous amount to answer for in that regard. I repeat: it was the Government's decision to select the project that incorporated the cable car and yet in seeking to defend the shoddy manner in which it has dealt with this whole issue it is now seeking to turn the argument right back on the developers. That turnaround by the Government is despicable. It is despicable not only that at one moment the Government wants one law for itself while then at another moment it advocates another but also that the Government, when confronted with the community not being prepared to put up with such hypocrisy, then seeks to attack the developers, without accepting any responsibility itself for the situation that has unfolded. As I say, it is despicable.

With the recent development decisions, we have seen no less mishandling than was the case with the Mount Lofty project, although other circumstances apply. It is a pitiful reflection on the Government's capacity to manage investment in this State that it has not learnt from the Mount Lofty saga and that we now find ourselves with this amazing situation relating to the Marino Rocks marina. If it was not so sad I suppose one could liken it to an episode of *Fawlty Towers*. It would be laughable if it was not so sad. I refer to today's *News* editorial, as follows:

> . . . Mr Bannon has done himself and the State no favours with his haste in announcing approval for the marina.
>
> Having been condemned for rejecting marinas at Jubilee Point and Sellicks Beach, and for scrapping the proposed cable car at Mount Lofty, Mr Bannon may have been overly anxious to dispel fears his Government was anti-development.
>
> Hence the fanfare around the Marino Rocks announcement several weeks ago.
>
> Only now is Mr Bannon starting to talk tough to the various people who claim they have the rights to the marina.
>
> At least two different firms say they want a share—the Burlock Group and Glenvill Corporation.
>
> Meanwhile, doubt still remains as to whether Mr Turner can legally sell his original rights to Burlock, given Crestwin is in the hands of the receiver.
>
> It is not enough for Mr Bannon to sit back and leave it to the parties involved to get their acts together.
>
> He must apply heavy pressure on them to sort out the tangled web—and quickly.
>
> Otherwise, South Australia will become a laughing stock.
>
> And the State Government will have an albatross—not a popular pledge—around its neck come the State election in December.

Irrespective of whether the Government will be lumbered with an albatross around its neck in relation to the marina development, I certainly think that the sorry saga of events to date in relation to Mount Lofty does constitute an albatross around the Government's neck at this present time. I hope that with the passage of this motion we can perhaps at last start to get through to this Government that within this State there are high expectations that developments will be undertaken for the benefit of all South Australians and also for the tourists who visit this State. We have high expectations that the Government will manage development projects with integrity and credibility and that it will apply to itself and the projects with which it becomes involved the standards that we, the ordinary South Australians, who seek to invest in this State or build a house or whatever, must comply with.

Motion carried.

PINNAROO AREA SCHOOL

Adjourned debate on motion of Hon. M.J. Elliott:

That this Council urges the Government to retain the secondary component of the Pinnaroo Area School with the provision of adequate teaching staff.

(Continued from 27 September. Page 915.)

The Hon. M.J. ELLIOTT: I will make this a brief summing up. From the evidence coming before us, it is quite clear now that the Government's agenda is to cut back resources to smaller schools and to close many schools, not just in country areas but in city areas as well. Recently there was the example of the Kidman Park High School, which is to be closed. As I and others noted during the debate, there are much greater problems associated with the closure of schools in country areas, and this is because of the much greater distances involved and the time that people must spend on buses. Also, there are other feedback effects within the community when a school or a segment of a school is closed.

When I first put the motion before the Council I said that I was doing it largely to open up some debate on this subject. Also, I had received a very lengthy petition from people in the Pinnaroo district which had not been done on the correct form and I wanted that petition to be noted. As things have proceeded, it is quite clear from the Government's response that we do indeed have a very real problem at Pinnaroo. If this proposal is allowed to proceed at Pinnaroo, a number of other small area schools will also very rapidly lose their secondary components. I can think of several areas where there are secondary schools that are no larger than Pinnaroo Area School and where in surrounding areas there are other high schools which the Government might deem to be close enough to the areas involved. The secondary schools in question could be very quickly skittled.

This proposition shows that some people do not know what is going on. I have had the opportunity to teach in a small area school similar in size to Pinnaroo Area School and I have lived in a community of about the same size as Pinnaroo. While I sometimes have a bit of a chuckle when people say that I do not know what it is like to live in the country, the fact is that I have been in that position. It is true that there are times when the juggernaut of the city and the bureaucracy which guides the Government's hand really does not know what is going on out there in the community. I believe that the Government is making a dreadful mistake. If the school communities could be persuaded that there was value in a merger of the Pinnaroo High School component with the facilities at Lameroo and Geranium, that would be worthy of support. However, I believe that, ultimately, since the great majority of the Pinnaroo school community is not behind the merger, the Government should accede to the wishes of the people in that community and not proceed with the proposal. I urge all members to support the motion.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 September. Page 918.)

The Hon. J.C. IRWIN: I support the second reading of this Bill, and I support the remarks that have already been made by the Hon. Mr Cameron when introducing the Bill some time ago. His remarks have covered just about everything that needs to be said to justify this Chamber's supporting this amendment to the Local Government Act which strengthens the polling procedures and the democratic rights of the people. After all, that is what democracy is all about. It is founded on the notion that the power is with the people. We have that power in our system of election of Federal, State and local governments. People should also be able to exercise that power at any time decisions are made which, for instance, affect the arrangements of local government boundaries which, in turn, affect a great number of people living together in local communities.

Until the debate on 27 September I did not think it necessary to add anything to the debate but after the valiant efforts of the Hon. Carolyn Pickles to shore up the flagging prospects of this Government in the whole subject of local government amalgamations, I felt I should make some small contribution. I acknowledge that at least one Government member has attempted to have a go at the proposal put forward on behalf of the Opposition by the Hon. Mr Cameron. The attempt was so inadequate and showed such a lack of understanding of the Local Government Act and the collective feelings of the majority of people, as expressed in the Mitcham council area, that her contribution cannot go unchallenged.

