HOUSE OF ASSEMBLY

Tuesday 7 May 1985

The House met at 2 p.m.

The CLERK: I have to announce that, because of illness, the Speaker will be unable to attend the House this day.

The DEPUTY SPEAKER (Mr Max Brown) took the Chair and read prayers.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Adelaide Festival Centre Trust Act Amendment,
Art Gallery Act Amendment,
Associations Incorporation,
Boilers and Pressure Vessels Act Amendment,
Dangerous Substances Act Amendment,
Electricity Trust of South Australia Act Amendment,
Executors Company's Act Amendment,
Food,
Land and Business Agents Act Amendment (No. 2),
Licensing Act Amendment,
Liquor Licensing,
Planning Act Amendment, (1985),
Police Offences Act Amendment,
Racing Act Amendment, (1985),
Shop Trading Hours Act Amendment,
South Australian Museum Act Amendment,
South-Eastern Drainage Act Amendment,
Statutes Amendment and Repeal (Crown Lands),
Supply (No. 1), (1985),
Trespassing on Land Act Amendment.

PETITION: WEST TORRENS PLANNING

A petition signed by 1 963 ratepayers of the City of West Torrens praying that the House urge the Government to reinstate all planning control to the City of West Torrens was presented by Mr Becker.

Petition received.

PETITION: WEST BEACH GOLF COURSE

A petition signed by 186 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 84 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.

PETITION: MURRAY BRIDGE K MART

A petition signed by 6 616 residents of South Australia praying that the House urge the Minister for Environment and Planning to expedite planning approval for the proposed Murray Bridge K Mart development was presented by the Hon. D.C. Wotton.

Petition received.

PETITION: RIVERLAND RACE BROADCASTING

A petition signed by 136 residents of South Australia praying that the House urge the Totalizator Agency Board to provide a race broadcast system to the Riverland was presented by the Hon. P.B. Arnold.

Petition received.

PETITION: VOLUNTARY SERVICE AGENCIES

A petition signed by 20 residents of South Australia praying that the House urge the Government to subsidise charges to voluntary service agencies and to keep any price increases within the parameters of wage indexation was presented by the Hon. H. Allison.

Petition received.

PETITION: COORONG BEACH

A petition signed by 20 residents of South Australia praying that the House urge the Government to ensure that the Coorong beach remains open to vehicles and public and that all tracks are maintained in good order was presented by the Hon. H. Allison.

Petition received.

PETITIONS: HOMOSEXUALITY EDUCATION

Petitions signed by 3 257 residents of South Australia praying that the House oppose the South Australian Institute of Teachers policy on homosexuality within State schools were presented by Messrs Ashenden and Baker.

Petitions received.

PETITIONS: LIQUOR LICENSING BILL

Petitions signed by 1 519 residents of South Australia praying that the House amend the Liquor Licensing Bill to allow clubs to purchase liquor from wholesale outlets and provide for the sale to members of packaged liquor for consumption elsewhere were presented by the Hons P.B. Arnold, Lynn Arnold, G.J. Crafter, D.J. Hopgood, G.F. Keneally, and D.C. Wotton, and Messrs Gregory, Gunn, Klunder, Lewis, Oswald, Trainer, and Whitten.

Petitions received.

QUESTIONS

The DEPUTY 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 174, 403, 416, 435 to 437, 457, 460, 467, 477, 480, 496, 498, 499, 503, 504, 509, 510, 515, 517, 519, 520, 525 to 527, 530, 532, 535, 536, 538 to 541 and 543; and I direct that the following written answers to questions without notice be distributed and printed in *Hansard*.

LYELL McEWIN HOSPITAL

In reply to **Mr M.J. EVANS** (20 February).

