HOUSE OF ASSEMBLY

Tuesday 19 February 1985

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

PETITION: PORNOGRAPHY IN PRISONS

A petition signed by 18 residents of South Australia praying that the House urge the Government to withdraw pornographic material from prisons was presented by Mr Lewis.

Petition received.

PETITION: OPEN SPEED LIMIT

A petition signed by 59 residents of South Australia praying that the House reject any proposal to reduce the open speed limit from 110 km/h to 100 km/h was presented by Mr Lewis.

Petition received.

PETITION: BUS SERVICE

A petition signed by 273 residents of South Australia praying that the House urge the State Transport Authority to provide a bus service along Port Wakefield Road was presented by the Hon. Lynn Arnold.

Petition received.

PETITION: HOTEL TRADING

A petition signed by 68 residents of South Australia praying that the House reconsider legislation allowing hotels to trade on Sundays was presented by Mr Mathwin.

Petition received.

PETITION: WEST BEACH GOLF COURSE

A petition signed by 116 residents of South Australia praying that the House urge the Government to oppose the closure of the existing Marineland Par 3 golf course, West Beach, until a new course is completed was presented by Mr Becker.

Petition received.

PETITION: ETSA

A petition signed by 123 residents of South Australia praying that the House call upon the Governor to establish an inquiry into the financial management of the Electricity Trust of South Australia was presented by Mr Becker.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos. 269, 364, 402, 412, and 444; and I direct that the following answer to a question without notice be distributed and printed in *Hansard.*

HOSPITAL THEATRES

In reply to **Mr OSWALD** (18 October).

The Hon. J.C. BANNON: The information obtained by my colleague the Minister of Health from the major teaching hospitals throughout Adelaide indicate that the assertions made by the honourable member are incorrect.

In all of these hospitals, which include the Royal Adelaide Hospital, The Queen Elizabeth Hospital and Flinders Medical Centre, there are appropriate mechanisms to ensure that theatre utilisation is monitored on a regular basis. This means that the facilities are used almost to capacity and are certainly in line with the number of beds currently available at each hospital. For instance:

At Flinders Medical Centre there are currently seven operating theatres. Recently the Minister of Health announced approval for the addition of an eighth theatre and the sixteen hospitals beds essential to the proper functioning of that theatre. Of the existing theatres, the emergency theatre is staffed and maintained on a 24 hours/day basis over 7 days per week. The utilisation of that theatre varies between 45 per cent and 55 per cent (that is, it is in use between eleven and thirteen hours per day). The remaining six theatres are staffed for operating for 7.5 hours per day, over 5 days per week. The rate of utilisation of all these theatres is over 95 per cent.

Royal Adelaide Hospital utilisation figures for all elective surgical procedures for September, 1984, show 76 per cent utilisation of all allocated theatre time, and a 9 per cent over-run. This represents a total of 85 per cent utilisation, which compares most favourably with the Australian standard of 75 per cent utilisation. The Theatre Committee constantly monitors theatre utilisation to ensure that there is no under-utilisation of operating theatres at Royal Adelaide Hospital; and

The Queen Elizabeth Hospital has an average theatre utilisation of 83 per cent.

The honourable member's comments about the regulations (which do not permit operations to be commenced if they are likely to proceed beyond 5 p.m.) are also incorrect. I am advised that the original policy that no major case can be started after 4 p.m. at the Royal Adelaide Hospital has been changed to one where elective lists are submitted by surgical registrars the day before operation, and reviewed with a nominated anaesthetist. If the lists are agreed to be realistic, then all patients are operated on the following day, even if the hours of operation extend beyond 5 p.m. or 1 p.m. If the lists are considered to be excessive for the time allocated, less urgent cases are nominated for operation only if time permits, and the patients are so informed by the surgical registrar.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for the Arts (Hon. J.C. Bannon)—

Pursuant to Statute—

South Australian Museum Board—Report, 1983-84.

By the Minister for Environment and Planning (Hon. D.J. Hopgood):

Pursuant to Statute—

Planning Act, 1982—Crown Development Reports by S.A. Planning Commission on proposed—

Construction of Child Care Centre, Seaton North Primary School.

Administration Building at Port Bonython.

Erection of Classroom, Upper Sturt Primary School.

Radio Communications Towers at—Naracoorte, Elgin, Mount Benson, Cave Range, Jip Jip and Minecrow.
Replacement of existing Radio Communications Tower at Penola Police Station.
Regulations—Land Division.

By the Minister of Lands (Hon. D.J. Hopgood):

Pursuant to Statute—
Real Property Act, 1886—Regulations—Land Division.

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

Pursuant to Statute—
Local Government Finance Authority Act, 1983—Regulations—Prescribed Local Government Body.
Public Parks Act, 1943—Disposal of Parklands, Tanunda Recreation Park.

QUESTION TIME

ADMISSIBILITY OF QUESTION

The SPEAKER: Last Thursday I ruled a question from the member for Ascot Park out of order on the grounds that it was not 'business of the House'. On reflection, I think I erred in my ruling in that I believed that there was a convention applying to questions of this nature. Whether or not such a convention exists, strictly the question was within the Minister's responsibility and complied with Standing Orders. I now believe I should have allowed the question.

MATTHEW FLINDERS

Mr OLSEN: Will the State Government immediately intervene in a union dispute that threatens the future of one of South Australia's latest major tourist attractions, the showboat *Matthew Flinders,* operating from Port Adelaide? The directors of the company (Showboat Pty Limited) have invested $3 million in the *Matthew Flinders.* The boat had her maiden voyage this morning and, by this evening, will have carried 600 people to view the *QE2.* It has advance bookings in excess of 3 500 over the next month. However, the future operations of the boat are in jeopardy because of demands by the Seamen's Union to have its members employed on the vessel. I have been informed that the union is threatening to stop the vessel operating unless its members are employed on the *Matthew Flinders.*

The operators of the boat are resisting the union's demands because the *Matthew Flinders* does not operate in open waters. The same company has successfully operated the *Lady Chelmsford* showboat for 14 years without industrial unrest. However, it appears that the Seamen's Union is now using this new venture in an unjustified attempt to increase its membership, even if that means putting into jeopardy the operations of a major new tourist venture. Unless immediate action is taken to remove this threat, in discussion with the owners today the Opposition has been told that the vessel will be withdrawn from service and 40 casual employees will be dismissed. I therefore ask the Government whether it will initiate immediate talks with the Seamen's Union to ensure the *Matthew Flinders* can continue to operate.

The Hon. J.C. BANNON: It is usual, where a dispute occurs and where the Government has some interest or it is felt by the parties involved that the Government could assist, that the Deputy Premier is contacted and his good offices sought. However, I understand that at this stage to the best of his knowledge the Deputy Premier has not had this matter drawn to his attention. It is a fairly odd procedure to raise as a lead question and a matter of public importance a specific dispute that has apparently arisen in the industrial scene, however important it may be.

Members interjecting:

The Hon. J.C. BANNON: I am not aware of this dispute and I do not see why I should be unless it has been specifically drawn to my attention. I am surprised that it has been drawn to the attention of the Leader of the Opposition who, if he had his way, would see that the dispute was exacerbated and, if possible, made permanent, in contrast to the Deputy Premier, who has a record unparalleled in this area throughout Australia. It is extraordinary that members opposite have failed to see that the latest figures for Australian industrial disputes show that South Australia not only has the lowest number but that has been so consistently for a long time. Indeed, our figures have dropped to an unparalleled low level of industrial disputation. The sort of problem caused through the failure of the Premier of Queensland in the power dispute could not occur here because we have an industrial policy and philosophy. In fact, my colleague the Minister of Labour is recognised by colleagues not only on our side of politics but among members of the Liberal Party (and I could give some names of people who are pre-eminent in this field) as a foremost Minister of Labour. The results are there. Our industrial climate is very good indeed. I hope that this dispute can be solved, and no doubt certain mechanisms are available to solve it. If the services of my Deputy are called on, he will, as he has done in so many such cases—

Mr Olsen: He has found out about it through the back door.

The Hon. J.C. BANNON: No, he has not found out. It seems extraordinary that one of the parties to this dispute has approached the Leader of the Opposition. Of course, it could be the Seamen's Union which has done so, but that would be unlikely. It is extraordinary that one or both of the parties has chosen to go not to someone who could do something about settling the dispute but to someone who will make a political football of it. That is the best way to ensure it will not be solved. I will leave it in the capable hands of my Deputy.

STATE'S FINANCES

Mr MAYES: Is the Premier able to provide to the House an independent assessment of the State's financial position during the term of the former Government that would assist the community to judge the competence of the Opposition to manage the affairs of the State?

The Hon. J.C. BANNON: Members opposite certainly do not like hearing this sort of thing: they will pay lip service to belief in the facts of the debate on State revenues and State expenditures, but when one actually confronts them with the facts (with the reality of what they are saying) they quickly duck for cover or try and hide it. I presented to this House on a number of occasions reports which have been prepared by the State Treasury on the financial position of the State as this Government found it when we came to office and the catastrophic deterioration in our State finances. That is not accepted by members opposite. They cannot believe it and they dispute it, despite the minutes and despite what has been said. All right, if they will not accept that, let me refer to some objective evidence from a third party.

Mr Olsen: Blame somebody else!

The Hon. J.C. BANNON: The Leader of the Opposition indulges in a sort of sing-song interjection hoping that he will not be confronted with these facts. They are this: every year, as part of its work when it produces a report, the

Grants Commission produces what it describes as 'Standard Budgets for the States'. This presentation enables each of the State's Budgets to be compared on a proper basis. In May 1982—a time when the Liberal Party was in power both in South Australia and Federally—the Commission produced a report which included standard Budgets for the years 1977-78, 1978-79, 1979-80, and 1980-81. In its forthcoming report we will see the standard Budgets for subsequent years. What those budgets show—prepared by the Grants Commission, not by the State Treasury—in a very dramatic way is the sudden and rapid deterioration of the State's financial position following the election of a Liberal Government.

Mr Olsen: You mean a reduction in tax.

The Hon. J.C. BANNON: Let me tell honourable members about the impact of those irresponsible policies on public finances. The standard Budgets show a bottom line. That is a total revenue less total expenditure—a figure which is free from transfers in and out of other accounts. It is simply what each State has left after applying its expenditure or, conversely, how much it has overspent. These are the figures: in 1977-78 there was a surplus for South Australia of just over $7 million; in 1978-79 (the last full financial year of a Labor Government before the Liberals took power) there was a surplus of $12.5 million; in 1979-80 (a year in which the Tonkin Government largely put into place the Budget picked up from the previous Corcoran Administration) it showed a surplus of $12.1 million. However, in 1980-81 (the first full financial year of Liberal management) the Budget result for South Australia showed a deficit of $58.4 million. That represented—

Mr Olsen interjecting:

The Hon. J.C. BANNON: The Leader of the Opposition tries to explain that away. That represents a turn-around in one year of over $70 million. When figures for subsequent years (particularly the year leading into 1982-83) are published, we will find just how horrendous that result was. It was the beginning of a monumental budgetary problem which simply got worse and worse during three years of irresponsible Liberal Administration.

It was something that my Government, unbeknownst, had to cope with as soon as we came to office. It is all very well for the Leader of the Opposition to talk about the employment that the Liberals created, the fact that they got the State accounts in order and cut taxes in certain areas. That may well be. It is very interesting to note that, for instance, in the case of the public sector while it is true that the wages of lower paid workers were reduced and there was some reduction in the numbers in those areas, at the time they allowed a burgeoning of higher salary classifications. In fact, under them the total increments by so-called classification creep were unprecedented and was very much higher than a situation that we have managed to achieve by putting it under firm control. So, in all respects that irresponsibility which can be demonstrated by this objective set of figures shows that if we are to have a debate on this issue—and I welcome such a debate—and it is in the interests of the community to do so, it is about time that we had facts and not nonsense in connection with it.

QUEENSLAND POWER DISPUTE

The Hon. E.R. GOLDSWORTHY: Will the Premier advise whether the Government has asked the Electrical Trades Union not to involve South Australia in any national action arising from the current power dispute in Queensland? If it has not done so, will the Government do so? A proposition is being put to electrical trades unions around this nation, I understand with the exception of New South Wales, for this strike to spread throughout Australia. I believe the leaders of the Electrical Trades Union in South Australia have suggested that they would be prepared to dislocate this State in support of their colleagues' cause in Queensland. I ask the Premier—

Mr Hamilton: Did you ring up Bjelke-Petersen and ask—

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: The honourable member seems a little testy—he is out of sorts. This proposition has been noised abroad. What has the Premier done to protect the public interest in South Australia to see that the strike does not spread to this State?

The Hon. J.D. WRIGHT: First, I make one important point: if ever the Liberal and National Parties of Australia need irrefutable evidence about the escalation of disputes and that conduct such as that of the Premier in Queensland (in this case) never resolves disputes, here is absolute proof. There is little doubt that this dispute was pulled on at this time in Queensland for the sole purpose of the National Party's winning the seat of Rockhampton.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. WRIGHT: I have noticed in all the national press that conservative writers are saying exactly the same as I have been saying—it is not simply an opinion voiced by South Australia. The opinion has been voiced nationally that there was one purpose and one purpose only for this dispute: it was the swan song of the great conservative Queensland Premier who is about to retire and who thought that, as the National Party had never held Rockhampton, it ought to get it on the board. If ever anyone was rebuffed, Mr Bjelke-Petersen was rebuffed on this occasion, as there was a swing of about 2.5 per cent against this very popular Government in Queensland.

I remind honourable members opposite that, if they ever do, by any chance, get back into Government, this is a very good lesson to be learnt, namely, not to escalate disputes but to take the attitude that I take in such cases and try to get them fixed up and solved. If there had been no by-election at this stage I would hazard more than a guess that this dispute would not have reached the escalation point that it has reached.

Having said that, I wish to see the dispute resolved for Queenslanders, as everyone in Australia wants to see it resolved. I certainly do not want it to spread to South Australia. I have taken the opportunity to try to contact Mr Frank Fahey, the Secretary of the ETU in South Australia, but he will not be back in South Australia until about 3 p.m. today. I will be arranging for my officers to have consultation with him. Going through the records, and the history and traditions of the Electrical Trades Union in this State, one sees that it is a very responsible organisation indeed. Its history provides us all with that evidence and Mr Fahey himself is a very responsible person. It is an organisation of great responsibility. I doubt very much that Mr Fahey would be contemplating at this stage any escalation of the dispute to South Australia. I will be in a much better position to know Mr Fahey's attitude when he arrives in Adelaide this afternoon.

YOUTH AFFAIRS

Mrs APPLEBY: My question is directed to the Minister of Labour, as Minister in charge of and responsible for youth affairs in South Australia. Can the Minister tell the House what measures this Government is taking to help alleviate the problems facing young people in South Australia? In the *Advertiser* yesterday a report quoted a seminar of youth workers as criticising the plans for International

Youth Year. This statement could have left people under the impression that very little was being done for young people in South Australia. I ask the Minister to inform the House whether that impression would be a true one.

The Hon. J.D. WRIGHT: I apologise for the length of my reply, but the position must be recorded in *Hansard* and the public of South Australia must know exactly what the Government has done following the irresponsible statement that appeared in the press yesterday morning.

Members interjecting:

The Hon. J.D. WRIGHT: The quieter Opposition members keep, the shorter the answer will be. If they interject, it will be long. I have already apologised for its length.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. WRIGHT: As Minister responsible for youth affairs I welcome any debate on the issues confronting young people in South Australia. Everybody is aware that those problems are enormous and complex. The answers are not easy. It would be fair to say that most of the problems can be reduced to employment, or more specifically lack of employment, for our young people. It is an emotional issue, as the problems facing young people are now problems that impinge on the rest of society, but I would say that in dealing with those emotional problems we must not resort to emotionalism.

It seems there have been as many solutions put forward as there are problems. As I stated previously, most of these problems deal with employment or are employment related, and so they must be looked at in the overall context of the economic situation. It is simply not good enough, for instance, to say that youth wages could be cut, as has been stated over the past few months. I direct the attention of honourable members to Keith Conlon's television show this evening. On that show I have debated this matter with a gentleman from Melbourne.

Members interjecting:

The Hon. J.D. WRIGHT: This is the sort of reply we used to get from the member for Alexandra when he was a Minister, so I think he has no right to be critical.

Members interjecting:

The Hon. J.D. WRIGHT: I am talking about the length of the reply. That single proposal of a cut in youth wages has serious ramifications for the entire society. For instance, would a cut in youth wages subsequently lead to the displacement of workers in other sectors of the work force? That question must be asked seriously. Have low youth wages actually led to an increase in the numbers of young people employed? Evidence from overseas shows that there is not a simple nexus between low youth wages and higher youth employment.

In our own country we have seen schemes to subsidise employers to take on more young people. Back in the 1970s there were some schemes that actually paid the full wage of young people for the first year of their employment. That did not lead to an increase in the numbers of young people employed. In fact, in some cases it led to outright exploitation by employers who would take the subsidy for the length of time it was offered and then simply dump the young people after that time had expired. So, it should be acknowledged by all concerned that we cannot simply rush into half baked or sensational remedies to combat the problems facing young people.

As I said before, I welcome any debate on the subject. I applaud the recent interest shown in this matter by the Opposition, but I hope that in pursuing a subject that is so serious the Opposition does not resort to scoring cheap political points. In fact, I would call on Opposition members to adopt a bipartisan approach to the problems of our young people. I sincerely believe the problems are too serious to be allowed to degenerate into a political squabble.

The Hon. E.R. Goldsworthy: This is your answer, is it, given from copious notes?