One wonders just from where the Government is obtaining its advice or from where individual Government members are obtaining their advice. It certainly does not appear to be coming from experienced local government people who, I would say, generally have at heart the feelings of local communities and local government. I mentioned the Mitcham council area because, after the Local Government Advisory Commission Report No. 115 (which is the test case for future Government decisions regarding Local Government Advisory Commission advice on amalgamations or boundary changes), the rules changed, and no amount of press releases, ministerial statements or bleatings from the Minister can change the established and well-known facts surrounding the proposals for Flinders, Henley and Grange, Brighton/Glenelg, etc. Despite the Local Government Act provisions, the advice contained in Report 115 was taken at great speed to the signing of the proclamation, creating the City of Flinders and sealing the fate of Mitcham as it has been known for 100 years.

The democratic power of the people was used as a rearguard action and is still being used to persuade the Government to reopen the commission, to rehear the Mitcham/Flinders debate, and issue new Local Government Advisory Commission advice. As we all know, that commission has certainly been opened up again. There has already been one public hearing and, despite assurances given earlier on that this would be over and done with fairly quickly, we are now in mid-October with still more public hearings scheduled, and I do not suppose it will end very soon.

As the Minister of Local Government said in another debate, the arguments about polling for local government are not new. They have been part of Local Government Acts for many years. Polling provisions were put into the Act preceding this one by the Liberal Party and supported by the Labor Party in about 1974-75, following an extensive inquiry into local government. I have been through those debates. Those provisions are still in the present Act as rewritten in 1984 but in a slightly different form.

As the Hon. Mr Cameron observed, strengthened proposals for polling were moved by the Hon. Mr Hill in 1986. Arising out of that debate a Democrat private member's Bill was supported by this Chamber. These arrangements were somewhat similar to those before us now but different in a number of aspects. This private member's legislation, although it passed this Chamber, was rejected by the Assembly because the Government did not have the courage to address it. The Hon. Carolyn Pickles said in her contribution last Wednesday week:

> It is not the Minister who decides these boundary matters. The legislation was carefully designed, with the full support of the Local Government Association, to leave such judgments to the advisory commission. It is therefore the advisory commission that must be influenced by public opinion, however it is obtained—by letter, poll, public meeting or other means.

Let me remind the honourable member about the contents of the Local Government Act in Division 12, relating to indicative polls. Also carefully thought out and included in the Act, clause 29 (1) states:

> The Minister may direct that a proposal for the making of a proclamation under this part be submitted to a poll of those who are directly affected by the proposal.

This subsection has been bandied about often enough; I do not intend to labour all of the points again. It really must be clear that the advice received by the Minister from the Local Government Advisory Commission should be made public and a poll conducted. Of course, someone has to pay for it, and surely the legislators at the time knew this and debated that point in 1984. It did not just come into the Act out of thin air.

Two councils, Mitcham and Brighton, have already shown their willingness to hold a poll at their own expense: Mitcham, of course, after proclamation, and Brighton will be held this Saturday which is before proclamation and, in fact, before the whole series of proposals has developed much at all. The Minister holds all the trumps under the Act. She can decide who has the entitlement to vote at a poll and who are those directly affected by the proposal. Subclause (2) provides:

> The Minister will determine the basis of entitlement to vote at a poll under this section and the manner in which the poll is to be conducted.

The commission should have done all of the groundwork and presented all the arguments both for and against and including the financial calculations so far as any of their decisions are concerned, but particularly the one that is fresh in our minds—Mitcham/Flinders. There is no reason for people not to be well informed of the issues on which they would be polled and on which they would, in fact, have to cast a vote at that poll. That is the whole reason and rationale for having the commission. It should do the groundwork and the Minister may call a poll, and before proclamation the people would know what was to be expected and possibly they could make some decision. After the poll results are known, the commission then confirms or revises its advice to the Minister and therefore the proclamation may or may not be signed.

These provisions are in the Act and the present Minister refuses to use them. The mention of the Naracoorte decision by the Premier and the letter to the commission should be clear enough evidence to everybody that, unless there is a large majority in favour of amalgamation, it should not proceed because it will be unworkable. These are virtually the Premier's own words. Why was not that clear advice available to the Minister in Cabinet before the Flinders proclamation? If it was available, why was it totally ignored? If it was ignored at the time, there must be an ulterior motive for the hasty proclamation. In any case, the lessons of Mitcham were eventually taken seriously by the Government and/or the Minister so far as Henley and Grange are concerned because we know the outcome of that.

I am sure that if the commission's advice had been accepted three years out from a State election rather than within six months of a State election, there would have been no turning back by this Government despite the protests from the people. As I have said previously, if the turmoil surrounding the Mitcham decision was commission decision No. 3, 4 or 5 instead of 113, 114 or 115, six months before an election, the ballgame would have been quite different by now. If one reads commission decision No. 113, 114 or 115 regarding Mitcham/Flinders, one will not find a comprehensive financial analysis regarding Happy Valley. That is rather odd considering that the Happy Valley council was the basis for the Flinders council and would affect so many people.

I reject completely the assertions in the Hon. Ms Pickles' contribution to this debate that the Opposition is to blame for any politicisation of the Mitcham/Flinders proposal. All the moves were made by the Government and the Minister of Local Government, and responded to by the people. Government members are indulging in a hefty sideswipe at the people, and this does not exactly help the situation. If it rubs off on and adversely affects anyone, it will adversely affect the Government because of its action or lack of action. Of course, the Hon. Ms Pickles lets the cat out of the bag when she says:

> Is he [Mr Cameron] suggesting that we should blithely go ahead with Henley when there was some question about the adequacy of consultation with metropolitan electors?