The Hon. G.F. KENEALLY: As a result of physical inadequacy and the outdated nature of existing facilities at the Lyell McEwin Health Service, the Government is totally committed to the redevelopment of the hospital and has therefore agreed, in principle, to a four stage redevelopment process. A contract for stage 1 of the project has already been let. At present, the Lyell McEwin Health Service does not provide an after-hours in-house paediatric registrar service and, therefore, any inquiries concerning this service are referred either to Modbury Hospital or the Adelaide Children's Hospital. However, my colleague the Minister of Health informs me that funding arrangements to remedy this matter will be made in the 1985-86 Budget. With respect to bone fractures, at present there are two vacant positions for orthopaedic specialists at the Lyell McEwin Health Service and, as a result, that service quite appropriately transfers patients to the Royal Adelaide Hospital when necessary. Nevertheless, the hospital has funding to fill the vacant positions and is actively advertising and seeking to do this.

5AA RELOCATION

In reply to **Mr INGERSON** (2 April).

The Hon. J.W. SLATER: The TAB has budgeted expenditure of $35 000 to upgrade building facilities for the rental of space to 5AA. Actual expenditure is anticipated to be within budget. All other costs of relocation have been funded by 5AA and disclosure of details of these costs is considered by the directors and management of Festival City Broadcasters Limited to be inappropriate in view of the commercial and competitive interests of the radio station. No TAB funds currently budgeted as payable to the racing industry will be diverted to support the operations of 5AA.

PRISONER PAYMENTS

In reply to **Mr OLSEN** (21 March).

The Hon. G.F. KENEALLY: Under normal circumstances, the maximum which can be earned by a prisoner is $29.40 per week if he/she is a seven day a week worker, or $23 per week if he/she is a five day a week worker. Special provision is made for overtime to be be paid at the rate of 30 per cent of the daily rate per hour. In rare cases, prisoners are given a second job. During the Christmas/New Year period, and only then, two prisoners in South Australia who chose to work on Christmas Day and other holidays, received payments over $70 per week. In addition, the prisoners worked long hours and in positions that necessitated a high degree of trust.

It is interesting to examine one such prisoner's work day. He is at work at 6.30 a.m. and responsible for organising breakfast and then until 1 p.m. he runs the store providing all clothing, towels, bed linen and toiletries. He also controls the showers for prisoners having to leave on escorts to court. He collects the dirty towels for the laundry for the division. At 1 p.m. he is transferred to the industrial complex and issues towels and clothing for the showers there, refills all laundry racks after showers and then cleans right through the shower block. By 4.30 p.m. he is transferred back to the division to continue operation of the linen store and showers there for those prisoners who have been at work in the division itself.

From 5.30 p.m. to 7.30 p.m. (and until 9.30 p.m. in summer) he is responsible for the provision of hot water, general rubbish collection and other general duties in the cell block. In between, he will prepare and clean cells, issue clothing and linen and so on to new prisoners arriving on escorts. All this is for seven days a week at an hourly rate of 53 cents. A recent review of inmates' earnings over a period of 15 weeks revealed that on one occasion three prisoners had from 5 November earnt over $50. This was the maximum number of prisoners in any one pay week over the review period earning in excess of $50 per week. On this occasion, their actual gross payments were $50.78, $56.02 and $51.55.

They were the highest earners and they worked weeks similar to that previously outlined. The important fact is that for all prisoners in South Australia, the average payment on that occasion was $23.32.

The full figures are in the following table:

	$	
Adelaide Gaol	23.51	
Yatala Labour Prison	24.49	Average payment
Northfield Prison Complex	25.92	to prisoners in
Cadell Training Centre	27.63	South Australia
Mount Gambier Gaol	17.90	for work in
Port Augusta Gaol	20.79	the week ending
Port Lincoln Prison	23.00	27 February 1985.
South Australian average	23.32	

The wage rate prevailing up to 31 October 1984 was a maximum of $2 a day plus a bonus. The conclusion reached that prisoners were earning an average of about $14 a week is quite erroneous and utterly without foundation. It is of course possible to construct a hypothetical worker and come up with:

Normal wage	5 days @ $2	=	$10
Bonus	5 days @ 8 hours @ 10 cents	=	$ 4
			$14

But the reality was always quite different. The week ending 3 October 1984 is typical of pay weeks under the old scheme, and the average pay was $17.34 at Yatala. During the week ending 6 February 1985, again a fairly typical week, under the new scheme, average pay at Yatala Labour Prison was $24.43. That is, the new scheme gave an overall rise in wages of about $7 a week and, in return, the prisoners are actually working regular hours and being usefully employed, which was not the case under the old system.