The Hon. J.D. WRIGHT: I am replying with notes. I think it is appropriate to bring to the attention of the House exactly what is being done in South Australia to address the problems facing young people. I think the most significant thing that has been done by this Government is the establishment of a special unit within the Department of Labour to investigate what can be done to help the employment prospects of young people as well as the adult unemployed. They have held numerous discussions with various groups throughout the community on how they see their needs and how their problems could be best tackled. I will be in a position soon to announce the results of some of those investigations. In addition, for the past two years the Government has been looking at ways of improving the chances of young people to obtain employment. My reply continues:

1.0 Advice to Government:

1.1 The Government has continued to support and strengthen the capacity of the Youth Bureau in the Department of Labour to provide policy advice and carry out its co-ordination function across Government departments and the youth affairs sector.

Specifically, the Government has:

created a Division of Employment and Youth Affairs within the Department of Labour;

established a Standing Committee on Youth Affairs, which brings together the relevant departments involved with young people.

1.2 The Government established and supported the Youth Affairs Council of South Australia in 1983-84 with $20 000 (quarter of year) and in 1984-85 provided on-going funding of $66 000.

The Youth Affairs Council of South Australia will continue to be supported during 1985-86 financial year.

1.3 The Government established a working party to develop a South Australian Government Youth Policy. The working party consisted of representatives from both the Government and non-Government sectors, and this is just one example where the Government has sought to actively involve young people and their representatives in policy development.

The Government supplied $7 000 to enable the 33rd Council meeting of the National Youth Council of Australia to be held in Adelaide over the January long weekend. This meeting brought together some 200 young people from all over Australia to discuss youth issues and formulate policies for the future.

2.0 International Youth Year—1985

2.1 The Government has committed nearly $1 million to International Youth Year in South Australia.

2.2 Within the Youth Bureau, it has established an International Youth Year Secretariat which has six staff working on International Youth Year events, consisting of community groups, Government departments and local committees to make International Youth Year happen.

In 1983-84 the Government provided $15 000 to locate one staff person with the Youth Affairs Council of South Australia, and during 1984-85 $32 000 was provided. Continued support during the 1985-86 financial year has been sought. In addition to this, the Commonwealth Government have placed two staff with the Youth Affairs Council of South Australia for International Youth Year, and just recently announced a $1.6 million Community Employment Programme project to place staff with the disabled, rural groups, young women and young Aborigines. The State Government has strongly supported this initiative.

The 'Come-Out' group recently received Community Employment Programme approval for 10 staff to conduct International Youth Year—Come-Out activities during May—the month designated for creativity, entertainment, fun, drama, etc.

For International Youth Year 1985, aside from Secretariat staff in the Youth Bureau and assistance to Youth Affairs Council of South Australia, additional support for 'Come-Out', and support for Commonwealth initiatives, the South Australian Government has:

established the South Australian International Youth Year Co-ordinating Committee which launched International Youth Year at Football Park with a spectacularly successful rock concert;

announced and have advertised a $26 000 youth grants scheme to enable young people to commence their own projects during International Youth Year;

provided in 1984-85 $150 000 for major Government department projects, and sought $100 000 in 1985-86 to enable further projects to be supported;

provided an additional $250 000 for Youth Performing Arts (as previously announced by the Premier in replying to a question from the Leader of the Opposition) during International Youth Year. This will enable companies to put on special programmes for International Youth Year.

3.0 Employment

3.1 The Public Service Board undertook an affirmative action programme to increase the number of young people employed in the Public Service. In its first year, some 371 positions were provided for school leavers. In 1985, it is anticipated an additional 300 positions in the Public Service will be provided for school leavers.

3.2 The Government has established and further developed a policy of recruiting more apprentices to Government departments each year than are actually required to meet its own needs. In this way the Government can utilise any spare training capacity and thus provide employment and trade training for as many young South Australians as possible. This policy not only provides employment and training for additional young people but also helps sustain a skill bank which may otherwise suffer deficiencies because of reduced apprentice intakes in the private sector during difficult economic periods.

The Hon. E.R. Goldsworthy: Why didn't the Minister make a Ministerial statement?

The Hon. J.D. WRIGHT: I think it is very interesting for everyone to understand what is happening. My reply continues:

To ensure that this policy is actively pursued, a submission was approved by Cabinet on 12 September 1983, directing 'all Departments having the capacity to train apprentices should indenture the maximum possible number of first-year apprentices'. The Departmental intake for apprentices in 1985 was 109; this was an increase of 13 on the 1984 intake.

In addition, in 1983-84 the Government recruited an extra 50 apprentices who were initially trained in the B.H.P. off the job training centre and are placed in Governmemt Departments and a Government Group Scheme.

3.3 Pre-Vocational training initiatives:

A very significant way in which the Government has ensured that the maximum number of young people gain access to training in the skilled trades field and other occupational areas has been to expand the range and number of pre-vocational training courses offered through the Department of Technical and Further Education.

Students who graduate from these courses are much more attractive to potential employers as they have developed immediately usable skills over a range of occupations. In particular, graduates from approved pre-vocational trade based courses are eligible to attract up to 12 months indenture term credit as well as technical education credit for the first stage of a basic trade course. In addition to the very practical advantages of indenturing graduates of these courses as apprentices, employers are eligible to attract higher Commonwealth CRAFT rebates. The State Government is spending some $2.3 million and has negotiated a further $1.27 million from the Commonwealth for the provision of 900 pre-vocational course places in 1985; 600 of these places will be trade based.

3.4 In 1983-84 the Government provided $30 000 to develop a job placement and training programme with the assistance of Salisbury City Council. This pilot initiative proved so successful that, again with the assistance of local councils, a $1.67 million project has recently commenced to employ 162 young people.

3.5 Because of the particular difficulties that young women often confront in finding employment a special subprogramme to assist teenage girls was commenced in early 1984 with the result that 75 young women have been placed in employment. The State Government committed $42 000 to this programme and, combined with the Commonwealth contribution, $1 million in total has been allocated to this initiative.

3.6 New declared vocations: Farming:

The occupation of farmer became a declared vocation in October 1984. Currently there are some 140 contracts of training for this declared vocation.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. WRIGHT: My reply continues:

The programme is being conducted by the Department of TAFE and will take place in colleges and on farms.

4.0 Services to Young People:

4.1 Youth leadership training:

The Government commissioned a review of youth worker training schemes—and established a new Youth Leadership Training Scheme, to assist youth organisations train young people.

Mr Ingerson: Is this your policy document, or—

The Hon. J.D WRIGHT: These are facts. My reply continues:

Some $7 000 was allocated in 1983-84, and again in 1984-85.

4.2 Youth information services:

The Service to Youth Council have recently required $72 500 to commence a youth information service for young people. This is an important intitiative and, combined with assistance to the Youth Lending Service at the State Library, to research youth information needs, demonstrates the Government's commitment to the importance of information not only for youth organisations and youth workers but young people themselves.

4.3 Department for Community Welfare grants:

The allocation of community welfare grants to youth organisations and organisations assisting young people has increased over the term of this Government. To date, $365 325 has been allocated to programs for young people in 1985, a substantial increase over the $283 089 allocated for a similar purpose in 1982.

4.4 Local Government Assistance Fund:

While the allocation has not been officially announced for 1984-85, $32 500 or 24 per cent of all the funds for local government assistance has been allocated 21 different youth clubs or youth organisations. This does not take into account the allocation to sporting clubs where young people are involved. In 1982-83, $18 000 was allocated to youth clubs and youth organisations.

4.5 Housing:

The State Government commitment to youth housing has increased subtantially. In addition to maintaining the access of young people to public housing, the Government has increased by 208 per cent the allocation of resources to emergency accommodation, since 1981-82. The Government substantially increased its allocation to the Youth Services Scheme, thus attracting an additional $100 000 of Commonwealth money to crisis youth accommodation. The State Government has agreed to participate with the Commonwealth in the Supported Accommodation Assistance Programme which will attract even more Commonwealth funds in recognition of the considerable effort this State has already made to short and medium term accommodation needs of young people.

Mr Ashenden: This is a typical way for you to—

The SPEAKER: Order! Interjections are out of order.

The Hon. J.D. WRIGHT: Members opposite obviously do not like our performance. My reply continues:

4.6 The Minister of Health has established a working party to investigate the health needs of adolescents with a view to the establishment of a 'shop-front' health centre in inner Adelaide. The health needs of young people have been sadly neglected and this initiative, combined with support for health centres at Tea Tree Gully and Salisbury for young people, further demonstrates the commitment of this Government to the diversity of youth needs and action to assist youth.

4.7 Service clubs involvement with young people and community improvement through youth:

$47 000 was allocated to the SCIY programme in the 1984 calendar year and a further $55 000 for 1985 was announced only last week by the Premier to assist service clubs to a more active role in assisting young people find employment.

The Government has continued to support the Community Improvement Through Youth (CITY) Programme with regional programmes now being located at Salisbury and Noarlunga.

4.8 About $4.6 million has been allocated for assistance of youth affairs.

I thank members opposite for their patience (which I did not get), and I am sorry if they did not like the statement.

CUSTOMS CLEARANCE

The Hon. B.C. EASTICK: I will not abuse Question Time as the Deputy Premier has just abused it.

Members interjecting:

The SPEAKER: Order!

The Hon. B.C. EASTICK: Will the Premier say whether the State Government has assessed the impact that the current Commonwealth Public Service union dispute is having on South Australian industry? If it has not, will it immediately do so and ask union officials to lift the bans that are holding up custom clearances? A survey this morning by the Opposition reveals that a number of South Australian business houses are experiencing serious inconvenience and

mounting costs as a result of the current industrial action by South Australian staff of the Customs and Excise Department. One business house has told Opposition members that air freight is being delayed for between five and seven days. This increases business costs in two ways. There is a surcharge for demurrage because customs clearance is normally obtained within 36 hours and payment for goods must be made on their landing at the port of destination, resulting in importers having to pay for goods to which they cannot gain immediate access. Many South Australian importers are now becoming seriously concerned about the prolonged nature of the dispute. I therefore ask the Premier what action his Government has taken to assess its impact and whether, if it has not already done so, it will call on union officials to lift their bans.

The Hon. J.C. BANNON: I am not prepared to engage in actions that will either exacerbate the dispute or be futile in themselves. I am aware that some problems are arising from the Commonwealth Public Service dispute. That is clear and the longer it goes on, I guess, the more those problems will increase. However, it is a matter that is in the hands of Public Service unions. It is governed by Federal Commission awards to which this State has no access. Federal Cabinet and the ACTU are both involved. I understand that the ACTU is attempting to devise a proposition that will ensure that a settlement can be achieved without threatening the overall prices and wages accord and indexation in this country. However, that is in the parameters of the Federal Government.

It would be totally counter-productive for a State Government to intervene in any way at this stage. If there are specific individual problems over which we may have some influence or in which we may have a particular ability to assist, we are certainly willing to look at them. However, we are not willing to exacerbate the dispute in the way that the honourable member suggests. I call for a bit of commonsense from members opposite. It seems that they are very keen to see the Queensland dispute spread here and think, 'We have got to do something about that.' On the other hand, they want us to take a Federal dispute out of the hands of the Federal Government, the Federal Public Service unions and the Federal Commission. It does not make sense. I wish that members opposite would listen and look at the record of industrial relations in this State and realise that it is a fragile thing, and that they had better leave it to the experts and stop flouncing around the edges of it, trying to stir up political trouble.

COUNTRY SCHOOLS STAFFING

Mr MAX BROWN: Can the Minister of Education say what steps, if any, have been taken by his Department this year to overcome the usual staff shortages that occur every year in country schools? I ask the question because already some disquiet has been expressed to me that once again it seems that adequate staffing in country schools is to be difficult. I point out that some added inducement has been mentioned as an encouragement for metropolitan teachers to accept country transfers. I would be pleased if the Minister could give me any information regarding the current position.

The Hon. LYNN ARNOLD: The honourable member has raised a very important point. Some expressions of concern about what might happen in 1985 were received from schools in Whyalla late last year. There is on file a copy of a letter from the Combined School Councils of Whyalla expressing concern. The letter was drafted late last year but was sent early this year. As a result of actions undertaken within the Education Department, particularly the area office in Whyalla, which actions are the results of changes introduced by this Government, significant improvements did take place in the way in which schools in Whyalla were staffed at the beginning of this year—so much so that I have on file letters both from the Combined School Councils of Whyalla and from one of the school councils of Whyalla, both addressed to the area office, which commend the way in which staffing took place over the recent period. I read from one of the letters, as follows:

> Please accept the sincere appreciation of council for the excellent effort of yourself and your staffing officers which ensured that this school began the 1985 school year with a full teaching staff.
>
> As the school has not had this very pleasant experience for many years, it was particularly appreciated. It also allowed the school to obtain the maximum benefit from the preparation done over the vacation by staff to have the school running in top gear on the first day of term.

A similar letter was received from the Combined School Councils. Full credit is due to the Area Director (Dennis Ralph), his staffing officers (Mr Anstey and Ms Cock) and other officers.

It is the process of having created areas within the Education Department that has allowed many of the more immediate staffing problems to be addressed more quickly than would otherwise have been the case. Whilst the concept of area officers was mooted under the former Government and under reorganisation of the Department, it was this Government which determined that, because of the special needs of country students, we should have two area officers located in country areas. That was not proposed in the original plans; they were all to be metropolitan based. Consequently, we created the Whyalla and Murray Bridge offices. That has been a big help in sorting out the immediate nuts and bolts of the problem in each area. Also, it has allowed more of the attention of the central department (the Director of Personnel) to spend more time on policy matters with regard to staffing to try to develop improved procedures for years ahead.

Of course, notwithstanding that, it will always be the case that some problems will occur in every situation. One can never eliminate all staffing problems in something as complex as a system comprising 700 schools, with 14 000 full-time equivalent teachers and all with the individual needs of those schools, teachers, and students. There will always be some problems. However, I believe that the reorganisation is showing benefits in the way staffing is handled, and the Whyalla experience shows that: there was great concern before Christmas, but since then there has been a feeling of satisfaction that things are working better than it was thought they might and a feeling of some pleasure as to how the area handled that situation. I hope that we can develop on that good experience, learn from any problems still arising, and make any further changes that may be necessary.

The needs of country students, and how we provide for them by the appointment of teachers to country areas, will require some major policy initiatives over the years. We cannot do that adequately by providing extra financial incentives, because the financial incentives needed to attract people to country schools may be much greater than any department can afford. We therefore have to look at other things and the former Government, supported by the present Government, introduced the equitable service scheme to help facilitate those transfer arrangements. We are happy to look at any modifications or improvements to be made to that system to ensure that the needs of country students are met as best as possible.

PAROLE LEGISLATION

The Hon. D.C. WOTTON: Will the Government now review the new parole laws it introduced just over 12 months

ago? I ask this question in view of two matters which have arisen in recent days. The first was the Full Court decision yesterday to extend by five years the non-parole period imposed on Colin Creed. In giving reasons for extending the period, the Chief Justice, Mr Justice King, said the 12-year non-parole period initially imposed on Creed was very short and did not adequately reflect the principles of punishment and deterrence. Under the new parole laws introduced by this Government, Creed's initial sentence could have allowed his release after serving only eight years—a fact which caused widespread community alarm which is reflected in the judgment handed down yesterday.

I also bring to the attention of the House certain facts relating to another parolee. This person was released on parole in June last year, but within two weeks of his release was arrested on charges arising from a serious assault in which a police officer sustained a hairline fracture of the skull. I have been informed that this week this person is alleged to have committed further serious offences involving the stabbing of two people during a burglary.

I also have been informed that, after 12 months operation of the new parole laws, there is evidence that up to 20 per cent of parolees have reoffended in some way after their early release. This further evidence again raises serious questions about the extent to which the community is being exposed to risk as a result of the new parole laws, and I therefore ask the Government whether it will now undertake a comprehensive review of those laws.

The Hon. J.C. BANNON: The system is constantly under review, as any new system ought to be, but at this stage it has shown that it is working satisfactorily. I refute the honourable member's reference to early release. Releases take place because the court has determined that that will be the non-parole period. I would have thought that the Government's willingness to appeal, as it has done on a number of occasions successfully and as it did in the Creed case mentioned by the honourable member, shows that machinery is available for the courts to review a decision on a non-parole period and make adjustments if it is considered appropriate.

That system, which places in the courts the power to determine at the time of sentence how long that period should be, is one which should be given a fair trial. The very examples that the honourable member gives suggest that the system is working. The Parole Board is laying down stringent conditions. Of course there will be problems and some failures in the parole system. Goodness me, there were some very large failures under the previous Government and, indeed, I need mention just one case, the case of—

Members interjecting:

The SPEAKER: Order! The honourable Premier.

The Hon. J.C. BANNON: I do not have to be told about the name of Christopher John Worrell to remind the House that that is a classic case of how the system, whatever system and however rigid it is, can break down. There will be failures of that kind, but I am suggesting that it is about time the honourable member assessed the situation as it is on realistic terms. The court is at the moment determining it, and a practice will be evolved. The Government is willing and has demonstrated its capacity to appeal where warranted, and I would have thought that at the moment the parole system is working effectively. Of course there will be some breakdowns, but they are far fewer than were occurring in the past.