Why was this lack of consultation with the electors not applied to Mitcham before the proclamation? I do not know why the Hon. Ms Pickles picks on metropolitan electors. Most commission decisions—about 90-plus per cent in fact—affect rural electors, but I guess those electors do not count in this issue because they are the ones, as I said before, who cannot vote *en masse* with their feet. Why was the Henley decision rushed back to the commission when Mitcham was not? There is still a veil of silence about that. What is the decision about Henley? Why is it not public? Why has the Minister not helped the consultation process by calling a poll, as allowed for in the Act?

The Hon. Ms Pickles says that the ministerial statement of 23 August fills in all the gaps in her argument against the proposal for a poll. Well, I am sure all my colleagues will agree with me when I say that that statement is a joke from start to finish. This ministerial statement was cobbled together by a desperate and unsteady Minister to tell the world that she had found a way to put everything on hold for as long as possible, certainly until after an election.

The Minister announced a committee of review to be chaired by the commission's own Chairman and to include two other commissioners to review their own workings. Certainly, other people are involved in that committee of review. Sadly, most of the words preceding the announcement of the committee of review, other than some history, were or could be construed as a criticism of the process of the Local Government Advisory Commission itself. Sadly, also, most of the pain suffered by many people could have been avoided if the Minister had followed the provisions of the Local Government Act, published the findings, called a poll and allowed the commission to review its original advice before giving the Minister its final advice. More committees, more putting off and more reviews are not the answer.

What we propose with this simple legislation before us is to publish the commission's advice and to hold a poll based on all the evidence gained and summarised by the commission and made available to the people, and for that poll result to be final. I put to the Council that this is by far the most satisfactory solution. It leaves the final decision to the people—not a committee of three and not the Government, but the people. This legislation is designed for the people. Is that not democratic? Is that not what we are in this place to fight for and promote? If it is not, I will go back to my farm.

The Hon. G. Weatherill: What about the referendum?

The Hon. J.C. IRWIN: We have been all through that before by way of interjection. The referendum was overwhelmingly addressed by the people. It does not matter what politicians said: the people did not want it. So, you cannot win on that one. The people have spoken. Just as you made such an awful mess of recent development proposals in this State, you are making an awful mess of council boundary changes and amalgamations. By your recent actions you have put back the course of proper changes and proper amalgamations. Members on this side of the Chamber certainly support proper amalgamations and proper changes to boundaries if they have been through the proper process and everyone has had a chance to have a say. But, I am saying very clearly that because of the process you have used in the case of Mitcham you have now put back the cause of having proper amalgamations.

The Hon. ANNE LEVY: On a point of order, Mr President, I think the honourable member is suggesting that you, Mr President, have done various things. I am sure he is addressing his remarks to the Chair, as any member should. His constant use of the pronoun 'you' infers that you, Mr President, have been taking a number of actions that I think, on the contrary, I have been taking.

The PRESIDENT: Order! I do not see it as a point of order, but I will listen more closely.

The Hon. J.C. IRWIN: I am happy to substitute 'the Government' or 'the Minister' anywhere that I have used 'you'.

The PRESIDENT: I think that would be appropriate.

An honourable member interjecting:

The Hon. J.C. IRWIN: I will refrain from commenting on such a ridiculous statement. Of course, proper changes to amalgamations and boundaries are difficult to achieve. However, a right course can be chosen, but this Government and this Minister have not chosen it and that has put back the cause of boundary changes and the confidence that anyone in local government can have in this Minister or this Government. I urge members to support the Bill which, as I said, is fairly simple to enable this polling procedure to be written into the Act.

The Hon. I. GILFILLAN: I repeat that the Democrats have always supported the concept of a poll of affected ratepayers and, in fact, we successfully introduced a Bill which was supported by the Liberals, most of whom are still members of this Chamber, and passed. It provides that, where a proposal for a merger or boundary adjustment affected more than one council, there was the option of a poll, and the poll would be counted with the total aggregate of all those affected ratepayers in one poll.

That is quite a stark difference to the proposal that is now before us in the Bill introduced by the Hon. Martin Cameron which fragments the poll into the portions of the councils that are involved. The Democrats oppose that because it will almost always be possible to guarantee by whatever means—out of fear of paying more rates, of identity being swallowed up and those sorts of ploys—that one of those portions will vote against the boundary change. Although the Democrats believe that there should be a democratic expression of the wish of the people involved, it is tragic if we are to be locked into existing boundary lines purely because of a device that can be used to negate

what would be a majority acceptance of boundary change by fearmongering or the stirring up of what may be quite unrealistic fears. Indeed, from time to time, a small number of ratepayers in a certain area may be disadvantaged to the extent that perhaps their rates may go up to provide contributions for services for the whole area.

In essence, the Bill, although it sounds magnificent to those who have felt at risk and who were previously threatened with merger proposals, and from that point of view will always gain the rah rah from those people, is shallow and is designed, maybe unwittingly, to guarantee that boundary changes in the future will not occur. It is unfortunate that the Government has not seen fit to support the Democrats' proposal for a poll on the basis that I have just described, that is, an aggregate vote of all affected ratepayers because, where it is called for by the councils involved, there can be no reason in our society why a poll should not be taken.

In some cases there may not be enough disaffection with a proposal that any council would see fit to call for a poll, so it is not mandatory. However, I would like to make plain to the Council how the Democrats will react to the Bill. It was the Democrats' intention to move an amendment that would have reframed the Bill exactly according to the Bill which passed in this place, which I introduced last year, and to which I referred earlier.