With regard to the reference to the 'average daily number of prisoners in gaol' this includes all categories, male and female. It should be noted that this figure includes prisoners with remand and sentence status. Remand prisoners are not required to work, there is little work available at Adelaide Gaol where most are held, and remand prisoners consequently do not get paid. It is necessary therefore to subtract the number of remand prisoners from the totals given, if the figures are to be usefully quoted in respect of payments to prisoners. To merely select one year at random is of no significance: it is far better to take a series, starting in 1980-81.

In 1980-81, 725 prisoners represented the 'average daily number of sentence prisoners in gaol' and payments were $435 000. In 1981-82 $442 000 was paid to 683 prisoners. In 1982-83 $491 000 was paid to 675 prisoners, and in 1983-84 $562 000 was paid to 569 prisoners.

However, it is necessary to account for inflation if these figures are to be at all useful. The table set out below gives the real picture.

Year	Sentenced Prisoners Average Daily No.	Total Payments $'000	
		Actual $	In 1981 $
1980-81 ...	725	435	435
1981-82 ...	683	442	398
1982-83 ...	675	491	378
1983-84 ...	569	562	382

Figures sourced from the Auditor-General's Report, ABS CPI records. These figures are not earnings, but the amounts actually bought to debit.

Prisoners' earnings are not credited totally to the prisoner at the time they are earnt: 30 per cent is deducted for the prisoners resettlement fund, moneys the prisoner will draw on his discharge. Consequently the amount brought to debt in any wage period is made essentially of two components—70 per cent current wage which the prisoners use for purchases in the prison canteen, for savings or to repay advances from the inmates loan fund, and resettlement payments to those discharged. A prisoner who has served a very long sentence can have several thousand dollars in resettlement. It is obvious therefore that in any period the amounts brought to debit and shown as prisoner earnings can be significantly higher or significantly lower than the average. Two factors cause this distortion. Firstly, the number of prisoners discharged and, secondly, the length of sentence served by those actually discharged.

Last financial year there was a significant drop in prisoner numbers over the previous year—119, or more than 15 per cent. The reason for this drop in numbers was an increased number of discharges. As a result, a far higher amount of prisoner earnings was bought to debit. To interpolate these figures as to forecast a 'significant escalation in payment to prisoners this financial year', when prison numbers are in fact significantly increasing is quite erroneous.

OVERSEAS BORROWINGS

In reply to **Mr BECKER** (14 February).

The Hon. J.C. BANNON: The $US95 million zero coupon public issue made by SAFA in the Eurodollar markets in November 1984 was part of a combined transaction entered into by the Authority and arranged through Nomura Securities. As already explained in my press release of 22 November 1984, the other parts of the transaction involved a private placement and an interest rate swap transaction. The finer details of this innovative arrangement cannot be revealed because of its commercially confidential nature.

However, it can be revealed that the end result of the combined borrowing and swap transactions was that SAFA drewdown in total cash proceeds on 21 November 1984 of $US95 million, upon which it will pay interest on a six monthly-basis at an interest rate significantly below LIBOR (the London Interbank Offer Rate). Repayment of the $US95 million will take place on 21 November 1994.

With respect to the exchange rate risk taken by SAFA, it is correct that the $A equivalent of the $US loan has increased over recent weeks as the value of the $A has fallen in terms of the $US. However, the $US loan was not drawndown in $A but was left in $US. Because of the attractive sub-LIBOR funding cost to SAFA, it has been possible for SAFA to deposit the $US at a small positive margin over its borrowing costs while at the same time avoiding any exposure to movements in exchange rates (that is, because the $A equivalent of the $US deposit has also increased).