SENIOR SERGEANT SYMONS

Mr TRAINER: Did the Deputy Premier and Minister of Emergency Services approve a request from the Leader of the Opposition for the secondment of Senior Sergeant Mick Symons to the Opposition staff in the position of Press Secretary? I ask this question because the Leader of the Opposition was quoted on Thursday night 7 February as saying that he had never had any intention of appointing Mr Symons to his staff as Press Secretary. That explanation was made after the appointment had prompted a strong reaction from the South Australian branch of the AJA. The Leader of the Opposition said that it was always his intention to appoint Senior Sergeant Symons to the position of Media Adviser and that he had for six weeks been intending to appoint someone else to the position of Press Secretary, a position which would be privately funded.

The Hon. J.D. WRIGHT: I did not see the television interview indicated by the member for Ascot Park.

Members interjecting:

The SPEAKER: Order!.

The Hon. J.D. WRIGHT: My recollection of events during the period I was Acting Premier—

Mr Lewis: Your mind is notoriously inaccurate.

The Hon. J.D. WRIGHT: If it was as dead as yours I would lie down and die. If I had a mind like yours, I would turn it up.

Members interjecting:

The SPEAKER: I ask honourable members to cease trading insults. The honourable Deputy Premier.

The Hon. J.D. WRIGHT: I will not trade insults; I am a very kindly man, as everybody knows. My recollection of the events is that I received a telephone call at home about quarter to six one Monday evening, I think it was, saying that the Leader of the Opposition was trying to contact me urgently and that arrangements had been made for him to telephone me in the morning. I said, 'If the Leader of the Opposition wants to speak to the Acting Premier urgently, he should speak to me tonight', so I set the wheels in motion to make that arrangement. I do not think that that can be denied, because the Leader subsequently telephoned me at about 6.30 or 6.45. I was a little amazed, I must admit, at what I would have interpreted as the non-urgency of the telephone call. Incidentally, I must add for the benefit of the member for Eyre that I did not tape the call. It certainly was not taped.

Members interjecting:

The Hon. J.D. WRIGHT: I am just stating that the telephone call was not taped, and I am not joking about it. The Leader came to the telephone and said, 'Thank you very much for facilitating the call and enabling me to talk to you at home,' and so forth, and he said he had been trying to iron out (I think they were his words) some difficulty with the Premier about a Press Secretary and that, having reached finality in that matter, the Premier had gone away.

The Hon. Ted Chapman: Don't worry about the periphery: get down to the facts.

The Hon. J.D. WRIGHT: I am getting to them. This needs to be said as accurately as I can remember, and I am not going to exaggerate or play it down. The Leader definitely mentioned that he had had some discussion or difficulty with an exchange of letters or something to that effect, that that had been resolved, and that he had found the person whom he wanted as Press Secretary. He mentioned that that person was a policeman and that he wanted to have him seconded. I said, 'Well, I don't know why you need to come to me.'

The Hon. Ted Chapman: I don't know why you have to tell us all about it, either.

The SPEAKER: Order!

The Hon. J.D. WRIGHT: I have been asked to tell you. I certainly would not have volunteered the information, but someone has asked me to tell you. On that occasion I asked the Leader whether the person whom he wanted was a

journalist, because there had been some difficulties with a Government appointment—and the Leader knows that what I am saying is accurate.

Mr Olsen: Some of it.

The Hon. J.D. WRIGHT: It is all accurate.

Mr Olsen: I'll have my say later on.

The Hon. J.D. WRIGHT: Have what you like. I asked the Leader whether the person whom he had in mind was a journalist, and pointed out that there had been some difficulty with the AJA with respect to the appointment of a person to a Minister's office. I did not mention any names, nor do I intend to do so now, but I pointed out that there had been some difficulty about the AJA giving the person recognition. The Leader's response to me, which I can remember clearly, was, 'Isn't that my business?' I said, 'Sure, it's your business; I'm merely pointing out to you that if the man is not a legitimate, recognised journalist you may have some trouble in getting membership for him. But,' I said, 'as far as the secondment is concerned I will facilitate it for you and if necessary ring the Commissioner of Police. You put in a letter and all will be fixed.'

I said to the Leader, and I say so publicly, that I can see no difference between a policeman being seconded for work outside his normal duties (provided that the Police Commissioner approves that secondment) and the position involving any other public servant: I see them all as public servants, and I said that to the Leader, if he recalls: it is purely a matter of choice. However, I pointed out to him the difficulty that I foresaw (and I told no-one else about that telephone conversation; it certainly was not I who went to the AJA or anyone else about it, so I want to refute that). I mentioned this matter to the Leader, and he said that that was his problem.

The request made to me was for the release of Mr Symons to become Press Secretary to the Leader of the Opposition. I have since sighted a document (and I am relying on memory here for dates) which indicates that Mr Symons was applying for release to become Press Secretary on secondment as from 31 January. Subsequently, the Acting Commissioner of Police agreed to the secondment, and Mr Symons has taken up his duties with the Leader. I understand (and I do not want to boast about this) that the problem about which I warned the Leader did eventuate and that he did run into the difficulties to which I had referred.

ADELAIDE TO MOUNT GAMBIER RAIL SERVICE

The Hon. H. ALLISON: Has the Minister of Transport expressed his strong opposition to the intended reduction by Australian National of the day rail services between Adelaide and Mount Gambier from six return journeys a week to only three and, if not, will he immediately do so? In a Corporate Services report dated January 1985 the Australian National reported that the survey on user preferences for departure times for the Adelaide to Mount Gambier rail service recommended that the day service be halved. However, the survey gave those responding to the questionnaire an option of expressing preference for only one or other of two alternative night trains. Yet, in 1982 an earlier Australian National survey clearly showed that an average of 440 people preferred day travel between Adelaide and Mount Gambier and only 92 preferred night travel. I have already written to the Director of Australian National in South Australia advising him that I thought there was a hint of deceit in the way in which this subject was approached. There was no mention in the questionnaire of any alternative for day service, and that was despite the earlier expressed preference for day travel. Will the Minister of Transport please use the rights given to him under the terms of the 1975 Railways Transfer Agreement and oppose any reduction in service between Adelaide and South Australia's largest southern city, Mount Gambier?

The Hon. D.J. HOPGOOD: I will refer this matter to my colleague the Minister of Transport, who will, of course, bring down for the honourable member and the House a full report.

GREAT ARTESIAN BASIN

Mr GREGORY: Can the Minister of Mines and Energy outline the nature and extent of rehabilitation work being carried out by his Department in the South Australian section of the Great Artesian Basin? Much has been said recently in the debate over the granting of the special water licence for the Roxby Downs joint venture about the value of this water resource. I am sure that all members of this House would be interested in the Department's efforts to safeguard that great resource.

The Hon. R.G. PAYNE: Yes, I can give the House some information, and I thank the honourable member for giving me the opportunity to provide that information which obviously is so eagerly awaited by honourable members opposite. South Australia has about 150 flowing wells in its section of the Basin which discharge an estimated 210 megalitres of water a day. I ask honourable members to particularly note the next point. What is perhaps more relevant is the fact that an estimated 190 megalitres of this flowing bore discharge is wasted each day through uncontrolled bores and poor stock watering practices.

Mr Becker: Does the Minister for Environment and Planning agree with that?

The Hon. R.G. PAYNE: If the honourable member will be patient, he will understand what the Government is doing about that. It is often not appreciated that the artesian waters in the western section of the Basin are highly mineralised, with salinity levels ranging from 1 300 to 3 700 mg/l. These sulphate or corrosive waters attack steel and can corrode conventional waterwell casing and headworks within two years, leading to uncontrolled flows. Uncontrolled flow of water from degraded casing and/or headworks results not only in the loss of a useful natural resource, but also lowers aquifer pressure, erodes channels, causes stock losses and encourages salt build-up around the edges of lagoons, with consequent damage to the local vegetation.

A number of techniques have been developed to repair existing bores and resist corrosion. Where casings have completely corroded and lakes formed at the surface, bores are being sealed and abandoned. (In answer to the member for Hanson, that is one of the things that has happened.) New bores are then drilled on elevated ground so that water does not accumulate at the drill collar. Other bores are relined with PVC pipe and cemented into place and PVC headworks with bronze valves and polythene flow lines are fitted.

My Department has been active for many years (and of course under the previous Government) in rehabilitating bores and regulating flow in the South Australian sector of the Basin to reduce water wastage. The current programme started in 1977 and includes the repair, maintenance, control or plugging of bores, as appropriate, which serve the pastoral industry—and the plugging of holes drilled during petroleum or mineral exploration.

Between 1977 and 1984, the Department brought under control flows at 96 bores at a cost of $950 000. Once they are rehabilitated, continued maintenance of headworks and associated pipeworks becomes the responsibility of pastoralists. During the same period, $56 500 has been spent on cement plugging exploration drillholes. I am sure the member

for Hanson will be pleased to know that this money has been recovered from the licensees responsible. A survey has revealed that at least 60 pastoral industry bores remain to be rehabilitated at an estimated cost of $1.5 million. Many of these holes are located in the deeper parts of the Great Artesian Basin where both water temperatures and pressure are very high, making the job very difficult. The Government proposes to continue with the programme of rehabilitation of this major resource as the supply of funds and labour permits.

PERSONAL EXPLANATION: *MATTHEW FLINDERS*

The Hon. J.D. WRIGHT (Deputy Premier): I seek leave to make a brief personal explanation.

Leave granted.

The Hon. J.D. WRIGHT: In the Leader's question to the Premier today he referred to a dispute between the Seamen's Union and the owner of the *Matthew Flinders.* I indicated in response that I was surprised that the dispute had not come to my attention. The reason is that there is in fact no dispute. My staff have informed me that the owners and union have had discussions about the proposal put by the union. That proposal is that if the new boat, the *Matthew Flinders,* which replaces the *Lady Chelmsford,* operates in harbor limits then the *status quo* will be preserved, but if the boat goes out of harbor limits (and that is a possibility), then the employees on the boat must have a union ticket. The employers are presently considering their response and a reply is expected at a meeting convened to take place at the South Australian Employers Federation office on 27 February. Discussions are continuing in relation to this matter. I am further advised that no bans have been applied to the *Matthew Flinders,* which was reported to have sailed this morning and will continue to sail, no doubt, while these discussions take place.

PERSONAL EXPLANATIONS: LEADER OF THE OPPOSITION'S STAFF

Mr OLSEN (Leader of the Opposition): I seek leave to make a brief personal explanation.

Leave granted.

Mr OLSEN: In response to an answer given to the House by the Deputy Premier I would like to put two facts on record for the information of the House, because I believe I have been misrepresented by the Deputy Premier. First, the fact that a conversation between us should be the subject of detailed explanations to the House I find somewhat amazing. The fact that the Deputy Premier acts in that way is something I will take on board in any future private discussion I have with him.

Be that as it may, the Deputy Premier referred to the urgency of the matter. The fact is that, when a vacancy was created on my staff, on 16 August 1984 I wrote to the Premier seeking clarification of the position, salary base, and making adjustments within my staff. I did not receive an acknowledgement of that letter until 8 November 1984, when the Premier disagreed with the arrangements I proposed for the staffing of my office. Subsequent to that, I wrote back to the Premier on 16 November, drawing his attention to the fact that some months had elapsed between my initial request and his letter. By the second week of January, recognising that this correspondence had been held in the 'too hard basket' for a period of time (the net effect of which was that the Opposition had been denied an extra position because the matter could not be clarified), I rang and sought an appointment with the Premier. That appointment was denied.

The Hon. J.C. Bannon: It was not necessary in order to resolve the matter.

Mr OLSEN: That is right, because the Premier refused to see me. It was indicated to the Premier's staff that the matter had gone on for nearly five months, which was too long, and that I had been denied an extra position on my staff. Within 24 hours of that discussion with his staff, I received from the Premier a telex dated 14 January, indicating that my original request would be acceded to.

Mr Gunn: Five months!

Mr OLSEN: Yes. The urgency with which I rang the Deputy Premier on that occasion was as I shall outline. It was not until I received the telex on 14 January that I'd proceed to have discussions with any person to join my staff. Subsequently, arrangements were made on the following Friday and Monday for the matter to be dealt with.

Members interjecting:

The SPEAKER: Order! Leave has been granted.

Mr OLSEN: I draw the attention of the Deputy Premier to a file in his office containing correspondence from me dated 22 January, well before the date referred to by the member for Ascot Park, and the Deputy Premier's reply dated 24 January 1985. Neither the correspondence to the Deputy Premier nor that from him refers to the position of Press Secretary.

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.C. BANNON: Although I do not wish to prolong this debate, the statement by the Leader of the Opposition has prompted me to put certain things on the record. I regret that there was a long delay following the initial approach in November. The correspondence between us does not reflect the discussions that were taking place between our respective chiefs of staff. In fact, when Mr Jory left the Leader's staff, the Leader of the Opposition decided to promote Mr Yeeles, his then Press Secretary, to the position previously held by Mr Jory. That fact is agreed. That left the vacancy of Press Secretary, the position held by Mr Yeeles, about which the Leader of the Opposition wrote to me. The rate of pay that he suggested for the Press Secretary to the Leader of the Opposition did not accord with the Australian Journalists Association rate for that position.

My view was (as I had been required to do by former Premier Tonkin and as I willingly did regarding Mr Muirden) that the Press Secretary to the Leader of the Opposition should be paid the appropriate rate, which was higher than that proposed by the Leader. That caused a delay in consideration of the matter. It was only when the Leader of the Opposition wrote to me (and there had been discussion prior to his letter) pointing out that, as Mr Yeeles had been paid on the rate which he was suggesting and which I had approved, I should not hold up the matter on that basis. I said, 'Fair enough. He can be employed.' The Leader then took up the matter with my Deputy, who had become Acting Premier. My attitude was the same as that of the Leader of the Opposition when he spoke to the Deputy Premier. On that being pointed out to me, I thought that it was not my job to enforce the rate of pay of the Press Secretary, but that it was up to the Leader of the Opposition to choose how to handle that matter. There is no question but that it was a replacement position for a Press Secretary (and this is the nub of what we are discussing), and for the Leader of the Opposition to deny it makes nonsense of the whole transaction.

BAIL BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

In January 1983 this Government authorised a review of the law of bail. To that end, officers of the Attorney-General's Department and the Office of Crime Statistics prepared a report entitled a 'Review of Bail in South Australia', after extensive consultation with the Commissioner of Police, the Magistracy and other interested persons.

That report was made public in June of this year and made 39 recommendations on the reform of the law of bail. The primary recommendations were to the effect that:

(1) a Bail Act should be enacted in South Australia;

(2) this act should deal comprehensively with procedures relating to adults in matters of police bail and court bail;

(3) the criteria applied by police officers in relation to bail should be the same as are applied by the courts;

and

(4) the Act should provide for bail applications by telephone where a person has been refused bail by a police officer.

Following publication of the report comments and submissions were received from various members of the Judiciary, the Australian Crime Prevention Council (S.A. Branch), the Offenders Aid Rehabilitation Services of S.A. Inc., and others. These comments and submissions enabled adjustments to be made to the approach that the legislation would eventually take. The report had identified a number of possible areas for improvement. In particular it concluded that such areas included:

> abolition of the use of the custodial remand as a mechanism for delivering compulsory welfare to drunkenness offenders; establishment of a hierarchy of bail options along the lines of the ALRC recommendations; ensuring that defendants unable to obtain sureties have opportunities to apply for an early review of their situation; and encouraging higher criminal courts to remand in custody during the pre-sentence stage only if a custodial penalty is likely.

Earlier, the authors of the report had observed:

> Of all the issues associated with criminal justice, administration of bail must be among the most contentious. On one hand, victims of crime, witnesses and the general public have an undeniable right to be protected from offenders and be assured that individuals charged will be brought to trial. On the other, there is the equally important question of a defendant's right to be presumed innocent until otherwise proven. In undertaking the current review of the bail system, we have attempted to achieve a balance between these two principles. Some of our recommendations—for example that the Crown be given rights to apply for the review of decisions, that police officers be given to designating special bail justices—have been prompted by concern for the general public interest. Others, such as endorsement of the Mitchell Committee's views on appropriate bail criteria and suggested implementation of bail hostels or other emergency accommodation, have been oriented toward the rights of the accused.

The Bill now provides a comprehensive and virtually self-contained code on matters pertaining to the bail process. In particular it seeks to deal with:

(a) the authorities to whom applications for bail can be made;

(b) the nature of bail agreements and guarantee (or surety) agreements;

(c) the factors which a bail authority must take into account in determining whether or not an applicant for bail should be released;

(d) the precise nature of conditions that can be imposed on a person released on bail (including bail under the supervision of officers of the Department of Correctional Services);

(e) the procedure on arrest of a person by a police officer;

(f) the review of decisions made by bail authorities, including expeditious reviews to be made to a magistrate by telephone or other telecommunicative means;

(g) the consequences for contravention of a bail agreement; and

(h) other consequential matters.

A major finding of the Report was that, by itself, a new Act could not be expected to solve the problems of South Australia's bail system. There was perceived to be a need to back any legislative changes with administrative reforms. To meet that need the Government has established a working party to examine, investigate and report upon all necessary and desirable reforms to existing administrative procedures to ensure that the objects and purposes of the proposed Bail Act, 1984 will be promoted and maintained. It is the intention of the Government that this Act would not be proclaimed to come into effect until the working party has reported and its recommendations are implemented by the departments and authorities affected by them. The administrative issues to be considered in conjunction with implementation of this Bill include:

1. Design of a standard bail application form.
2. Procedures for ensuring that defendants are given bail documents in a language they understand, or that the system is explained in that language.
3. Procedures for informing people of the right to reapply for court bail, should sureties be unavailable, and to ensure they have their cases reconsidered by a court as soon as possible.
4. Feasibility of extending existing emergency accommodation, or introducing bail hostels, for bail applicants who lack suitable accommodation.
5. Procedures for ensuring that the Legal Services Commission is informed promptly, whenever an individual is being held in custody because bail or sureties could not be arranged.
6. Procedures for ensuring that every individual remanded in custody has his or her bail status reviewed on a regular basis.
7. The mechanics of telephone reviews.
8. Possible involvement of Probation and Parole Service in supervising persons released on conditional bail.