The Leader of the Opposition in this place, the Hon. Martin Cameron, has advised me that this time the Liberals will not support such an amendment, so it is not my intention to take that step and waste the time of this Chamber in going through that performance. However, with the undertaking that the Democrats' amendment would not be supported, we feel strongly opposed to the eventual consequences of the Hon. Mr Cameron's Bill and, therefore, we will vote against it in its unamended form. Quite clearly, this does not indicate an opposition to the concept of a poll: on the contrary, it is a strong endorsement of the Democrats' stand in favour of a poll which would allow for amalgamations and mergers on a broader front. There would be some wins and some losses but we believe it is by far the most appropriate way to go.

The situation that currently confronts us has proved an embarrassment to all involved in the local government area and, as the motion criticising the Government and the Minister showed, the current situation has reflected badly on the structure itself. Unfortunately, it will leave an aftermath of distrust and anxiety that may take years to overcome, and I believe it would be well worth the while of the Government—whatever political complexion it may be—that is in control of the State after the next election (or nearly in control, because neither Labor nor Liberal will be able to exercise control without cooperation from the Democrats) to look very seriously at introducing legislation or supporting the Democrats' legislation on the basis of our earlier successful Bill.

In conclusion, I indicate that the Democrats will oppose the Bill in its present form, but that is not opposition to the principle of a poll; it is a criticism of the actual structure of the Bill which we believe to be fatally flawed in relation to introducing real democracy and constructive boundary readjustments.

The Hon. ANNE LEVY (Minister of Local Government): I had not intended to take part in this debate but I wish to indicate my appreciation of some of the remarks made by the Hon. Mr Gilfillan, who at least coolly, calmly and rationally discussed the topic of the Bill before us, unlike other contributions which could more appropriately have been considered contributions to other debates on the Mitcham-Flinders proposals, and totally unrelated to the Bill before us. The Hon. Mr Irwin posed a number of rhetorical questions in his contribution, all of which had been answered previously in this place, both by myself and by other people, and I see little point in going through them again. There are none so deaf as those who do not wish to hear.

The Hon. Mr Gilfillan certainly made clear the difficulties with polls and who is to be polled, but even his contribution did not tackle the question of how a poll is to be interpreted if a majority votes one way but only a minority of eligible electors actually take part in a vote. The question of how this could and should be interpreted is a difficult matter, and I certainly feel that any obligatory polling needs careful consideration of those questions.

My main objection to the proposal put by the Hon. Mr Cameron is that it is jumping the gun. We do have a review committee, to which the Local Government Advisory Commission supplies a minority of members. There is equal representation from the Local Government Association, and in this way the considered opinion of the local government community can be taken into account and will doubtless influence recommendations put to me.

The Hon. Mr Irwin and the Hon. Mr Cameron talk a great deal about democracy and letting the people who are involved have their say. Neither of them ever seems to have taken note of the fact that what they have put forward in this Bill is not supported by the Local Government Association; it is not supported by the official spokespeople for local government in this State; and, in fact, it differs considerably from many of the proposals for change that have been put to me by different local government bodies around the State.

It seems to me that they are jumping the gun by putting forward a proposal without consultation. They have not consulted with local government—either with individual councils or with the Local Government Association—and I do not think it is responsible to put forward something which will affect, not primarily but only, local government within this State, without first having consulted with local government.

My committee of review is doing this. It is meeting, and the Local Government Association contributors will be able to put forward the views of local government on this review committee. I certainly welcome the opinions of the review committee when they are presented to me, and I hope that members opposite will not close their minds and refuse to listen to the considered views of the local government community in this State when those recommendations become available. I oppose the Bill.

The Hon. M.B. CAMERON (Leader of the Opposition): That was a remarkable contribution from the Minister. The Minister accuses us of jumping the gun in relation to this matter. The person who jumped the gun was the Minister herself. She had only been the Minister for a few minutes when she said—

The Hon. Anne Levy interjecting:

The Hon. M.B. CAMERON: I recall distinctly what you said, as does everybody in Mitcham, namely, 'I have decided and it is final. That is it.' The Minister gave them no choice whatsoever. She slipped in to the Governor as fast as she could with a motion to destroy a local government community without any consultation at all with that community after she had made the proposal, and after it had been decided. You just went off and said, 'Well, that is it, my decision has been made', like a petulant schoolgirl and totally ignored the people. Talk about democracy—you do

not know the meaning of the word! The Minister says to us, 'Don't close your minds.' Yours was the mind that was closed—right at the beginning.

The Hon. ANNE LEVY: On a point of order, the honourable member is saying 'You' and is implying that you, Mr Acting President, have undertaken a whole lot of activities. I am sure the honourable member is addressing the Chair as he should, but he is improperly implying that you have undertaken certain activities.

The Hon. M.B. CAMERON: Sit down and stop being childish!

The ACTING PRESIDENT: I ask the honourable member to address his remarks to the Chair.

The Hon. M.B. CAMERON: I am doing exactly that, and that is what I am being abused for now. Goodness me! Mr Acting President, the newly born Minister, who cannot get over the fact that she is no longer President, said that she hoped that members of the Opposition would not close their minds. You, Madam Minister, are the person who has had a closed mind from the beginning—

The Hon. Anne Levy: He is addressing me now.

The Hon. M.B. CAMERON: Go outside, will you, while we finish the debate. Mr Acting President, we have not closed our minds on this matter. We have been accused of not consulting local government. If the Minister had not been Minister for only five minutes, she would know that this matter has been before the Parliament before.

The Hon. Diana Laidlaw interjecting:

The Hon. M.B. CAMERON: That is right, and we have put up amendments before which are exactly the same as these amendments. We do not need to go back to consult every time. We know exactly what are the views of local government in relation to this legislation. We have a view as a Party, and we will be putting that forward at the next election. I am deeply disappointed, as all members in this Chamber should be, at the attitude of the Democrats in this matter because they are saying, 'We cannot do it because there is a problem.' There is no problem. A local government community is affected. In this case, Mitcham is affected by decisions of a body that came in over the top of those ratepayers and decided that half of them should go somewhere else. That was never put back to the people of Mitcham in any way whatsoever.

We are trying to give those people the opportunity in the future to have a say so that somebody like the present Minister cannot slide away in the dark, slip a note under the door of someone, get it signed and come back and say, 'I have got it signed; aren't I clever? That is the finish of that. No longer will you be able to have any say. We will not allow you that opportunity.' We are trying to stop people like you, Madam Minister, from doing that. We are trying to give the people of this State some say in what happens to them. That will happen after the next election. I trust by then that the Democrats, who are not supporting the local government community of Mitcham and other communities under attack in this matter, including Henley Beach, Brighton and others that the Minister has locked away in her safe—

The Hon. R.I. Lucas: Top drawer.

The Hon. M.B. CAMERON: —or top drawer will see that, even when it comes out of the top drawer, the Government cannot slip it through in the dark after the next election and say, 'It is all over.' Then it will not be close to an election, so the people of those areas will not have the opportunity to have a say, because this Government is a political animal from start to finish. The only reason it is listening at the moment is that it is close to an election. They have said, 'Get it off the agenda. Don't let this be an embarrassment.' The word came down from on high, 'I don't mind how you cure it for the time being but get it off the agenda.'

That is what is happening in every sphere of the Government's activity. It is like the votes in this Chamber. We have not had a division on anything, even controversial matters or matters condemning the Government, for ages. Why? Because they got the matters to slide off the Notice Paper so there would be no embarrassment. That is the reason for the situation in Mitcham.

Members interjecting:

The Hon. M.B. CAMERON: That is exactly what is happening. We know exactly what you are doing. Mr Acting President, the present Government does not believe in democracy. It has no knowledge of the word, and the present Minister of Local Government is the worst example of the Government in this matter. What she did was disgraceful. She has never once admitted that she was wrong. She has always said, 'I don't remember saying that!' I urge the Democrats to change their minds on this matter and support a commonsense Bill. It is a Bill that will give people in local government areas the opportunity to have a say when changes affect their areas, and one that will at last bring some democratic processes into the boundary changes of this State.

The Council divided on the second reading:

Ayes (9)—The Hons J.C. Burdett, M.B. Cameron (teller), Peter Dunn, K.T. Griffin, J.C. Irwin, Diana Laidlaw, R.I. Lucas, R.J. Ritson, and J.F. Stefani.

Noes (10)—The Hons T. Crothers, M.J. Elliott, M.S. Feleppa, I. Gilfillan, Anne Levy (teller), Carolyn Pickles, R.R.Roberts, T.G. Roberts, G. Weatherill, and Barbara Wiese.

Pair—Aye—The Hon. L.H. Davis. No—The Hon. C.J. Sumner.

Majority of 1 for the Noes.

Second reading thus negatived.

[*Sitting suspended from 5.55 to 8 p.m.*]

AUSTRALIA DAY HOLIDAY

Adjourned debate on motion of Hon. L.H. Davis:

That this Council strongly supports the Australia Day holiday in South Australia being celebrated on 26 January each year.

(Continued from 27 September. Page 910.)

The Hon. R.R. ROBERTS: I rise to oppose the motion moved by the Hon. Mr Davis which aims to have the Australia Day public holiday held on 26 January each year, regardless of when that day falls. Mr Davis stated the obvious in his speech when he outlined the importance to our national way of life in celebrating the establishment of white settlement in Australia, which of course occurred on 26 January 1788. That date is, of course, important in our history as a nation, although some might argue that nationhood in fact arrived with Federation in 1901, but all the same we have chosen to celebrate and reflect upon our past, our present and our future each year on 26 January. Mr Davis has claimed that the importance of this day is diminished if a public holiday is not held on that particular day. I do not agree with that analysis. Just because there is not a public holiday on that particular day does not mean that people do not appreciate the importance of the occasion, nor does it diminish their pride in their nation. There are many people in our community—I am one—who wish to observe the religious significance of Easter, but this is not affected

by the fact that Easter is observed on a different date each year. The significance of the occasion to those who wish to celebrate it is unchanged regardless of the date on which it is held. Religious observances and celebrations are held on the Easter Friday and Monday. Would Mr Davis have us celebrate Good Friday on a Tuesday?

The actual date on which the Australia Day public holiday is held really has no significance to the importance of 26 January as a day of national celebration. In recent years, as a result of general public submissions, the question of the observance of the Australia Day public holiday has been repeatedly put before the Industrial Relations Advisory Council, which is a tripartite group representing employers, trade unions and government and which advises the Minister of Labour on industrial issues. On each occasion this council has not supported any change to the day of celebration. The reason for this is that the advisory council considers that it is prudent and responsible to have the public holiday on the Monday following 26 January so that there is minimum disruption to industry brought about be a mid-week shutdown. It also gives ordinary working people—people with families especially—the opportunity to have a three day break before the end of the school holidays.

So, there are two benefits in having the public holiday on the Monday after 26 January. First, industry and business would be adversely affected by a mid-week shutdown. All members would agree that dislocation of industry is the last thing that we need in South Australia. Secondly, a long weekend at the end of January, the weekend immediately after 26 January, gives ordinary working people the opportunity to have a three day break with their families before the resumption of the school year.