This Bill is the product of assiduous labour over a considerable period of time by people, both specialist and lay, who are most concerned to ensure that the law of bail in this State is rationalised in content, accessible in practice and fair in its application.

The Bill is to be read in conjunction with the Bill for the Statutes Amendment (Bail) Act, 1984, which effects necessary amendments to a number of statutes consequential upon the codification exercise that is the intent of this Bill.

Clause 1 is the short title. Clause 2 provides for the commencement of the measure. Clause 3 sets out the various references that are to be used in the measure. Included are definitions of 'bail authority', 'eligible person' and 'financial condition', which is a condition requiring an applicant for bail to provide security or obtain quarantees, or requiring a guarantor to provide security. Clause 4 sets out the various persons who are eligible to apply for bail, being either a person who has been taken into custody for an offence but not convicted, a person who has been convicted but not sentenced, or a person who has been convicted or sentenced

but has not exhausted all his rights of appeal or review. (However, it is not expected that bail will be granted pending the lodging of an appeal or the determination of an appeal unless the circumstances are exceptional).

Clause 5 defines the courts and officers who may act as bail authorities. Included are the Supreme Court and other criminal courts and justices, depending on the offence charged, and, where the person is in custody but has not been brought before a court or justice, members of the police force who are of or above the rank of sergeant or who are in charge of a police station. The court or justice issuing a warrant for the arrest of a person may also authorise specified persons to act as bail authorities. Clause 6 describes the nature, content and form of a bail agreement. Under a bail agreement, a person agrees to be present during all proceedings relating to, or arising from, a charge or conviction. He also agrees to comply with such conditions regulating his conduct as may be specified in the agreement and, if the agreement so provides, relating to the forfeiture of money if he fails to comply with the terms of the agreement. The provision empowers the Supreme Court, and any other court or justice before which a person is bound to appear, to vary the terms or conditions of a bail agreement, or to revoke an agreement. An agreement may therefore be subjected to continual review and revision.

Clause 7 describes the nature, content and form of a guarantee. As has been provided in the preceding provision, the Supreme Court, or any other court or justice before which a person on bail is bound to appear, may, on the application of the guarantor, vary the terms of a guarantee or revoke a guarantee. This will allow the review of a guarantee if the guarantor considers that he cannot fulfil the terms of the guarantee. If a court or justice makes an order under this section, it may also make any consequential order that may be appropriate in relation to the bail agreement.

Clause 8 relates to initial applications for bail. An application must be made in writing and contain prescribed information. A person who has the custody of an eligible person must afford him reasonable assistance to complete the application and, where appropriate, must transmit the application to a bail authority. Proposed new subclause (3) ensures that the same written application may be used upon subsequent applications for bail.

Clause 9 empowers a bail authority to make reasonable inquiries in relation to a bail application. Where the bail authority thinks fit, it can take evidence on oath (provided the authority is not a member of the Police Force). Where a person gives evidence on oath, other parties to the application can examine, cross-examine or re-examine the person.

Clause 10 sets out the various principles that should be taken into account by a bail authority when determining an application for bail. Subsection (1) provides that, in relation to a person who has not yet been convicted of the offence charged, the bail authority should grant bail unless it considers, for reasons specified in the legislation, that the person should not be released. Obviously, matters such as the gravity of the offence and the likelihood that the accused would, if released, abscond or interfere with witnesses would bear considerable examination. Subsection (2) relates to a person who is an applicant for bail after his conviction. Radically different principles must then apply to an application as now the person is no longer to be presumed to be innocent, but is facing the punishment for the crime for which he has been convicted. In such a case, the bail authority has, subject to the other provisions of this Act (especially clause 20 (2)), an unfettered discretion in relation to the question of bail.

Clause 11 relates to the conditions that may be imposed under a bail agreement. One condition worth noting relates to requiring a person to place himself under the supervision of an officer of the Department of Correctional Services. It is hoped that this will improve the alternatives available to bail authorities, and may become particularly useful if the person is awaiting sentencing. However, the availability of this condition will depend on departmental resources and so will only be possible upon the application, or with the consent, of the Crown. The section also implements the policy that financial conditions should not be imposed unless the bail authority is of the opinion that the object of ensuring that the person complies with bail cannot be otherwise obtained. This will help to ensure that the financially disadvantaged are not prevented from obtaining bail by virtue only of the fact that they are so disadvantaged, and accords with recommendations of the Australian Law Reform Commission. It may also be noted that the new provision will allow police officers who are bail authorities to set conditions that are the same as those that may be imposed by courts, thus providing greater consistency and fairness.

Clause 12 requires a bail authority that has refused bail to make a written record of the reasons for its decision. Clause 13 prescribes the procedures that are to be followed after the arrest of a person (in relation to bail applications). The police will be obliged to take reasonable steps to ensure that the arrested person understands that he is entitled to apply for bail and will be obliged to give him both a standard form statement explaining how, and to what authorities, an application may be made and a standard form bail application. If the arrested person does not obtain bail from the police, he may request to be brought before a justice, and must then be so brought as soon as is reasonably practicable on the next working day, and in any event before noon on that day.

Clause 14 provides that a decision of a bail authority is subject to review. An application for review may be made by the Crown or any other person affected by the decision. (Presently, the Crown has no right to apply for a review of a grant of bail). Furthermore, a decision of a member of the Police Force or justice (not being a magistrate) will be able to be reviewed by a magistrate. (All other applications for review will be heard by the Supreme Court). On a review, the reviewing authority will be able to reconsider the application in its entirety, and so the court will not be limited to deciding whether the bail authority reached the correct decision on the basis of information that was available at the time of the initial application. Under subsection (4), a bail authority will have to furnish a reviewing authority with all documentary or other material in its possession that may relate to the application. An application for review will have to be heard as expeditiously as possible.

Clause 15 provides for the review of bail decisions by telephone. This procedure will be available if there is no magistrate in the vicinity available to review bail decisions (but will not apply if the initial application was to a member of the police force and the person will be able to be brought before a justice on the next day). The procedure will be particularly useful if a person is arrested in an outlying area or on a weekend. Extensive consultation with the police and magistrates will be undertaken to ensure that a satisfactory system is developed to cater for this new type of application.

Clause 16 provides that where the Crown indicates, at the time that a bail authority decides to grant bail, that an application for a review of the decision will be made, that the release of the person shall be deferred until the review is completed, or for 70 hours, whichever first occurs. The Crown considers that it will be able to proceed quickly with applications for review and it appears to be reasonable that release should be deferred to enable the matter to be settled by the reviewing authority.

Clause 17 provides that non-compliance with a bail agreement will constitute an offence and result in the person being liable to the same penalties as are prescribed for the principal offence, so long as a term of imprisonment does not exceed three years. Clause 18 will allow a court or justice to cancel a person's right to be at liberty under a bail agreement if it appears that the person has contravened or failed to comply with the agreement. A member of the police force will, without a warrant, be able to arrest a defaulting person.

Clause 19 relates to the power of a court or justice before which a person is bound to appear, or any court of summary jurisdiction, to make an order of estreatment in relation to a bail agreement. Clause 20 provides that a bail agreement will, unless the court otherwise determines, terminate upon a conviction for the offence in relation to which bail was granted. Different considerations apply upon the conviction of a person and the Bill recognises that at that time a court must re-assess the issue of bail. However, it is not reasonable that bail be discontinued if the person will not, or is unlikely to be, sentenced to imprisonment.

Clause 21 provides for the acceptance of apparently genuine bail agreement or guarantee as evidence. Clause 22 makes it an offence to provide false information in an application for release on bail. Clause 23 provides that proceedings in respect of an offence against the Act will be summary proceedings. Clause 24 preserves the operation of Division VII of Part IV of the Justices Act, 1921 (orders to keep the peace) and the provisions of the Children's Protection and Young Offenders Act, 1979. Clause 25 provides that the Act of the Imperial Parliament 48 Geo. III c. 58 shall have no further force or effect in this State (as recommended by the South Australian Law Reform Committee). Clause 26 is a regulation-making power.

The Hon. JENNIFER ADAMSON secured the adjournment of the debate.

Members interjecting:

The SPEAKER: Order! I ask that the gentlemen on the front benches on both sides take their personal squabbles out of this House.

STATUTES AMENDMENT (BAIL) BILL

Received from Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill effects necessary amendments to a number of Statutes, that are the consequence of the codification exercise that is the Bill for the Bail Act, 1984. The amendments reflect the reformed approach to the bail process in this State and the desire to make, as far as possible and practicable, the Bail Act, 1984 a complete, comprehensive and self-contained code on the law, practice and procedure of bail.

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 proposes an amendment to section 43 of the Children's Protection and Young Offenders Act, 1979, to provide for an application by telephone for a review of a decision of a member of the Police Force not to release a child on bail. Such an application will only be made if there is no justice in the vicinity immediately available to hear and determine a further application for bail. The procedures are similar to those prescribed by the proposed new Bail Act. Apart from this amendment, there appears to be no need to change the procedures that presently operate under this Act.

Clause 4 provides extensive amendments to the Justices Act, 1921, in order to provide consistency and cohesion between this Act and the proposed new Bail Act. One amendment provides for the repeal of section 21, dealing with endorsing warrants with a power to release the person to whom the warrant relates on bail upon his arrest, as clause 5 (2) of the Bail Bill empowers a court or justice issuing a warrant to nominate a person who may grant bail upon an arrest being effected. A further amendment will repeal those sections that deal with recognizances and security, and their enforcement (sections 30 to 41). Other amendments provide for the rationalisation of those provisions relating to preliminary examinations and committal for sentence that contain references to the granting of bail, entering into of recognizances, etc. The repeal of Division IV of Part V is appropriate as that is concerned with the granting of bail under the principal Act. Section 168 may be repealed as it relates to the powers of a special magistrate or justices to grant bail to a person who has appealed under Part VI of the Act. Several other incidental amendments are proposed. Clause 5 relates to section 337 of the Local and District Criminal Courts Act, 1926. It is proposed to strike out subsection (3) of this section, which provides that, where the venue for the trial or sentencing of a person is changed, the Attorney-General may apply to a justice for an order that the person enter into a recognizance with sureties for his due appearance at the new venue. This provision will be adequately dealt with by the new Bail Act.

Clause 6 relates to the Offenders Probation Act, 1913, and is included by reason of the proposed repeal of section 39B of the Justices Act, 1921, which relates to the proof of a recognizance. Clause 7 provides for a revision of section 78 of the Police Offences Act, 1935, dealing with the procedures to be followed on arrest without warrant and the repeal of section 80, which relates to the right of an arrested person who does not obtain police bail to apply to a justice for bail. Clause 8 effects various amendments to the Supreme Court Act, 1935. These are required either because of changes in terminology that are to be adopted with the new Bail Act or, in the case of the repeal of section 61, because of a general power in the proposed new Act to review bail agreements at any time or stage during proceedings.

The Hon. H. ALLISON secured the adjournment of the debate.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

The Hon. J.W SLATER (Minister of Water Resources) obtained leave and introduced a Bill for an Act to amend the Renmark Irrigation Trust Act, 1936. Read a first time.

The Hon. J.W. SLATER: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill amends the Renmark Irrigation Trust Act, 1936, to enable capital recoveries to be made from ratepayers in circumstances where rateable irrigation land is excised from the water irrigation rate assessment as a result of development such as residential or industrial development. The Renmark Irrigation Trust is required to make regular repayments of

principal and interest on loans made available by the State Government to rehabilitate the irrigation and drainage works in the district and to install a domestic water supply system as an adjunct to the new irrigation system. The means of funding these repayments is to include a component in each half-yearly general irrigation rate declared by the Trust to meet the amount payable to the Government annually.

Development of certain areas within the Trust's district contiguous to the Renmark township for residential and industrial purposes is reducing the rateable area of the district in that vicinity. This gradual encroachment into the district, which is an inevitable consequence of growth in the Renmark municipality, is slowly reducing the revenue earning area for the Trust. Unfortunately the design of the irrigation distribution system is such that the Trust is unable to declare other areas rateable at the extremity of the district to compensate for the loss adjacent to the township.

In the 38 years since the end of the Second World War, some 130 hectares of rateable land has been developed into residential area. It is conceivable that a similar area will be developed during the remaining 38 years of the loan repayment programme. Because the Trust is unable to develop areas at the extremity of the district to compensate for the loss of a possible further 130 hectares from the present rateable area of 4 434 hectares, during the next 30 years or so, the remaining ratepayers could each be required to contribute up to 3 per cent per year more towards the loan repayments. In view of the above circumstances the Renmark Irrigation Trust has requested that the Renmark Irrigation Trust Act, 1936, be amended.

It is considered that the amendments made by this Bill will result in an equitable distribution of repayment of the Government loan among the ratepayer community of the district irrespective of any reductions in the rateable area which may occur during the term of the repayments.

Clauses 1 and 2 are formal. Clause 3 inserts new section 124a into the principal Act. This section requires payment of a sum representing the landowner's future contributions to repayments by the Trust of loans for rehabilitation of the irrigation and drainage works. Subsection (3) ensures that money paid under subsection (1) will be used for this purpose by the Trust.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

The SPEAKER: Call on the business of the day.

'KOOROOROO'

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That this House resolves to recommend to His Excellency the Governor, pursuant to sections 13 and 14 of the Botanic Gardens Act, 1978, disposal of the house known as 'Koorooroo', in the Mount Lofty Botanic Garden, part section 840, volume 2017, folio 108; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

In July 1979, the then Minister for Environment approved the purchase of 2.57 hectares of land and a house for addition to the Mount Lofty Botanic Garden, hundred of Onkaparinga, part section 840, volume 2017, folio 108 (Board minutes 6 July, 1979). The cost of this purchase was then $80 000. The purchase of the land was initiated to increase the size of the Botanic Garden adjacent to Piccadilly Road.

The House, known as 'Koorooroo', which was built in 1950, now requires upgrading and extensive internal repair. Although it is presently rented to a member of the Botanic Garden staff, another house already exists next to the lower entrance to Mount Lofty Botanic Garden, and it is considered that only one staff residence at Mount Lofty Botanic Garden is required for security purposes in that section of the garden. As the latter residence is in a better state of repair, and as 'Koorooroo' will cost an estimated $15 000 to $20 000 to reinstate, the Finance Committee of the Board of the Botanic Gardens has recommended that the house be sold, with an appropriate parcel of land giving access to Piccadilly Road. The Board accepted this recommendation.

The Board has been advised that the estimated market price of the residence, with an associated 0.8 hectares of land adjacent to Piccadilly Road, is $80 000. The displayed plan shows how the proposed new boundary alignment of the Mount Lofty Botanic Garden could be achieved by the disposal of the house and a small parcel of land. The Board of the Botanic Gardens has power to dispose of real property, as stated in section 13 (2) *(f)* of the Botanic Gardens Act, 1978, but the disposal may only take place in pursuance of a resolution passed by both Houses of Parliament. There is no impediment to the Board disposing of the house or an associated parcel of land other than the abovementioned provisions of section 13 and also section 14 of the Botanic Gardens Act, 1978. Disposal of the house and associated land would represent a cost saving in maintenance of the house, and retention of the balance of the land would not reduce the amenity of that part of the Mount Lofty Botanic Garden which has not yet been developed with public displays.

On 2 April 1984 Cabinet approved disposal of the parcel of land marked 'A' and 'B' on the map. Disposal of the house marked 'C' will complete the rationalisation of the boundary. The Board considers that long term savings in maintenance of the house can be obtained from its disposal and revenue from the sale should be put back into further development of Mount Lofty Botanic Garden in the areas of:

(a) a public interpretive centre adjacent to the upper car park, and

(b) restoration of fire damage adjacent to Summit Road and upgrading of Crafers Quarry.

It would be necessary to subdivide part of the section 840, volume 2017, folio 108, parcel prior to disposal. I commend that this House resolves to recommend to His Excellency the Governor that, pursuant to sections 13 and 14 of the Botanic Gardens Act, 1978, disposal of the house known as 'Koorooroo' in the Mount Lofty Botanic Garden, part section 840, volume 2017, folio 108.

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

ELECTRICAL WORKERS AND CONTRACTORS LICENSING ACT AMENDMENT BILL

The Hon. R.G. PAYNE (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to amend the Electrical Workers and Contractors Licensing Act, 1965. Read a first time.

The Hon. R.G. PAYNE: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This short measure seeks to amend the penalties provided for offences against the principal Act, the Electrical Workers and Contractors Licensing Act, 1965, so that they correspond with the penalties in other measures of a similar nature. The penalties have not been altered since 1965, when the principal Act was enacted, and it is clear that the time has come for the penalties to be reviewed and increased. The proposed alterations have been considered both by the Electricity Trust of South Australia and the Electrical Trades Union of South Australia and both organisations support them.

Clause 1 is formal. Clause 2 amends section 7 of the principal Act which prohibits persons from carrying out electrical work, or from holding themselves out as electrical workers or contractors, unless they are licensed under the Act. The effect of the amendments is to increase from $100 to $500 the penalty for a contravention of the section. Clause 3 amends section 13 of the principal Act which provides for the making of regulations. The penalties which may be provided under the regulations are lifted from $100 to $200 and, in the case of continuing offences, from $10 to $20 for each day on which they continue.

The Hon. E.R. GOLDSWORTHY secured the adjournment of the debate.

CARRICK HILL TRUST BILL

In Committee.

(Continued from 12 February. Page 2402.)

Clause 13—'General functions and powers of the Trust.'

The Hon. D.C. BROWN: I move:

Page 4, line 32—Leave out subparagraph (iv).

When debate on this Bill was adjourned last week, I was in the process of moving my amendment. To recapitulate to the Committee, I had raised a number of issues, particularly conflicts between what I saw as the terms of the will as laid out by Sir Edward and Lady Ursula Hayward and the terms of the Bill then before us in Parliament. In particular, I stressed that there were two areas where I thought there were very serious conflicts, the first of which related to the authority of the State to sell some of the land with simply the approval of the Minister when the will had been quite intentional in leaving the land to the State. If the State did not wish to take up that grant, it should pass to the National Trust. If the National Trust did not wish to take it up, it could either sell portion of that land or pass it on to certain personal beneficiaries under the will.

However, it was quite clear that if the State wished to take up the offer of Sir Edward and Lady Ursula Hayward—that is, the gift of the land to the State which included the house and artefacts that were in it—it was up to the State to look after it and to do so properly. Certainly, it was morally wrong for the State then to have the right simply to turn around and sell off portions of the land.

The other area that I highlight is that I took very strong exception to the fourth proposed purpose for which the property could be used—as a venue for musical or theatrical purposes. The will was very specific: it laid down four possible uses—as a Governor's residence, an art gallery, a museum or botanic garden, or for any one or more of those purposes. In this Bill, the State Government has put in an additional fifth provision, although it cut out the provisions of using it as a Governor's residence, which is its prerogative. It put in an additional one—as a venue for musical or theatrical performances. It was quite clear that again the Bill in that regard was in contradiction of what was in the wills of Lady Ursula and Sir Edward Hayward. My amendment seeks to leave out subparagraph (iv) of clause 13 (1) *(a)*, the reference to 'as a venue for musical or theatrical performances', so that the Bill is brought into line with the original wills.

The Hon. J.C. BANNON: In the time that this matter has been adjourned, I have had the opportunity to look in some greater detail at some of the matters put before the House by the member for Davenport and to discuss it with our advisers and the manager of the Carrick Hill Trust. It is clear that there is some validity in what the honourable member has had to say. The Committee will deal in more detail with one aspect of that when it comes to a further amendment. However, in relation to this amendment, while I still believe that it is not inconsistent with the wishes of Sir Edward and Lady Hayward that they would see Carrick Hill as being used for the purpose of musical and theatrical performances (indeed, as I explained to the House on a previous occasion, it was their practice so to do when they were in residence there), the point made by the honourable member that to put it in the list of central functions under subclause (1) *(a)* is to erect it to too great a prominence. Also, I accept that it may cause some concern to those who fear the unrestricted use of a venue for those purposes.

It is true that the will itself specifies a gallery, museum and botanical gardens (embodied in subparagraphs (i), (ii) and (iii)): it does not specify musical or theatrical performances. It is worth saying that it does not exclude them, and 'theatrical or musical performance' is, I contend, consistent with the proper use of Carrick Hill. However, on reflection I agree with the honourable member that to place it as a central function of the Trust is to give it undue prominence and not to take proper account of the gallery, museum, botanical garden context in which musical or theatrical performances should take place.

Accordingly, I am happy to support the amendment moved by the honourable member and foreshadow an amendment which I have on file and which would insert an enabling provision in an ancillary functions clause. I think that the honourable member will find it satisfactory if it is hedged with the appropriate qualifications.

The Hon. D.C. BROWN: I appreciate that the Premier has now gone away and looked at the wills in detail. That is why last week I read to this House the fairly extensive detail of the wills. I am pleased to see that the placing of that detail before the House has encouraged the Government to rethink its stand on the issue, and I thank the Premier very much. I said last week that I did not object to music being carried on as a secondary function within Carrick Hill. I certainly have no objection to chamber music being played, because it is compatible with an art gallery or museum. Certainly, I had no objection to perhaps an occasional band performance on, say, a gala day on the grounds at a reasonable time for a short period, because I believe that that is compatible. There is a bandstand in the Botanic Gardens, and occasionally there are such music performances. However, I was distressed to see it as a primary function. That is the main objection of the residents. We appreciate that the Government has reassessed its stand on this and has agreed to the amendment.

Amendment carried.

The Hon. J.C. BANNON: I move:

Page 5, after line 11—Insert new paragraph as follows:

(ga) provide musical or theatrical entertainment at Carrick Hill;.

I believe that we have anticipated the reasons for this amendment. We are transferring that power from a central function to one of the ancillary functions which the Trust

It is true that a cursory examination has been made of the possibilities involved, and there are areas which would lend themselves to that severance without destroying the overall viability of Carrick Hill. Where that cannot be done, Carrick Hill is dependent for its development and ongoing finance, particularly its capital works, I would believe, on the State and the State's revenue, and that can change with financial circumstances and the policy of the Government so, in a sense, a greater vulnerability is created than was contemplated by the Government inserting this provision in the original Bill.

However, all that aside, I agree with the interpretation placed on the intention of the will by the member for Davenport, in that there seems to be, reading its terms, a clear distinction between what could occur if the State took advantage of the bequest to it as opposed to what could be done by the National Trust. I could imagine that in the minds of the Haywards was the fact that if the State took it over—and the State was given first option to do so—the State had the resources to maintain and develop the real property without having to sell any portion.

On the other hand, if the State did not take it up, it was their intention that the National Trust did, but the financial status of the National Trust and its resources were such that they contemplated that body being able to sell portion of the property in order to maintain and develop it. There was that distinction, and I think that that is clear from the reading of the will, so while the original proposition has merit in terms of both practical effect and its legal soundness, on reflection, the Government believes (and I am moving this amendment because we believe) that it does not properly reflect the terms of the bequest.

That poses problems for the Government in terms of finance which can be made available for Carrick Hill, but that will have to be grappled with after the establishment of the trust and as the development plan, which has been referred to earlier, is developed. In that case, the amendment I move provides that such disposition of real property can be made only with the approval of both Houses of Parliament. It leaves untouched subclause (5) with an amendment which I have foreshadowed. Paragraph *(a)* simply provides that in respect of real property it cannot be sold without the approval of both Houses of Parliament. I think that that provides adequate safeguards and flexibility for any contingencies which might arise.

I refer in passing to the National Trust and its rights. It is clear, both at law and in the terms of the will, that the National Trust rights in this respect lapsed with the Government's action in taking up its bequest. In other words, the will provided that the Government should have first option; if it did not exercise that option within a certain period, the property reverted to the National Trust. However, the State having exercised that option, all references to the National Trust and any residual rights it might claim to have, were eliminated.

Incidentally, that is not to say that at some time in the future the National Trust may not have an interest in Carrick Hill or be involved with it in some way, which matters would be facilitated by an amendment to the Act. The framework that we are providing is for the Carrick Hill Trust. I believe that the amendment covers the concerns of the member for Davenport and reflects more truly than the original proposition the testator's wishes in relation to the bequest.

Amendment carried.

The Hon. D.C. BROWN: I move:

Page 5, lines 26 to 28—Leave out subsection (5) and substitute the following subsections:

(5) The Trust shall permit members of the public to enter and leave Carrick Hill only through a gate situated on the western side of Carrick Hill.

(6) The Trust must make sufficient provision within the precincts of Carrick Hill for the parking of motor vehicles used by members of the public visiting Carrick Hill.

(7) The Trust shall not, so far as is practicable cause, suffer or permit Carrick Hill to be used in any manner or for any purpose that may generally disturb or annoy people who reside in the vicinity of Carrick Hill.

Despite the two significant amendments which the Government has now accepted and to which I have already referred, there is still a general concern about how Carrick Hill will be developed. In a letter forwarded by the Premier last year to some of the nearby residents he gave them an assurance that a development plan would be put to the Mitcham council and that the local residents would have a chance to comment on the plan. During the debate in the House last week the Premier reaffirmed that undertaking. When I asked when the plan would be forwarded to the council the Premier replied that it was still being prepared but that when it was completed it would go to the Mitcham council, where local residents would have a chance to comment on it.

Five days after having given that assurance the *Sunday Mail* of 17 February reported that $343 000 would be provided by the State and Federal Governments for development work at Carrick Hill and that work would be undertaken under the Community Employment Programme. We know that there are conditions attached to work done under this programme and that the work must get under way. It was reported that work for up to 26 weeks for 23 people would be provided during stage 1 alone, and that stage 1 of the grant would involve $194 599, which would be used to restore formal gardens and develop new gardens. I would have thought that that would be part of the development plan, and that before money is spent that plan should be approved.

It was further reported that the second part of the project would involve regeneration of the area under natural vegetation outside the formal gardens, which would cost $55 000, $38 000 of which would be contributed by the Federal Government. An assurance having been received in writing 12 months ago from the Premier that a development plan would be approved and then be available for public comment, it is disappointing to then read a Government press release indicating that a quarter of a million dollars is to be spent almost immediately, while the development plan has not yet been finalised let alone presented to the Mitcham council and made available for public comment. One would assume that it would take at least three months for the development plan to be finalised and presented to the Mitcham council and that it would be available for public comment for at least four to six weeks, after which the council would have a chance to consider the matter, following which the Government would then further consider it.

In fact, one would assume that a development plan could not be finalised until the Trust has been established. Funds allocated by the Commonwealth under the Community Employment Programme must be spent within an allocated time, and that condition must be complied with. However, I feel that we have been deceived, and I know that the residents are concerned. I have received a further letter in which the Premier would be interested since the debate in the House last week from yet another resident expressing grave concern about this matter. The amendments that I have proposed are simple. I understand that an assurance has been given, at least verbally, that the public will be allowed entry to and exit from Carrick Hill only at Fullarton Road. If that is the intention, why not have that written into the Act to ensure that it is there in black and white and that everyone understands it? I understand that some

attempt has already been made to provide on-site parking, and I appreciate that effort and the speed with which that was done, following the rather dusty and overcrowded conditions that occurred last year when the property was opened for two public exhibitions.

New subsection (7) concerns an assurance that whatever activity is undertaken at Carrick Hill is not in conflict with the residential nature of Burnside. I remember, when I was Minister, a discussion I had with Sir Edward Hayward about Carrick Hill. I was sitting next to him at dinner one evening, and we talked about future uses for Carrick Hill. He assured me that he wanted to see the property continue to be used for public purposes, as provided for under this Bill, but in a manner compatible with the area, particularly having regard for the rural and natural setting of the area and the fact that it was set in the centre of Springfield with a high class residential area surrounding it.

The three proposed new subsections are perfectly reasonable and are in line with what the present Director of Carrick Hill has in mind, with what the Premier has expressed to me and with what the Director and the Premier have expressed to local residents who have written to them. I do not see this causing any conflict or difficulty. All that I and local residents would like to see are these provisions written into the legislation in black and white and to thus have an assurance that these conditions will prevail no matter who is the Director or the Premier. I think that these provisions will enhance the development of the property and that this is the appropriate time to provide for that, and I ask the Premier to look at the matter.

A number of local residents have asked that the entrance from Fullarton Road be moved farther south. At present the existing entrance is immediately adjacent to the houses on Fullarton Road. There is an extensive area of land farther south towards the rubbish dump, if I can call it that, where a new access road could be cut without a great deal of difficulty. This would at least mean that vehicular access would be more than just 15 or 20 metres from existing houses. I ask whether the Government will consider this matter for the convenience of the people who live in the Coreega Avenue area and who have asked that the Government look at this proposal.

The Hon. J.C. BANNON: I oppose the amendments. In my view not only are they are unnecessary but if written into the Act these provisions would be very restricting on the way in which the Carrick Hill Trust can operate in future. I do not think that these are the sorts of things that should be written into the Act. I believe that there are appropriate safeguards for the residents in this area, and it should be borne in mind that the interests of residents are being balanced against the overall public interest in relation to this facility. Considerable care is being taken to ensure that annoyance or disturbance of the environment does not occur. The overall development of the grounds of Carrick Hill will greatly improve the environment. The fact that Carrick Hill is secure from subdivision and deterioration due to its being administrered by a trust under the aegis of the Government is a very positive asset to the residents of the area. I would have thought that the residents would be fairly enthusiastic about what is happening because it is something that will enhance their residential area. Be that as it may, I will deal with each of the points made.

In relation to the entrance to Carrick Hill, as I understand it, the entrance will now be moved to the south and the redesign involved in that will mean that there will be more privacy and traffic congestion will be reduced within the residential area on Fullarton Road because the new entrance will be away from any existing residential development. It will have an added advantage in that it will provide a more scenic entry to Carrick Hill. The proposed entry road will be over higher ground, giving fine views of the city and leading down to the native bushland towards the garden itself, so there are a number of aesthetic and practical considerations that mean that the redesigned entrance will be of great benefit to the property and its neighbours. That, of course, is still in the process of finalisation. However, to restrict entrance and exit to and from that one side of the road effectively to Fullarton Road—

The Hon. D.C. Brown: Only to the public, not to the staff.

The Hon. J.C. BANNON: One questions, then, the value of it. Perhaps there is more nuisance from delivery vehicles and things of that nature using it than from members of the public. However, it is also true that the Meadow Vale entrance, the back entrance, is used by visitors. At particular times it is much more convenient for groups of tourists to get easier access to the house for guided tours, for instance. There are all sorts of reasons why flexibility should be involved. I think it would be unreasonably constraining to confine the public entrance to only one side, although quite clearly it is the intent of the Trust that that will be the main entrance. That is what will be used on open days and it will be designed accordingly. That redesign will take account specifically of the concerns of the residents.

It will be important to provide adequate parking within the grounds, and any master plan will have to involve appropriate parking for cars and buses. It would be quite impractical not to do so, particularly when one recalls that from the proposed point of entry to the front door of the house is approximately one kilometre, which is a far greater distance than one would expect visitors to walk. Parking facilities within the grounds are considered essential, a basic requirement, and there is no need to write that into the Act and constrain the Trust in relation to how it is done.

On the question of disturbance and annoyance, we have covered the question of the Noise Control Act and an earlier point was made about the Clean Air Act also applying as well as other general provisions but the Trust obviously will be sensitive in its administration of Carrick Hill to ensure that there is no undue nuisance or disturbance. I use the word 'undue' because we as members of Parliament have all come across cases where people have particular sensitivities which are difficult to address. Quite clearly, there must be some sort of balance between these concerns. I do not believe there will be any problems in that regard because of the nature and size of the property.

On the question of the CEP grant, it did provide a marvellous opportunity to get some work done quickly on the grounds, which have deteriorated over time. That occurred before the Government took over the property. It is a very large property and the staff and I guess Sir Edward's and the second Lady Hayward's energies in this respect obviously made it difficult for them to continue developing the property surrounds in a way that might have been done 20 or 40 years ago. Obviously, a lot of work has to be done in order to bring it to a standard where it can reflect the display around the more immediate environs of the Carrick Hill house itself. The CEP grant provides an opportunity to do that. Funds are available but they are available conditionally in terms of how and when they are spent.

The plan on which the CEP project is based is part of the overall development plan which is still in the process of being completed. I believe the Trust, once appointed, must play a role in assessing that longer term master development plan before it is taken any further. That aspect of the plan dealing with the grounds for the purpose of the CEP project has been referred (and perhaps the honourable member would be interested in this) to both the Mitcham council and the Planning Commission so that they can cast

may perform to assist it in carrying out the primary purposes of gallery, museum and botanical garden. In this context, such musical or theatrical entertainment as is provided should be compatible with the nature of Carrick Hill. In other words, it would not be my intention to see the Trust conducting (nor would I imagine that it would be the Trust's intention to conduct) a series of open air rock concerts in the grounds, which would be incompatible, especially in the present circumstances, with the use of Carrick Hill.

On the other hand, I believe that some flexibility must be allowed to the trustees. There is always the further fallback position that, if problems arise from the Trust's approving particular types of music and entertainment events, the Minister can exercise a reserve power in that instance. Again, I suggest (and this is relevant to some of the matters that have been raised) that Carrick Hill will be covered by things such as the Noise Control Act. This matter has been raised in a couple of contexts and it is relevant in this one. Section 4 of the Noise Control Act of 1976 provides that the Crown shall be bound, and therefore its statutory authorities are bound. The appropriate safeguards are there in the fairly unusual eventuality that the residents find objectionable the sort of things that will go on at Carrick Hill. Flexibility must be provided. It is suitably provided within my amendment.

The Hon. D.C. BROWN: I appreciate the assurance given by the Premier that any music or theatrical performance will be compatible with the uses of Carrick Hill. I was going to seek the Premier's assurance that the performances also be compatible with the residential nature within which Carrick Hill is situated. The Premier has probably already given that assurance by saying that the Noise Control Act does bind the Crown and that at all times we can expect that the activities at Carrick Hill will have to conform to the Noise Control Act. That is an added safeguard for the residents, particularly with their main concern, namely, a loud pop or rock concert or other unsuitable music that may be played at 11 p.m. or 12 midnight or even a fraction earlier in the evening.

The Hon. J.C. Bannon interjecting:

The Hon. D.C. BROWN: I enjoy that sort of music at the appropriate time.

Mr Plunkett: You're getting past it.

The Hon. D. C. BROWN: Certain members of my family tell me the same thing: that I am past it. I tend to object to that music at 6.30 in the morning with the new radio alarm clocks. I appreciate the assurance that the Premier has given on that matter. When he gets to his feet at some later stage, I ask the Premier to give an assurance that any such performances will be compatible with the residential nature of the area and not only with the purposes and functions of Carrick Hill.