Mr Davis and others with a 'nanny state' mentality might seek to impose on people a mid-week holiday just for the sake of having a public holiday on the exact day on which Australia Day falls. They may also decry the fact that ordinary working people actually enjoy a long weekend. But the fact is that Australians generally do feel great pride in their country and they do celebrate the achievements of their nation on Australia Day: at the same time, I believe, the ordinary working person appreciates having a three day break and appreciates that extra time with the family. I have no doubt that the Hon. Mr Davis is sincere in his motives in relation to this issue. He obviously has a passionate belief in what he says, but in this instance he is trying to impose a view that cannot be supported.

The South Australian people and the South Australian economy are the primary concerns of this Parliament and I see no benefit to either by following other States, or indeed the Federal Government, in having the Australia Day public holiday celebrated each year on 26 January, regardless of when that day falls. I oppose the motion.

The Hon. T.G. ROBERTS: The proposal that the Australia Day public holiday be held on the Monday nearest 26 January is based on tradition. It has been negotiated over a number of years by employers and unions representing members on the job and for a number of reasons. Those reasons might have escaped the notice of the Hon. Mr Davis, but in terms of productivity most employers recognise that it is less disruptive, as the Hon. Mr Roberts has said, to conduct production runs and assembly lines on a continuous basis. Given technology as it is today, when these runs are interrupted productivity is lowered significantly. It has escaped the attention of the Hon. Mr Davis that for a long period, as the Hon. Mr Roberts has pointed out, employers—through IRAC and the unions—have been able to negotiate a position that allows for maximum participation in the Australia Day celebrations by having the holiday on a Monday. I have heard all the views canvassed in the media, on talk-back radio programs and in the contribution of the Hon. Mr Davis: it has been said that, if the celebration is held on the Monday nearest 26 January, people are not able to participate to the fullest and that historically and traditionally we should follow a set day, similar to the system in America, where 4 July is significant.

The Hon. L.H. Davis: Name one country that does not celebrate its national day on the actual day.

The Hon. T.G. ROBERTS: I am about to explain the Australian tradition. That tradition is built on an egalitarian basis whereby those people who want to take part in the pomp and ceremony of Australia Day celebrations are quite free to do so on that day without disruption to industry and without disrupting the continuous three-day period which many people in industry appreciate. One day's holiday in the middle of the week, for instance, on a Wednesday, for most workers generally and for most employers is very disruptive and interrupts productivity.

In his contribution, the Hon. Mr Davis reflected the view of small business people, who can probably arrange their affairs and take part in the celebrations and the frivolities on Australia Day without too much disruption. They can shut the door, lock it, take the key and go out into the street and celebrate. However, I am referring to key industries and I hope that the Hon. Mr Davis will inspect a few larger industries. In key industries, such as the car industry, BHP, or any business where there is a large number of employees and continuous work processes, it is much easier to close down for a three-day period. The cost of starting up for employers is quite expensive. A three-day break benefits both employers and employees. I oppose the motion, but the situation can be accommodated for those people who want to celebrate on 26 January. They are quite free to do that and, traditionally, a number of organisations have established Australia Day committees to arrange celebrations on 26 January.

You can fly your flags, have your dedication ceremonies and most Australians will identify with that but, in terms of the celebration, as far as most people in the paid workforce are concerned, the three day break is the one they prefer. It is preferred by major employers and Australia should recognise that it is unique in being able to separate the functionary celebrations from the celebrations that the employees prefer, namely, beach and sporting activities and the like. I can see no reason why Australians cannot uniquely celebrate Australia in a two-tiered way. That then becomes part of the Australian psyche. It should be recognised by members opposite that the uniqueness of Australians is in being able to celebrate the significance of the dedication of Australia Day and also the sporting events along with cultural events. For that reason I oppose the motion.

The Hon. M.J. ELLIOTT secured the adjournment of the debate.

STATE OPERA OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 September. Page 936.)

The Hon. L.H. DAVIS: I support the Bill. State Opera became a corporate body by legislation in 1976 and is generally regarded as being one of the three flagship companies in South Australian performing arts, the others being

the State Theatre Company and the Australian Dance Theatre. In recent years the State Opera has had a chequered career, and one can read about a string of crises through 1987-88 reflecting inadequate financial management and administration. Indeed, 18 months ago, in March 1988, the State Government was forced to step in and take action following the revelation that the State Opera was facing a deficit in excess of $500 000.

I am pleased to note that, since that crisis in 1988 which reflected badly not only on the board of the State Opera but also on the Government of the day, there has been a significant turnaround. The appointment of a new General Manager to the State Opera, Mr Bill Gillespie, who had wide experience in arts administration in the United States, has, I think, been a principal factor in the improvement in State Opera's fortunes. In the 15 months since Mr Gillespie has been general manager there has been a significant increase in subscribers from 1 600 to 2 300—an increase in excess of 40 per cent.

There has also been an improvement in sponsorship and a more aggressive stance has been taken in the marketing of State Opera. However, the price of the dramatic deficit of State Opera has been that opera supporters this year have unfortunately received a very thin diet of productions. There has been a dramatic cut in the number of productions of State Opera. Certainly it has been supplemented by a successful concert earlier in the season featuring State Opera stars and it will be supplemented by Australian Opera performances. However, in the calendar year 1989 it has meant fewer State Opera productions than we have had for many years. That has been necessary because the board was required to put the company on a sound footing and it has undertaken to repay the accumulated deficit of $500 000 over three years. I understand that repayments are on schedule and that to date there has been a repayment of $100 000.

With this background and the knowledge that there is a budget line for State Opera of well over $1 million, a decision has been taken to amend the State Opera of South Australia Act. I note that there is a large number of small amendments printed in the schedules on pages 4 and 5 where the principal Act is in many cases amended to reflect gender neutral language, although not all sections have been covered if that was the intent. There have also been other changes which I find somewhat pedantic. I think that it is excessively enthusiastic to strike out 'shall' and substitute 'must'. I raise my legislative eyebrows at the need for that.