Amendment carried.

The Hon. J.C. BANNON: I move:

Page 5, after line 25—Insert new subclause as follows:

(4a) The Trust shall not, without the approval of both Houses of Parliament, sell or otherwise dispose of any of its real property.

The Hon. D.C. BROWN: I am going to accept the Premier's recommendation and, in doing so, I will indicate why I am willing not to proceed with the other amendment in my name. The principal point is that the will as laid down by the Haywards was specific in saying that Carrick Hill should go to the State, and the Premier of the State had six (or, in certain circumstances, 12) months in which to accept that gift and, if the State did not wish to accept it, it should go to the National Trust. The National Trust would have the right to sell portions of the land but, if the National Trust did not want the property, it should become part of the residue of the estate left to certain relatives, although I do not believe that we should go into the personal details.

The intention of Sir Edward and Lady Hayward was clear: if the Government decided to take up the gift, the State had a moral obligation to look after it in perpetuity, and only under the most exceptional circumstances should any of that land (certainly the land with the home on it) be sold. The original Bill gave the State the right to sell that land simply with the approval of the Minister, and I believe that that was an inadequate safeguard, because one day we may have a Minister in office who, for some reason, may hold Carrick Hill in low esteem and decide that it is of so little importance that it should be sold and the money used elsewhere. Where someone leaves a gift of such value to the State, it should not be placed at such risk. Only this Parliament should have any say in whether that gift can be sold.

I think the Premier has accepted that point and has therefore moved this amendment, which I am willing to accept. It is a refinement of what I put forward indicating that, if the State did wish to sell it with the approval of both Houses of Parliament, initially it should revert to the National Trust. The will does not say that. One could say that I simply followed the precedent laid down on the options, and there is no intention that that should be carried forward to some future date.

I am happy to accept the point of view that the National Trust has no further right because the State has accepted the property, but I say equally that the State should not have the right to sell the land without the approval of both Houses of Parliament. That provides the adequate safeguard for which I and many Springfield residents were looking. I accept that and give my clear intention not to proceed with the new clause, because the amendment with which we are now dealing picks up the point I was trying to make in that amendment.

The Hon. J.C. BANNON: First, I refer to the Bill in its original form. It is clear that Parliament does have a power to make such a provision. Any Statute passed by Parliament in respect of property will have effect according to its tenor, notwithstanding any provisions of a deed or will, so there is no point of law which could be drawn if the Statute varies the terms of the trust, and there is a host of precedents for that. Nothing contemplated in the original Bill went beyond the powers which Parliament properly has.

Where the confusion arose (and our re-examination prompted me to move this amendment) was that Sir Edward and Lady Hayward, in the terms of their will, contemplated a portion only of the land being capable of disposal in order for the money to be used for the purposes of the trust and, presumably, the refinement and improvement of that portion which remained. However, that clause of the will related specifically to a situation where the National Trust had control of the land.

In our approach to this matter the assumption was made—a reasonable assumption perhaps—that there was contemplated some power of disposal in order to generate income to operate Carrick Hill. That is an attractive proposition as far as the State is concerned in terms of securing the long-term viability of Carrick Hill, because unless Carrick Hill is able to generate income—it would be very difficult for it to generate sufficient income for it to be properly maintained and developed simply from events and visitors—and in order to provide some firm capital base, it may have been possible (and certainly, as I say, it was contemplated in the will if the National Trust had taken it over) that a portion of the land could be sold to provide those capital funds. That would have to be done very carefully; it would have to be properly planned and consonant with the nature of the Carrick Hill land.

their eyes over it and indicate whether or not they find it satisfactory. Even to the extent that work going on—

The Hon. D.C. Brown: Can I look at the plan?

The Hon. J.C. BANNON: The honourable member can certainly look at it. Perhaps if he contacts Mr Thomas he can arrange to show him what is involved in the development project. That is an aspect of the overall master plan which is still in a stage of development and will await the sanction and any variations the Trust, when it is appointed, wishes to make. I think that, with all those assurances and that understanding of the process involved, the amendments do not commend themselves, and accordingly the Government opposes them.

The CHAIRMAN: Now that the Premier has indicated his opposition to the amendments of the member for Davenport, it will be necessary for the Premier to move his further amendment to line 27. This will safeguard the Premier's amendment in the event of the first amendment being lost.

The Hon. J.C. BANNON: I move:

Page 5, line 27—Leave out "any of its real property or".

It is supplementary to (4a).

The Committee divided on Hon. D.C. Brown's amendment:

Ayes (21)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown (teller), Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, Rodda, Wilson, and Wotton.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon (teller), Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

The Hon. D.C. Brown's amendment thus negatived.

The Hon. J.C. Bannon's amendment carried; clause as amended passed.

The Hon. D.C. BROWN: I do not wish to proceed with my new clause 13a.

Clauses 14 to 18 passed.

Clause 18a—'Opening and closing times to be fixed with approval of council.'

The Hon. D.C. BROWN: I move:

Page 6, after line 31—Insert new clause as follows:

18a. No times for the opening or closing of Carrick Hill, or any part of it, to members of the public shall be fixed under this Act without the prior approval of the Corporation of the City of Mitcham.

I do not intend to restrict, nor do I believe that my new clause restricts, access for unusual visits to Carrick Hill. However, it establishes that certain hours will be fixed (in consultation with the Mitcham council) as the public hours during which Carrick Hill can be open. I have moved to insert the clause because it has already been announced (I think by the Premier and certainly by other persons) that Carrick Hill will be open to the public on a regular basis: on two or three week days and certainly on Saturdays and Sundays.

I believe that people have the right to a certain amount of privacy and peace during some of the weekend and that people can expect that, where there was previously a residential home alongside many other residences that will now be a large public area which, based on the figures that have been obtained from the initial statements, might be visited by 2 000 or 3 000 people in a week, considerable noise, including that of normal traffic, will be experienced. There will be the sort of activity that is produced by many people coming and going. If 2 000 or 3 000 people are coming to a venue, and most of those come over the weekend, we should at least be sensitive to the impact of that traffic on the surrounding homes.

If, for instance, people wish to have a barbecue on Sunday evening, they should be able to have one with predictability and without having 500 people descending on the property next door, making the appropriate amount of noise. Although I am a strong supporter of such development of Carrick Hill and I do not want to inhibit that development, nearby residents deserve a predictability as to when the property will be open or closed and some say through their local council as to when that should occur. My new clause provides for the sort of consultation that the community has come to expect. Having seen facilities overseas where such consultation takes place with local residents, I believe that the new clause is reasonable and local residents are fighting strongly for it.

The Hon. J.C. BANNON: I cannot accept such an onerous restriction on the Trust. True, it would be expected that Carrick Hill would be open on week days and certainly at weekends during the normal opening hours of museums and similar institutions. There will also certainly be receptions and performances held at Carrick Hill after hours. However, the interests of nearby residents are properly protected. It is appreciated that they should not be disturbed unreasonably.

However, if one looks at the size of the grounds and at the distance of the house from the nearest residences, the fact that the new proposed public entry and exit will take it further away from residential property and therefore reduce traffic noise to a minimum off Fullarton Road, one sees that very adequate safeguards are provided for residents. In fact, I think that residents could expect to find more disturbance to their privacy and quiet enjoyment of a weekend by their neighbours holding an unscheduled barbecue than from anything that goes on at Carrick Hill. So, I do not think that their fears have a basis.

Further, the Trust itself will obviously be sensitive to getting on with its neighbours. I hope that we can have on the Trust at least one person who is drawn from that general neighbourhood, as our earlier discussions in the course of this debate indicated.

Again, one would expect that person to be able to speak for the interests of residents if they were being unreasonably interfered with by the opening hours of the Trust. Again, consultation by the Trust with the council is probably appropriate. I guess that for a start, in order to publicise the opening times of Carrick Hill, the Trust will be using all sorts of means, including the co-operation of the local council, so that people know when it is open and when it can be available and therefore are not disappointed on arriving and finding it closed.

I am sure that there will be discussions with the Trust and any interested parties on that matter. However, ultimately the Trust ought to have control of its own opening and closing hours, because so many other factors are involved—deployment of staff, demands of the public and the type of functions that may take place. All those mean that the Trust must have that flexibility, which it would be denied under this amendment. Again, I give the assurance that the Trust will be sensitive to the interests of residents, but it must have power to fix the hours.

The Hon. D.C. BROWN: If the Premier will not accept this amendment, I ask that the general opening and closing times be part of the proposal that is put in the development plan for the Mitcham council so that at least the residents, in looking at that development plan (and I think that opening and closing times are a part of any development that takes place) could at least have some say about those times. The Premier has said that residents' views will be taken into account. I am searching for a mechanism whereby the res-

idents can express an opinion on that. I ask that those opening and closing times be included in the development plan and that they have a chance to comment on it at that time.

The Hon. J.C. BANNON: They will certainly be included, and the residents are quite free to approach the Trust by letter, telephone call, or whatever, if they believe that there are some problems with it. Again, I think that the point is not what those hours are or how the consultation or input is handled: ultimately this amendment is about constraint on the Trust, which would be acceptable.

Mr BAKER: I presume from the Premier's answer that he will undertake to place it in the development plan for scrutiny by the Mitcham council. It is probably appropriate for me to mention to the Premier, because this matter will be referred to the Mitcham City Council, that there has been a significant amount of controversy about road development in that area, particularly the Fullarton Road, Taylors Road and Old Belair Road thoroughfare and highway that will be constructed in that area. Some problems are arising because of the speed of the traffic that will go through that area.

Hours of operation could be quite critical, remembering that Mercedes College is virtually next door to Carrick Hill. To say that traffic is chaotic when parents pick up children is probably an understatement. So, there are a number of considerations in this area. Very importantly (and the Premier might like to refer this question to the Highways Department and Minister of Transport), as the road is now designed there will be only limited access from the top end of Fullarton Road on to the main thoroughfare, because there will be a cut-out in the road which will allow approximately two cars to enter from there. So, if there is any volume of traffic at Carrick Hill some enormous problems of access will arise.

I signal that point because, if we have a significant number of people leaving Carrick Hill at any one time, there will be diabolical problems in getting them on to Fullarton Road, Maitland Street or Taylors Road—whichever direction they are heading. We have been negotiating with the Highways Department on allied matters, but we have not raised the question of Carrick Hill.

I am reminded today that Carrick Hill is a significant development in the area and that it will have a profound impact. There will be enormous problems unless we get the people from Carrick Hill out on to Fullarton Road. I signal that for the Premier's attention, because the last thing we want to see is traffic being banked up from the gates of Carrick Hill to the Fullarton Road intersection and not being able to get out into that area. That will happen, and they will probably flow down further west in order to try to get on to the major carriageway, which they cannot do, either. That area is effectively locked off from major traffic movement to the highway.

I do not know the solution at this stage, but I ask the Premier to refer this question to the Highways Department because, now that I think about the impact of Carrick Hill, I find that there will be some insoluble problems unless something is included in the design of the road to allow the passage of cars.

The Hon. J.C. BANNON: I will get the Director of Carrick Hill to take up the matter with the Highways Department.

Amendment negatived; clause passed.

Remaining clauses (19 to 23) and title passed.

Bill read a third time and passed.

POLICE REGULATION ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 February. Page 2477.)

The Hon. B.C. EASTICK (Light): At the outset, I indicate that I intend, on behalf of the Opposition, to support the Bill to the second reading stage when, in due course, amendments will be moved that I believe will enhance the action that the Government is seeking to take. The Bill has been introduced as a consequence of a rearrangement within the Waste Management Commission. The former Chairman of the Waste Management Commission has been removed to allow a new scheme of administration involving a joint director cum Chairman of the Commission. Mr R.G. Lewis, Deputy Director of the Local Government Department, has been placed in that position and, indeed, has already taken up the office, the Minister having made the announcement in October last year. Dr Symes, who had been responsible for the chairmanship of the Waste Management Commission over a period of time from its inception, graciously stood aside to allow that arrangement to take place.

It is a measure of the man that Dr Symes accepted that position because he was, and had been throughout (indeed I believe still is), vitally concerned and interested in the whole proposition of a waste management plan to benefit the whole community. Here the Government seeks to provide a means whereby the expertise of Dr Symes can be retained for the purpose of the Commission, and the Opposition would have no problem with that whatsoever. However, it is the method of approach over which there is a question. It is wrong in principle that the size of boards, commissions or other similar organisations become larger and larger. We could have a degree of argument as to over-government and over-regulation. However, I do not want to introduce those aspects.

Suffice to say that the South Australian Waste Management Commission, which has been in existence only since 1979, commenced with seven persons on the board. It did the preparatory work, and subsequently, in 1983, with the concurrence of members on this side, the number of members on the Commission was increased from seven to nine. There was some question at the time whether it was not extending the numbers rather further than need be, but the Government's proposition sought to introduce new expertise into the Commission. One person had a particular knowledge of environment and planning and the other was a person who knew something of the hydrological problems of waste materials and fluids escaping into the aquifer, which might cause some difficulty. With its additional expertise, the Commission has now come forward with a 10-year plan.

This document was abroad for debate and discussion and was one about which some heat has been created because certain decisions appear to have been made even before the closure date for the responses to the plan. I believe that those matters have been sorted out, but it is an area where there was no controversy and where there was complete accord amongst the people directly involved. The Waste Management Commission made a move so as to gain the benefit of time. If it has the effect of bringing proper waste management control into existence and overcoming a lot of the difficulties that now exist around small dumps, which,

in many instances, are almost at the end of their life, so be it.

The creation of regional dumps with greater resources at the one site will inevitably lead, provided that we do not get into the grips of other organisations that demand demarcation requirements and increased staffing for the sake of staffing, to an additional resource that will benefit the provision of a managed dump in relatively close proximity to the various regions of the State. The Opposition is happy with those issues.

It is a compliment to the Government that it recognises some of the difficulties that the Waste Management Commission or, more particularly, the Department was having in the community. A great number of problems had been raised on the floor of this and in another place about what may have appeared to be procrastination or undue delay. Questions of favouritism and whether everyone had received their just desserts were also raised. Indeed, in court actions findings were made in favour of litigants and against the Commission. The new plan of management will probably overcome that difficulty.

I would be the first to be critical if it does not, in a fairly short time, enhance the public image of the Department and the Commission and overcome the confrontations which have occurred in the past. It is no criticism of the Chairman of the previous Commission. I suppose that it is by inference a criticism of the management at departmental level. Nobody is criticising the expertise involved. However, one would have to question, as I have questioned on previous occasions, the expertise of public relations personnel and the dialogue that has taken place on a number of occasions between the interested parties. The provisions made by the Government in appointing Mr Lewis will overcome those difficulties. Evidence already exists that some of the problems have dissipated and that the whole process has been possible because of Dr Symes being prepared to stand aside.

In the document that the Minister has presented to the House it is proposed that it would be wrong to lose the expertise of Dr Symes, other places on the Commission having already been filled. A Commission of 10 is therefore proposed on this occasion. The Opposition will offer an alternative to that proposal, which it believes gives greater flexibility and allows for any Government, in consultation with its Commission, to make use of expertise that might be available in the universities, colleges of advanced education or other such facilities on short-term bases, thereby enhancing the overall programme.

I conclude my remarks by saying that the 10-year plan as circulated contains a few areas of contention. I would like to believe that the Commission is advancing at the fastest possible rate to address these concerns and to finalise a document which can be put into place and which will provide a very worthwhile waste disposal programme for the State for many years to come. It involves not just the disposal of household refuse but the identification of what is refuse from the industrial area, a matter of making better use of some of that refuse and of introducing people who have created the refuse to people who can use it.

I know that the Commission is addressing all those matters. I wish it good speed in advancing the cause at the earliest possible moment whilst, at the same time, drawing attention to the fact that the whole programme needs to be economically viable for the participants. A method of registration or licensing of trucks at fairly exorbitant rates is not in the best interests of a final programme, and I hope that that matter will be taken heed to. It is hardly necessary, in relation to this simple Bill, to canvass that matter at any length, but it is an area of grave concern currently. The Minister needs to take heed of it if he has not already done so. Indeed, Opposition members would be happy to discuss with the Chairman or other officer of the Commission the faults that they see in this licensing activity. I support the second reading.

Mr BAKER (Mitcham): I support the remarks made by my colleague the member for Light on this Bill. As the Minister is well aware, the Liberal Party opposes the extension of committees and additional positions where it does not believe that they are needed. Certainly the Minister, in his second reading explanation, has suggested that an extra body of expertise is required on the Waste Management Commission and, as my colleague has said, we are not going to quarrel with that. Whether we should embody that in legislation and allow the expertise of one person to be recognised is a question with which the Minister must come to grips, although I am opposed to positions being created and remaining within the organisation for the sake of adding expertise. We have all heard about co-opting to committees and various other means whereby we can obtain that expertise. My colleague the member for Light has suggested a means whereby the temporary problem can be overcome, and it provides some solution to the dilemma.

I suppose the question I must ask is: when you have a committee of 10, what are the voting rights of the chairman, and how does that relate to the other members of the committee? If, in fact, the chairman of the committee has a deliberative vote, he will need two votes to either approve or disapprove a particular measure when numbers are deadlocked. I am opposed to committees of the size of 10, or an even number.

In his reply to this debate, the Minister may be able to say what is the status of the waste management study. All councils were circulated with a copy of that document, as the Minister is aware, and it created a certain amount of disquiet amongst councils, particularly in my area, where there was a proposal to close the dump by force filling it from other areas. I and a number of members of council, and I think probably many residents, felt the answers in that document were not in keeping with the needs of the local residents. I would imagine the same problem applies elsewhere.

In addition, the Minister may know that part of that plan was to set up transfer stations in the metropolitan area. The proposition was that the refuse would be placed in an interim fashion within those transfer depots and then carted off and disposed of, perhaps at the Tea Tree Gully or Wingfield dump. The Minister may have noticed in the Messenger Press that Unley residents were unhappy about a transfer station in their area; so there are some question marks about the plan and how well it will be implemented, if it is ever implemented.

I have great reservations about the quality of thinking in connection with that plan when we realise that many overseas countries are looking towards high technology recycling methods to dispose of waste so that the community's rubbish is turned into an asset for that community. I am disappointed that the study did not canvass some of those issues and look at alternative means of rubbish disposal, even though in the short term it may not be a viable proposition. In the longer term—and we have to look at the longer term— we have to change our methods of rubbish disposal.

Other methods of waste disposal have been brought to my attention. There have been reports which concern me regarding industrial waste and which illustrate how certain companies may or may not have lived within their requirements as far as disposal is concerned. Occasionally there are reports in the paper about children running in free space. I remember the case where a child received burns on the legs from acid in an area where waste had been dumped without control, and that is not an isolated incident.

I have had one or two other complaints mentioned to me, but it is unfortunate that I have been unable to ascertain whether these reports are accurate. At some later stage I will have a quiet discussion with the Minister regarding some of the accusations which have been made to me in this area. I approve of the proposition of the member for Light in this case. It leaves the Minister with the option of allowing Dr Symes to provide his skill and expertise to the committee without adding an additional body to that committee.

The Hon. G.F. KENEALLY (Minister of Local Government): I thank the member for Light and the member for Mitcham for their contributions to this debate and for their support at the second reading stage. I also share the concern expressed about commissions having too many members, and that was a worry to me and the Government when we put this suggestion to the Parliament. Having had the benefit of a discussion with the member for Light, I am aware of actions which he proposes and which I will support, so I will wait for the appropriate time before we enter into that debate.

The reason the Government has made the changes to the management structure was to have a more efficient Waste Management Commission, and that in no way is a reflection on either Dr Symes or Mr Maddocks. Indeed, I would like to pay a compliment to both of those gentlemen for (a) their willingness to assist the Government in implementing this new management structure, and (b) the services they have provided in their roles. Dr Symes is a man of considerable experience and has been Chairman of the Commission for some years, and it was a very difficult task for me to ask a gentleman who has given such dedicated service, and who obviously enjoyed the role that he was playing, to step aside for someone else. He was prepared to do that, although I should not say he was happy to—

The Hon. B.C. Eastick: It's a measure of the man.

The Hon. G.F. KENEALLY: It is a measure of the man, as the member for Light says, and I think it is to his credit. He would have stepped aside had I not offered him a position on the Commission, but it was the view of the chairman elect that the services of Dr Symes were so valuable that they should be retained. The only way I could see that being achieved was to extend the numbers on the Commission. The honourable member has come up with a proposition which overcomes that difficulty and, as I said, it is one we will address later.

Mr Maddocks, who is an excellent engineer, had the difficult task in recent years of being both the engineer and the person responsible for developing the engineering plans, at the same time managing the day to day operations of the Commission, and that task is more than we could ever ask anybody to take on. His extensive experience and expertise on the engineering side of the Waste Management Commission can now be directed to that, whereas the day to day management and responsibility can be directed elsewhere, and we will have an Executive Officer, who will be Mr Lewis, the Deputy Director of the Department of Local Government, who can ensure that the day to day management, the flow of information, public relations, and a lot of the other very important roles within the Commission will be fulfilled. I want to pay a tribute to Dr Symes and Mr Maddocks for the services they have provided and will continue to provide and for the willingness they have shown to facilitate the Government's policy on the structure of the Waste Management Commission.

In relation to the status of the development plan about which the member for Mitcham asked, the period of consultation is over and all the replies (and there are many of them) have been received by the Commission, which is in the process of evaluating those replies. The Commission is close to completing that task, and I hope that within a few weeks it will have a new plan for me to submit to Cabinet. The new plan together with the initial plan will then be made available for people to view. I do not suggest that the final waste management plan will please everyone: I wish it would, and I will be delighted if it does, but I suspect that there will be at least some people who for one reason or another will not agree with it, as is the case with any plan of this nature.

This Bill will enable the Waste Management Commission to undertake more effectively the important task that Parliament has given it and the very important task that the community of South Australia expects of it. Any person who has had the opportunity to view waste management in South Australia and to compare it with operations at other places (some worse, I might say, but many better, including the operation in Sydney) would know that in South Australia the Commission has an important role to perform. With the support of Parliament this legislation consolidates that responsibility.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Membership of the Commission.'

The Hon. B.C. EASTICK: I move:

Page 1, lines 16 and 17—Leave out paragraph *(a)*.

Clause 2 *(a)* seeks to increase the membership of the Commission from nine to 10 members. The Opposition thinks that this is not in the best interests of the Commission. Further amendments that I will move shortly would allow the Minister to co-opt a tenth person to serve on the Commission from time to time in order to provide it with particular expertise. The Opposition believes that Dr Symes should take that co-opted position on this occasion. If at the end of a two-year period, which would be the maximum term allowable, Dr Symes' experience was still needed, it may be that in the cyclic appointment of commissioners another member of the Commission might be retired or retire of his own volition, and Dr Symes could take up such position; or, if absolutely necessary, Dr Symes could be considered for reappointment for another period of two years.

I do not know of Dr Symes' overall plans for involvement with the Commission. At the 'Gus the garbo' demonstration, when I last had the opportunity to speak with Dr Symes, he indicated enthusiasm for what he was doing, and he was happy that the requirements of the Commission were well advanced on what they were on its commencement. I gained the impression (although I would not want to mislead the Minister or the public) that he was not contemplating going on indefinitely. The two-year provision provided by the amendment might be all that he would want. It would certainly see the implementation of the 10-year plan as amended. I have no doubt that the Commission or the management, even subsequent to those events, would be able to make use of Dr Symes' expertise as a consultant or with the preparation of responses to questions about various matters.

I believe that the proposition that we have offered to the Government, which the Minister has graciously accepted, does allow a great deal more flexibility to the Government of the day. It allows for the use of expertise that might be available for only a relatively short time, relating perhaps to a visiting fellow who is an engineer in some capacity who might be able to assist the Commission in its activities in relation to a specific project, assisting the activities of the Commission as a commissioner sitting around a table with the other commissioners, rather than simply preparing

a brief and having to wait for someone else to present it and not being able to enter into all the in-depth discussions relative to the Commission. I believe the amendment is acceptable and that this provision will be of value to the advancement of the Waste Management Commission and its activities. I ask the Committee to accept the amendment.

The Hon. G.F. KENEALLY: The Government accepts the Opposition's amendment for the very good reasons outlined by the member for Light. I want to mention to the Committee that Dr Symes is still very active as the Chairman of the Waste Management Commission. Both the member for Light and certainly I as Minister have had discussions about this amendment with the Chairman-elect of the Waste Management Commission. The Chairman and I are quite happy about this amendment. The membership of the Commission was canvassed during the second reading debate. I must say that it was considered that the nine member Commission was a significant number, and the extension to 10 members was not agreed to without some doubts. However, I think the amendment is appropriate; it certainly meets the Government's desire while at the same time limiting the number of people on the Commission.

Amendment carried.

The Hon. B.C. EASTICK: I move:

Line 21—Leave out 'four' and insert 'three'.

After line 27—Insert word and paragraph as follows:

and

(c) by inserting after subsection (1) the following subsections

(1a) The Governor may appoint a person, nominated by the Minister, as an additional member of the Commission.

(1b) The additional member shall be a person who, in the opinion of the Minister, has knowledge or experience that will be of value to the Commission.

(1c) Not more than one additional member of the Commission shall hold office at any time.

These amendments are consequential on the amendment just agreed to. I have already referred to the provision for co-opting a tenth member to the Commission. I thank the Minister for indicating that Dr Symes is still the Chairman, although I refer the Minister to his second reading explanation which does not necessarily give that impression. It states:

As indicated in the House of Assembly on 25 October 1984, the Government has approved the appointment of Mr R.G. Lewis, Deputy Director of the Department of Local Government, as the Executive Director/Chairman of the Commission, but in doing so desires to retain the expertise of Dr Symes, the present Chairman, as a member of the Commission.

I suppose it is a matter of where the present lies: there is no offence to Dr Symes in relation to trying to take him out of the position in advance, and I am sure that that minor difficulty will not create any problems.

Amendments carried; clause as amended passed.

New clause 2a—'Terms and conditions of office.'

The Hon. B.C. EASTICK: I move:

Page 2, after line 27—Insert new clause as follows:

2a. Section 10 of the principal Act is amended by inserting after paragraph *(a)* of subsection (1) the following paragraph—

(ab) if he is an additional member—for a term not exceeding two years;

This simply provides for a limitation on the period of time of appointment. It is a lesser period of time than a full Commissioner usually receives and gives that element of flexibility of which we have spoken.

New clause inserted.

Clause 3 and title passed.

Bill read a third time and passed.

INDUSTRIAL AND COMMERCIAL TRAINING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 December. Page 2291.)

The Hon. B.C. EASTICK (Light): I am not the lead speaker in this debate. That will be my colleague the Deputy Leader, who will be speaking in a few moments. I have some knowledge of this legislation because it has been discussed at some length, and I am aware that it is the intention of the Opposition to support the Bill. The consultation by the Opposition has been quite extensive. It is an issue that is dear to the hearts, I believe, of members on both sides of the House. It seeks to give a proper training environment and full opportunity to persons within the work force.

The Hon. J.D. Wright interjecting:

The Hon. B.C. EASTICK: The flexibility of honourable members on this side of the House is something which the public of South Australia is fast learning to accept, and soon we will be given due regard by the populace when we become the Government at the next election. The Opposition will give due regard to the passage of this Bill but to talk about it in more detail I suggest the Deputy Leader of the Opposition be called.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): The Opposition supports the Bill, and the Deputy Premier will be pleased to know that there is nothing in it with which we take issue. It covers a range of matters and I think it is pertinent to say that the Industrial and Commercial Training Act was one of the initiatives of the Tonkin Liberal Government.

The Hon. J.D. Wright interjecting:

The Hon. E.R. GOLDSWORTHY: It was one of the initiatives of that friend of the Deputy Premier, the member for Davenport, then Minister of Labour, and he brought in the legislation as an initiative of that Government and in particular that Minister. I think it is true to say that it has been widely acclaimed as innovative, progressive and certainly a considerable advance in relation to arrangements for training.

Even the present Minister of Labour acknowledges that fact. Maybe we can remind him of that when he is feeling out of sorts, as he frequently is in this place, with the member for Davenport. It is not unusual for the Minister to be out of sorts, and the member for Davenport seems to put him more out of sorts than does any other member. At any rate, the Minister has acknowledged that this is good legislation.

The Hon. J.D. Wright: One swallow doesn't make a summer. In my second reading explanation I acknowledged that the legislation was good.

The Hon. E.R. GOLDSWORTHY: That must have slipped through. The Bill does a number of things to enhance the working of the legislation. The definition of pre-vocational training is broadened from training designed as preparation for training in a 'trade or other declared vocation' to training in 'an occupation'. The pre-employment separation has been into two groups, one relating to 'trades and other declared vocations' and the second to all other vocations. This has led to some confusion, which the Bill seeks to remedy.

There is a provision to widen the category of people to whom the Commission can delegate its functions. For instance, approving a course of training is at present vested in the Chairman or the Deputy Chairman of the Commission. That power will be now be delegated to training supervisors. That is a sensible provision. The Bill also gives some

protection to apprentices when there is a change of ownership of business. That is a reasonable provision.

The Bill also empowers the Commission to withdraw an approval given to an employer in circumstances where the employer can no longer reach the standards required by the Commission. That is a sensible provision. Another amendment enables the Commission to determine whether all or part of a period of training before the contract is signed shall be taken into account. That, too, is sensible. I see no point in prolonging the debate. The Bill is good and the Opposition supports it. Complaints have been received from some people on this side of the House who are not here at the moment concerning the charge being levied in respect of training courses.

The Hon. J.D. Wright: That matter is not dealt with in the Bill.

The Hon. E.R. GOLDSWORTHY: Then we will leave it to another day.

The Hon. J.D. WRIGHT (Minister of Labour): I thank the Deputy Leader for his support of the Bill which, as he said, is a very good one.

Bill read a second time.

In Committee.

Clauses 1 to 10 passed.

Clause 11—'Requirement to attend approved courses of training.'

Mr BAKER: Unfortunately, I did not have time to take part in the second reading debate. However, I congratulate the member for Davenport on his outstanding efforts in this area and trust that we can build on the sound foundations he has laid. This clause adds new subsection (3) to section 25, and provides:

> For the purpose of determining the wages payable to an apprentice or other trainee, time spent by him in attending a course of instruction that he is undertaking for the first time shall be deemed to be time spent in the service of his employer.

Where does that clause begin and end? As the Minister is well aware, there are many courses of training. He will note the original clause in the 1981 Bill, which defined training and which is really for the purposes of a vocation. Many courses of training can assist a person to improve his skills in the work place. This provision does not limit the liability of the employer in any way for any course that is undertaken, whether at night under the person's own volition, or whatever. Perhaps I have missed some other clause in the Bill (and the Minister can inform me) in which there is a contingency to say that the course has been agreed to by an employer and that that agreement is the subject of new subsection (3). I could not see at a quick scan that there was any limitation on this clause. I ask for clarification from the Minister.

The Hon. J.D. WRIGHT: The clause simply ensures that in any future circumstance an apprentice, when attending trade training or courses, will be guaranteed his wages. There has been some doubt in the past as to whether in certain aspects he was entitled to it. This ties it up so that clearly and definitely there can be no withholding of wages.

Mr BAKER: I appreciate that, and from my limited knowledge of this area I can certainly see the reason for that being inserted; there is very good reason for its being inserted. However, does that current wording restrict the liability of the employer to those courses that are applicable to his training with that employer or does it make the employer liable for other training which is not necessarily a part of the course of apprenticeship training being undertaken in agreement with the employer?

From my reading,there is no restriction whatsoever on that clause, but it may well be in some part of the Act. The definition of training at page 57 of the 1981 Statutes provides:

> 'training' means training (including courses of instruction, on-the-job training and off-the-job training) in the knowledge and skills required in industry or commerce.

That could comprise a wide variety of skill development: it could be typing, clerical or even language courses that could be deemed to improve a person's prospects in employment. However, some of these courses would lie outside those necessary for that apprenticeship for which the employee is indentured. Could the Minister clear up that facet?

The Hon. J.D. WRIGHT: The limited liability, as the honourable member puts it, extends to the employer only in circumstances where the employee is taking instruction or courses from those courses that have been approved and where it has been recommended that that apprentice takes them from the Industrial Training Commission. If it has not approved those courses, there is no limited liability.

Clause passed.

Remaining clauses (12 to 14) and title passed.

Bill read a third time and passed.

ADJOURNMENT

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

That the House do now adjourn.

Mr HAMILTON (Albert Park): Over recent months we have heard a great deal of criticism directed to this Government's approach to tourism. I refer to criticism levelled at the ASER project, the America's Cup Challenge, the Grand Prix, and a number of others. What is not really appreciated by those critics of the Government's positive approach to tourism is the spin-off that accrues from tourism itself. One would remind those critics of the attitude of this Government and its positive approaches to attracting tourism investment in South Australia. The October 1984 edition of the *Hotel Gazette of South Australia* at page 15 states (in part):

> The South Australian Government is making a concerted effort to create greater awareness of the tourism development opportunities in South Australia.

The article points out that the visitation rate has increased since 1978-79 with a 70 per cent growth factor and the forecast of the amount tourism would be worth to South Australia in 1986-87, which is $912 million, is a projected increase of 27 per cent.

Whilst I would like to concentrate on interstate and overseas tourism, I want to dwell tonight on intrastate tourism. The *Hotel Gazette* further states:

> Intrastate travel is almost three-quarters of total travel in the State. Trends over the four years of recorded information show sound growth. In 1981-82 South Australians took 3 168 000 trips within the State, 149 000 or 4.9 per cent more than the previous year. This followed an 8.8 per cent increase in 1980-81 and 8.3 per cent in 1979-80.
>
> . . . By 1986-87 growth in local tourism will generate 3 924 000 trips—an increase of 24 per cent over current levels.

Recently, whilst in Western Australia, I had the opportunity to travel around about one-fifth of that State, which covers a wide area. I went down to Esperance, which, in terms of local tourism, certainly has got its act together. That local community of some 10 000 people is largely rural, with a bit of shipping, and so on, but it relies upon tourism. Having looked at the local tourist bureau, which was built from $50 000 worth of CEP funding I can understand why many people visit Esperance. Upon arriving in Esperance I spoke to the local tourist bureau Manager (Mr Norm Nickerson). As I said, the tourist bureau was built from CEP funding, and incorporates that centre within the local museum park, which is worth about $130 000.

The area is actively promoted by the Manager, a former journalist. What really convinced me of the potential of tourist information centres and the amount that local tourism can benefit if properly promoted was the attitude of Mr Nickerson. I understand that he personally convinced local business people of the potential to the district not only in terms of the amount of goods that visitors from intrastate and interstate would purchase, but also he was able to convince them to donate $12 000 from their own pockets. Indeed, he obtained $8 000 from the local shire so as to produce an 11-minute colour television segment on Esperance and the surrounding district.