Looking at the principal provisions in this Bill to amend the State Opera of South Australia Act, there is a proposal that the number of board members should be increased from seven to eight. Two of those board members must be elected by subscribers in the manner provided for by the regulations. In the past the Friends of State Opera have elected two members to the board, and that is not an uncommon practice and a similar provision exists in the State Theatre Company. It is a practice that is not unusual in the sense that the support of volunteers from performing arts companies has been recognised as being important and they have been given the opportunity of providing membership to the board. However, the intent of this legislation is to widen the eligibility of people who will be able to participate in the election, and the provisions for election will be set down by regulation. There might be some criticism that the size of the board being increased from seven to eight is unnecessary, and that a board of seven members is already large enough.

However, I recognise that the board not only has an important and very responsible role in caring for the financial and administrative health of the State Opera Company but also is required to ensure that it has the proper quality of production, and generally has a watching brief over the direction of the company. With arts companies there is always the difficulty of achieving this balance between artistic flair, popular appeal, administrative and financial competence and marketing. So, the board of management must reflect all those requirements.

To increase the number from seven to eight I accept gives a better opportunity for people of quality to be elected or appointed to the board. There is precedent for the number of eight members on a board. The Festival Centre Trust, the Art Gallery of South Australia, the Australian Dance Theatre and the State Theatre Company all have eight or 10 members on their boards, so one can argue that this is bringing the State Opera Company into line with other key arts boards in Adelaide.

I note also that a time limit has effectively been put on the number of consecutive terms a member may serve on the board. Clause 4 (6) requires that a member will not be eligible for reappointment for more than three consecutive terms, a term being no more than three years. It is, therefore, feasible that a member could serve for up to nine years if appointed for three consecutive terms. That provision is wise and ensures a changeover from time to time to provide new blood and new ideas. It also gives the opportunity for continuity and some experience on the board.

I accept that as a reasonable provision. There is some interest in clause 6 where we have for the first time in the Act some hint of ministerial direction and control. The clause provides:

> The board is, in the performance of its powers and functions, subject to the general control and direction of the Minister.

I am not aware of other Acts of arts bodies where this is in place, although I suspect that it may be the case. I do not have any particular difficulty with this, because I accept that ultimately, even though it is a statutory authority, there must be some accountability and responsibility in financial and administrative matters, but I ask the Minister to give a public assurance that the general control and direction of the Minister extends only to good housekeeping and not to matters of artistic endeavour.

I am sure that the Minister will not hesitate to give that assurance that she would not set out to censor what is being produced in the programming and those other matters where, quite clearly, the integrity of the artistic direction of the company should remain with those who are being paid to make decisions of that nature.

Section 23 of the principal Act is amended to strengthen the financial and administrative provisions of the Act to ensure that the State Opera makes proper provision for financial management, budgeting, accounting and efficiency and economy of operations.

Finally, I refer to a matter which I am always pleased to see included in an Act. State Opera will in future be required, on or before 30 September in each year, to present a report to the Minister on the activities of the company during the preceding financial year. In turn, that report must be laid before both Houses of Parliament within 12 sitting days after it has been received by the Minister. It is important that, when talking about accountability, members of Parliament and those interested in the State Opera have the opportunity to analyse the financial and artistic activities of the company over the preceding 12 months. There have been occasions in recent years when reports of statutory authorities have fallen well outside the guidelines set down. I am reminded that it was either last year or the year before that the Auditor-General had to report that he had been able to audit the accounts of all statutory authorities in

South Australia except those for the State Opera. That was a low point in the State Opera's history: its accounts were not available for audit by the Auditor-General. At one stage the company had not even had an accountant for six months. That was a reflection of the lack of control and the lack of direction and supervision by the Department for the Arts, if not the Minister of the day. However, I am pleased to see that the crisis in the State Opera Company has been attended to and the inadequate administration and financial management has been redressed.

I am delighted to see the subscription level at such a healthy rate. In fact, the 40 per cent increase in subscription reversed a very dramatic downturn over the preceding five years; in each of those years, the subscription level for the State Opera fell. Surely that was a sign that the company was sliding out of favour with those who have a great love of opera. It is good to be able to speak about the State Opera Company in a positive fashion at this time because, under Bill Gillespie's general management and the vigorous chairmanship of Keith Smith, who has a business background and an understanding of what is required in a business operation such as this, the State Opera of South Australia is in good shape. As the Minister would know, there is only a signal event tomorrow evening which would prevent us from attending the opening performance of *La Boheme*, which is a special treat for all opera lovers. With those remarks, I indicate support for this Bill.

The Hon. ANNE LEVY (Minister for the Arts): I thank the honourable member for his indication of support for the Bill. I am glad to see that it receives such support. In response to his query, I am happy to indicate, in relation to clause 6, which replaces section 17 of the original Act regarding the board of the State Opera being subject to the general control and direction of the Minister, that neither this Minister nor, I imagine, any Minister, would have any intention of interfering with the artistic direction of the State Opera any more than Ministers have interfered with the artistic policy of the State Theatre, the ADT or any of the other many groups or statutory authorities the Act in relation to which includes a similar section.

It was felt wise to insert such a provision, which is common to the Acts of many performing arts group, particularly in view of the problems that the State Opera experienced 18 months ago. The franchise for the two elected members of the board will be broadened under the regulations that will follow this Act. Currently, those two members are elected only by the Friends of the State Opera and it is proposed that in future they will be elected by the State Opera subscribers.