I have seen the 11-minute television commerical and was most impressed by the amount of work that had gone into it. I raise this matter because our local business people, not only in the metropolitan area but also in other regions of South Australia, can take a leaf out of the book of those people within the Esperance area of Western Australia. Clearly, when one looks at the benefits of local tourism, one can understand the reasons why the Esperance people have donated $20 000 not only to the promotion of their local town but also to extolling the virtues of those many other tourism spots around the Esperance area.

I remind the House and the business people in my area of some of the benefits that recipients and business people obtain from tourism and give examples of important ones. I refer to garages selling auto parts.Most people want petrol and repairs done to their vehicles. Others include doctors and dentists (which is self-explanatory), clothing stores, hairdressers, resorts, clubs, builders, grocers, carpenters, architects, plumbers, accountants, appliance stores, confectioners, departmental stores, photographic services, motor vehicle dealers, hotel and restaurant employees, wholesale establishments, beach and boating services, hire car services, sporting equipment, travel agents, golf courses, landlords, lottery dealers, butchers, dairies, chemist shops, liquor stores, petrol stations, printers and publishers, dry cleaners and laundries, just to name a few.

I remind the House that visitors contribute in excess of $12 billion annually to the nation's economy. The industry employs between 350 000 and 400 000 people. I hope to do my small bit, particularly in the western suburbs of Adelaide, to encourage small business people to take note of what has happened in Western Australia.

Quite clearly, I am convinced that, if a place like Esperance can raise $20 000 and cut an 11-minute television commercial, the challenge should be thrown down to business people and the tourism industry in South Australia to take note of what has happened, particularly in that State. I am firmly convinced, having travelled 7 000 kilometres through Western Australia recently, that we in South Australia have tourist spots that are as good as, if not better than, those in Western Australia.

I also throw out the challenge for an entrepreneurial printer in South Australia to produce the same type of tourist guide as is printed in Western Australia and given out freely to all tourists who want it. I believe that this booklet contains almost everything that one would want in terms of assistance for local tourists. I hope that some printer or person in the tourism industry will pick up the idea as it would not only encourage tourists to visit the State but also could be handed on to other people when they go back to their State of origin and explain what was available here.

The ACTING SPEAKER (Mr Ferguson): Order! The honourable member's time has expired.

The Hon. E.R. GOLDSWORTHY (Kavel): I do not know whether Government departments read these debates, but I hope that they do. I wish to refer to the Department of Environment and Planning and indicate to it what I think is some of the silliness of its requirements.

Mr S.G. Evans: And hang-ups.

The Hon. E.R. GOLDSWORTHY: Yes, and its hang-ups. I refer to the area of the Hills in which I live and to the bushfire hazard that develops as a result of decisions of the Department of Environment and Planning, planning officers or whoever dictates that some of these things should happen. The most recent example occurred right near where I live on the Houghton Road, where a new clay quarry is to be opened up. The Department of Environment and Planning has dictated that it must be screened totally by trees. The stupid part of that decision is that the quarry will not be visible from the Houghton Road because it is behind a hill and there is no intention to go over the brow of that hill. The Department has also dictated that a certain sort of tree must be used: I refer to Australian natives, which are by far the worst bushfire risk. I have seen the results of this thinking, which has gone back over a number of years.

Farther down Anstey Hill is a quartzite quarry, and one of the conditions of approval therefor is that it should be screened from the road by a lot of trees. They are Australian natives at Anstey Hill, and farther down is a block of pine trees. As a result of that decision, three things happened. Local people were not at all impressed, because they were more interested in the view of the city from the top of the hill than in looking at a heap of pine trees and were not unduly worried about a quarry off to the left. Secondly, it meant that in the case of a bushfire the road became completely inpassable and led to a house adjacent to the pine trees being burnt down. All along this roadway, in the name of screening the quarry, trees were planted; this annoyed locals as they were not worried about the quarry and wanted to see down the hill and the road. One cannot see around the bend because of the trees planted.

On a day such as Ash Wednesday there is an enormous fire hazard along this road which led directly to the destruction of a house that was adjacent to the pine trees that were planted to screen the quarry. The house was built and called 'Beauty View' because the city lights were visible from the house. People passing could park on the side of the road and also see the lights. However, the lights were blocked out by the trees, which were planted to screen the quarry off to the left. History has repeated itself, and we now have new small trees at a new clay quarry that is to be opened up. One of the conditions is that it must be screened with trees; so, they have been planted all around the quarry, even on the sides where the quarry will not be visible. So, there will be several rows of highly flammable Australian natives.

That is more than silly: I say that it is a stupid decision. It might appear to be desirable if people like to drive along and see a bank of trees but, of course, there are rehabilitation requirements in relation to quarrying. I do not want to drive past open face quarries, but I prefer that to being burnt out. There is a rehabilitation fund into which people engaged in quarrying must pay and, when the life of the quarry is worked out, the land is rehabilitated.

Only yesterday I viewed some of these. The Tea Tree Gully quarry, for instance, has been worked out. Although it is out of sight of the road, it has been rehabilitated. It is like a normal hill with a series of fences in the quarry. They blast and shake the material down and in time it is revegetated; as a result, there is no sign of a quarry. Why then does the Department of Environment and Planning want to dictate that one must plant highly flammable trees to screen quarries? They obviously do not know the nature of the terrain or what the local people, of whom I am one, want. It is a blanket thing: plant the trees, even where you cannot see the quarry because it is behind a hill, and increase the fire hazard enormously.

That leads me to the other problems that we have had with some of these mindless greenies (some of them are sensible, but others are mindless) who say 'No' to every sensible measure that is taken to reduce the bushfire hazard on the hills face. The member for Todd had to work very hard to allow into an area some sheep which were previously grazed in the hills face zone in order to get rid of some of the underlying rubbish, wild oats, etc., which makes a sizable impact amongst trees if there is a bushfire. In the end, the honourable member succeeded in convincing the powers that be to allow the sheep in and clean it up, thereby reducing the bushfire risk hazard enormously. That land was privately owned and was not a great worry.

The E & WS Department has not yet learnt its lesson. It has the new filtration plant at Anstey Hill and has planted trees; however, the rest of it is a wilderness. I have made inquiries and a young officer of the Department who controls this matter obviously does not have a clue about what should have happened at Anstey Hill. The people in charge of the National Parks and Wildlife Service are averse to a slow burn through the parks to rid them of the build-up of fuel; some conservationists nearly have a stroke at this suggestion. I draw their attention to what happened at Black Hill. I know that area, because it is just over the Gorge Road from where I live, and a lot of it is in my electorate.

A fire started in the conservation park and, in order to protect some houses at Athelstone in the outskirts of the suburbs, more than the area burnt by the fire was backburnt so that, once the fire started, they had deliberately to destroy the park merely to save other areas. Is it preferable to have the park completely destroyed or to reduce the fuel load on the ground—the accumulation of rubbish (twigs, stones, leaves, etc.) which occurs for up to 10, 15, or maybe 20 years? Some of the dopey greenies resist that to their last drop of blood—one must not put fire near it. However, when fire accidentally gets into it, one must destroy the whole park to protect life and limb nearby. I think that more of the park was deliberately burnt in backburning than in that fire. The beautiful view that city dwellers had of the fire was the backburn lit by firefighters. How silly can one get? Instead of having a slow burn in a suitable season, as occurs in other States (particularly in Western Australia, where they burn right through January), when we do get a fire, those involved have to burn a park and destroy it completely, often more than the fire itself burns. Again there is a lack of common sense in relation to what happens there.

I wish that the Department would consult local people in relation to its dictates that the quarry must be screened, because hills are being screened where one cannot view the quarry because it is behind the hill. Rows of highly flammable trees are planted to avoid the visual impact, with which we are happy to contend. We would rather reduce the fire risk. I therefore wish that the Department would be more practical in its approach. I would be happy to look at the quarry, secure in the knowledge that when it is worked out it will be rehabilitated, anyway, and there will be no long-lasting visual damage to the environment. I make these points in this debate and ask the Minister concerned whether he will ask his fellow in charge—

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

Mr MAYES (Unley): I want to use my time to make a plea to my local council with regard to the future of the relocation and development of the Unley depot. The story which surrounds the council's proposal to redevelop the Unley depot from its current site in Mornington Road to the area now commonly called the old Coldstream site has been going on for well over a year and harks back to when I was a councillor and alderman in the mid and late 1970s, when the council was looking at the possibility of redeveloping or relocating the Mornington Road site. Several discussions were held and various feasibilities put forward as alternatives for the depot.

We have now a situation where the council has gone through the process of applying to the Planning Commission for the depot, which includes a waste transfer station that might euphemistically be called a dump, to be relocated in the Coldstream site just off King William Road, close to the Hughes Street and King William Road intersection.

In 1985, I consider the council's proposal and plan to include a waste transfer station within that depot at the location and position in the site as being contrary not only to good planning but also to the interests of the residents in the area. I say that not only as a member of Parliament and a former councillor but also as a resident of Hughes Street, Unley. There have been numerous discussions between residents of Hughes Street, Cleland Avenue (which bounds the eastern side of the proposed site) and Simpson Parade, Goodwood, which is the road immediately opposite the proposed development. Residents have expressed to me and to their elected representatives locally their complete opposition to this proposal. Petitions containing several hundred signatures have been put forward to the council. The residents themselves, at their own expense, were represented by legal counsel before the Planning Commission when this matter was dealt with, and the Commission came down with a decision in favour of the development, with various qualifications attached to the approval.

The matter is now before the Minister for Environment and Planning for his decision in accordance with the provisions of the Act, which requires the Minister to give, or not to give, concurrence in regard to a development. I will not touch on that, because it is a matter for the Minister's decision. The residents have met with the Minister and put forward their personal and considered views regarding this proposal. Over the past six months, the residents have suffered grave distress and personal inconvenience over this current proposal, and I would ask the council seriously to consider withdrawing this application and considering a new application to come through the normal processes to be presented before the Minister.

The current site consists of residential, commercial, and light industrial development. It would develop the old Coldstream factory site into the depot and would consume the linear park area which is attached to the Glen Osmond drain and would abut directly the boundary of numbers 59 to 79 Hughes Street, Unley. That is one part of the development which I find objectionable. The proposal would be for a waste transfer station to handle very large bins, which would be placed almost on the boundary fence of numbers 77 and 79 Hughes Street, Unley.

In addition, a bottle transfer station would handle up to 800 tonnes of bottles per annum, and a bitumen store would be the main council depot for bitumen. That would also abut the fences of properties in Hughes Street. Having regard to its environmental impact, I find this type of development unacceptable in this day and age. Contrary to the Deputy Leader's comments earlier, I am arguing here for trees to be planted, for shrubs to be included and for a linear park to be developed on the current drain site. Since my first utterances on this matter when I was on the Unley council, I have argued that potential is there for a park development. The area is currently used by many people from neighbouring properties for exercising with their dogs, and by schoolchildren who use it as an access from King William Road to Unley Road. It is also used for many other activities, not the least being as a 'Life. Be in it' linear park

jogging track which was developed earlier by the Unley council and the Department of Recreation and Sport.

Although it might appear to be a little untidy, the area is part of a resource that exists in the North Unley area, and it is one that is very rare. Certainly, until five years ago it was possibly the only area of open space available to Unley residents. To take that land and to use it for a waste transfer station goes, I believe, against the spirit of the relevant legislation and against the spirit of the council's development proposals. Further, to use that area as a depot, involving all the traffic, noise and inconvenience that would be attached to it, is beyond what I consider to be acceptable planning parameters in 1985. Of course, these are my personal views as a resident, but I must say that I am supported in these comments by the majority of the residents in the immediate location, and certainly by those living as far up as the top end of Hughes Street which abuts Unley Road. Most residents find the current proposal unacceptable for a number of reasons, namely, increased noise, the traffic hazard, inconvenience, and the loss of space in the area. I would ask the council to review its position for the sake of residents and the planning of the area and to submit a further plan that could adjust to and make allowance for the current proposal before the Minister.

I have spoken to residents who live near the Mornington Road depot. Those residents have a legitimate complaint about the noise and the interference with their normal amenity in that area. For most of Saturday they have to put up with dust coming over from the dump site, the waste transfer site. I am not suggesting that the new waste transfer site would be anything like the existing one: it could not equal the hazard, noise, inconvenience and dust that emanates from the Mornington Road depot site. The residents near the Mornington Road depot cannot hang out their washing on Saturday because of the dust and filth that comes over from the depot. In fact, one of the residents has informed me that Saturday is a complete waste of time because people cannot even go into their backyards, because of the dust coming over from the site. This is a legitimate complaint, and the problems must be addressed. When I was on the council I was aware that this matter was worrying many councillors. This matter must be addressed by the Unley council.

The current site is larger in area than the proposed site and to me it seems that it would be possible to relocate the various facilities on that site which would suitably alleviate the problems that are presently encountered by the staff—because the staff of the council also have a need for improved resources and facilities. So, we must look at this situation as a whole, and we must ask ourselves why we should move from the existing site to a new site in an attempt to solve current problems while at the same time transferring those problems at the current site to the new site at the Coldstream factory area. Finally, I would ask the council to reconsider its proposal, to withdraw its application to the Minister and to submit a further application through the normal channels.

Motion carried.

At 5.45 p.m. the House adjourned until Wednesday 20 February at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 19 February 1985

QUESTIONS ON NOTICE

LOCAL GOVERNMENT ACT

269. **Mr BECKER** (on notice) asked the Minister of Local Government: Does the Minister propose to amend the Local Government Act to ensure that the provision relating to Ministerial direction becomes consistent with the provisions contained in the Ombudsman Act and, if so, when and, if not, why not?

The Hon. G. F. KENEALLY: It is not proposed to further amend the Local Government Act. The recent amendments to section 32 of the Local Government Act when read together with the powers of the Ombudsman under section 26 of the Ombudsman Act, 1972, are considered quite adequate to ensure action is taken to rectify, mitigate or alter the administrative effect of an administrative act of a council.

INDOOR ENTERTAINMENT CENTRE

364. **Mr BECKER** (on notice) asked the Premier:

1. What representations have been made to the Premier, and by whom and when, regarding the building or establishment of a major indoor entertainment centre for Adelaide large enough to seat approximately 10 000 patrons at rock or pop music concerts, indoor tennis and similar entertainment?

2. What locations have been suggested and what is the estimated cost of such a project?

3. Has a feasibility study been conducted?

4. Does the Government support such a project and, if not, why not?

The Hon. J. C. BANNON: A number of proposals have been put to the Government. They are currently being assessed and it is hoped that a decision can soon be made. I have on previous occasions indicated that the Government supports the notion of an indoor entertainment centre in Adelaide. However, for reasons of commercial confidentiality, the Government is not prepared to publicise details of its current assessments.

PRESS SECRETARIES

402. **Mr BECKER** (on notice) asked the Premier: How many press secretaries are employed by the Government for each Ministerial portfolio, who are they and what is the date of appointment, current salary and overtime allowance of each?

The Hon. J.C. BANNON: There are 13 press secretaries employed by the Government. They are:

Name:	Anthony Philip Brooks
Minister:	Hon. Roy Kitto Abbott
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	4.1.83
Name:	Peter Charles
Minister:	Hon. Ronald George Payne
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	29.11.82
Name:	Julie Anne Dare
Minister:	Hon. Lynn Maurice Ferguson Arnold
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	17.1.83
Name:	Alfred George D'Sylva
Minister:	Hon. John William Slater
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	3.2.83
Name:	Peter Hennekam
Minister:	Hon. Frank Trevor Blevins
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	1.10.84
Name:	David Robert Lewis
Minister:	Hon. Gregory John Crafter
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	10.11.83
Name:	Don Gair MacKay
Minister:	Hon. Donald Jack Hopgood
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	7.2.83
Name:	Stephen Nicholas Marlow
Minister:	Hon. Christopher John Sumner
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	7.5.84
Name:	Bruce Wallace Muirden
Minister:	Hon. Gavin Francis Keneally
Current Salary:	$29 925
Allowances:	25 per cent
Commencement Date:	15.11.83
Name:	Ray Rains
Minister:	Hon. Terence Henry Hemmings
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	6.12.82
Name:	Michael David Rann
Minister:	Hon. John Charles Bannon
Current Salary:	$29 925
Allowances:	25 per cent
Commencement Date:	10.11.82
Name:	John Martin Webb
Minister:	Hon. John Robert Cornwall
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	1.2.83
Name:	Christopher Ambrose Willis
Minister:	Hon. John David Wright
Current Salary:	$29 925
Allowances:	10 per cent
Commencement Date:	1.2.83

SIR MARK OLIPHANT

412. **Mr BECKER** (on notice) asked the Premier: Has the former Governor of South Australia, Sir Mark Oliphant, approached the Government for additional assistance and, if so, of what kind and what was the Government's response?

The Hon. J.C. BANNON: 'No: however, a request for the loan of a typewriter has been complied with'.

ROXBY DOWNS WATER LICENCE

444. **Mr BECKER** (on notice) asked the Premier:

1. What action does the Government propose to take upon receipt of the petition containing 14 092 signatures

praying 'That the House establish a public inquiry into the environmental effects of the special water licence granted to Roxby Management Services; suspend the existing licence pending the outcome of the inquiry and release the environmental impact statement on the Olympic Dam project for public comment' and, if none, why not?

2. Has the Premier met with the persons orgnising the petition and, if so, what was the outcome of the meeting, and, if not, why not?

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

1. The matters raised in the petition are receiving consideration.

2. Yes. Additional material was presented containing a number of questions concerning the provision of water for the Roxby Downs project. An undertaking was given to obtain answers to those questions.