There are now only about 400 friends but about 3 500 subscribers. As there are many more subscribers, to have the two elected members of the board elected by subscribers would provide a much wider franchise and would bring the State Opera into line with companies such as the State Theatre, where the two elected members of the board are elected by the subscribers to the State Theatre Company. This is certainly intended. I can assure members that the amendments to the Act have been discussed thoroughly with the board and that they have the board's complete support. Members can rest assured that the best interest of the State Opera are being attended to in the amendments in the Bill before us.

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

RIVER TORRENS (LINEAR PARK) ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. ANNE LEVY (Minister of Local Government): I move:

That this Bill be now read a second time.

It extends the expiry date of the River Torrens (Linear Park) Act 1981, from 31 December 1989 to 31 December 1992. This will permit land acquisitions under the Act to continue until the end of 1992 in line with the expected completion date of the River Torrens Linear Park and flood mitigation scheme. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 repeals section 4 of the Act and substitutes the new expiry date of 31 December 1992.

The Hon. L.H. DAVIS secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 4)

Received from the House of Assembly and read a first time.

The Hon. ANNE LEVY (Minister of Local Government): I move:

That this Bill be now read a second time.

Its purpose is to enable the introduction of a scheme for the random on-road inspection of heavy commercial vehicles. South Australia and all other States increased heavy commercial vehicle legal speeds to 100 km/h from 1 July 1988. This followed a recommendation of the national road freight industry inquiry that speeds of some heavy commercial vehicles be lifted to 100 km/h. The inquiry made other concomitant recommendations, the most significant being that on-road enforcement of speeds be increased and that regular heavy vehicle inspections be carried out.

All road safety authorities have recognised the need to ensure adequate vehicle roadworthiness standards by a combination of engineering, design, enforcement and inspection. The Commercial Transport Advisory Committee which contains representatives of the haulage and bus industries supports the need for heavy vehicle inspection.

A Road Safety Division report on the inspection of heavy goods vehicles considered various ways of introducing heavy vehicle inspections, and concluded that the best initial strategy would be to introduce a scheme of random on-road inspections which would, each year, inspect about 20 per cent of the heavy vehicle fleet. Such random schemes are a part of the inspection programs of New South Wales, Victoria, Queensland, Tasmania and the Northern Territory and are effective. It is timely to introduce such a scheme because of evidence of unsatisfactory heavy vehicle maintenance standards, the need to allay public concern about the increased heavy vehicle speed limits and the requirement for operators to start paying for inspections before they lose sight of the benefits of the increased speed limits.

The increased vehicle speeds were requested by the industry because of the great financial benefits it will receive. The necessary safety controls should be paid for by the industry as a small offset against those benefits. The Bill

contemplates that the class of vehicles that may be randomly inspected will be prescribed by regulation. It is intended that the class will include the prime mover portion of articulated motor vehicles, heavy commercial motor vehicles and heavy trailers.

By the introduction of a levy on the registration charges of all heavy commercial vehicles, the scheme will be self-funding and revenue neutral. The levy to be paid at time of registration will be about 1 per cent of the registration fees of all commercial vehicles that have an unladen mass of more than five tonnes seeking State registration. The only equitable way to fund a scheme of random inspections is to levy a charge on all vehicles in the class (approximately 11 000 as at 1 January 1989). The average registration fee for vehicles in this class is $1 100 (ranging from $397 to $3 654); hence, the average levy will be $11 (ranging from $4 to $37). Necessary accounting measures are accommodated in the Highways Act Amendment Bill 1989. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 amends section 160 of the Act which provides for the issuing of defect notices. The amendment gives police officers and inspectors power to cause a vehicle of a prescribed class to be stopped and to examine that vehicle for the purposes of determining whether the vehicle complies with the Act and can be driven safely (whether or not there is reason to suspect that it is defective). The classes of vehicles to which this power applies are to be prescribed by regulation. The power is in addition to the powers police officers and inspectors currently have under the section to examine a vehicle or to direct a vehicle to be produced for examination where they are of the opinion that the vehicle is defective.

The Hon. PETER DUNN secured the adjournment of the debate.

HIGHWAYS ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. ANNE LEVY (Minister of Local Government): I move:

That this Bill be now read a second time.

It is consequential on the Road Traffic Act Amendment Bill (No. 4) 1989. That measure provides for the random inspection of heavy commercial vehicles for the purpose of determining whether the vehicles are roadworthy. By the introduction of a levy on the registration fees of all heavy commercial vehicles, the scheme is to be self-funding and revenue neutral. The levy will be about 1 per cent of the registration fees of all commercial vehicles of an unladen mass of five tonnes or more seeking State registration. The only equitable way to fund a scheme of random inspections is to levy a charge on all vehicles in the class (approximately 11 000 as at 1 January 1989). The average registration fee for vehicles in this class is $1 100 (ranging from $397 to $3 654); hence, the average levy will be $11 (ranging from $4 to $37). This Bill enables an amount equal to 1 per cent of those registration fees to be paid out of the Highways Fund to cover the costs of implementing the scheme. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the measure to come into operation at the same time as the Road Traffic Act Amendment Act (No. 4) 1989.

Clause 3 amends section 32 of the Act relating to the application of the Highways Fund. The amendment provides that one per cent of the fees received for registration of heavy commercial vehicles may be paid out of the fund towards the cost of road safety services provided otherwise than by the police.

The Hon. PETER DUNN secured the adjournment of the debate.

NURSING HOMES

Adjourned debate on motion of Hon. Diana Laidlaw:

That this Council deplores the lowering of standards in South Australian Nursing Homes as a result of deliberate policies set in place during 1988 by the Hawke Labor Government and which have seen a lowering of morale amongst services providers, a lack of flexibility in staffing and funding and a diminishing of standards in the provision of quality care to the aged.

(Continued from 27 September. Page 921.)

Motion carried.

ADJOURNMENT

At 8.50 p.m. the Council adjourned until Thursday 12 September at 2.15 p.m.