SAFA plans to bring the funds back to South Australia some time in the next few months, but even then the $US liability will be hedged against a $US denominated asset. It is not possible to be more explicit without breaking commercial confidences, but I can assure the honourable member that SAFA (and through it the State Government) has not and does not intend in the foreseeable future to take on any significant foreign exchange rate risks.

BOAT REGISTRATION NAMES

In reply to the **Hon. D.C. BROWN** (12 March).

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

1. No.
2. Yes.
3. No.

MEDIA BAN

The DEPUTY SPEAKER: I advise the House that, on behalf of the honourable Speaker, I make the following statement. Members will recall an incident in the Strangers Gallery during the sitting on 27 March and the subsequent media coverage of it, despite the Speaker's order to them not to unduly highlight the incident. As a result of the defiance of that order, he subsequently withdrew the privilege granted to the three commercial television stations of recording and broadcasting the proceedings of the House.

I am pleased to be able now to report to the House that, following discussions the Speaker had with the general managers of the three stations about this incident and the conditions to be accepted by them for having the privilege of recording the proceedings, these gentlemen have tendered to him a written apology for the actions of the television crews and have given him an assurance that it will not occur again. To ensure that there are no misunderstandings in future the general managers have agreed to the following conditions for having the privilege of recording and broadcasting the proceedings of the House:

1. Cameras to focus on the member on his feet speaking, with some scope for wide angle shots.
2. Fairness of reporting, with reasonable balance between both sides of the House and avoidance of undue concentration on any one member.
3. Parliament not to be held up to ridicule.
4. No filming or photographing of any other events outside the Chamber without specific approval. (This does not preclude the longstanding approval for specific recording of press conferences but does preclude any other recording anywhere in the building without specific approval).
5. Journalists and cameramen to obey any instruction given by Mr Speaker or through him by the Clerk of the House of Assembly, the Sergeant-at-Arms, or the Head Attendant.
6. In the case of an unusual or important event occurring within the Chamber (outside the above guidelines) any channel may through its authorised officer consult with the Speaker to determine whether in the circumstances approval to show the film of that event might be granted.
7. It is a fundamental term of these conditions that any breach of any of them may result in the immediate suspension of the privilege by Mr Speaker.

As a result of the apology the Speaker has received and the agreement to these conditions, he has now lifted the ban on the stations.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—

Pursuant to Statute—
Financial Institutions Duty Act, 1983—Regulations—Non-dutiable Receipts.

By the Minister of Labour (Hon. J.D. Wright)—
Pursuant to Statute—
Lifts and Cranes Act, 1960—Regulations—Fees.
Motor Fuel Licensing Board—Report, 1984.

By the Chief Secretary (Hon. J.D. Wright)—
Pursuant to Statute—
Friendly Societies Act, 1919—Report on the Operations of, 1983-84.

By the Minister of Emergency Services (Hon. J.D. Wright)—
Pursuant to Statute—
Second-hand Dealers Act, 1919—Regulations—Second-hand carpets.

By the Minister for Environment and Planning (Hon. D.J. Hopgood)—
Pursuant to Statute—
Coast Protection Act, 1972—Regulations—Works of a Prescribed Nature.
Planning Act, 1982—Crown Development Reports by S.A. Planning Commission on proposed—
Child Care Centre, Elizabeth West.
Construction of a Boat Ramp, Stansbury.
Erection of an Activity Hall at Moonta Area School.
Division of Part Section 93 and Closed Road, Hundred of Noarlunga, Aldgate.
Construction of Child Care Centre at Modbury.
Erection of Classrooms—
Clare High School.
Kingston College TAFE.
Mallala Primary School.
Riverton High School.
Regulations—Development Central, Hindmarsh.

By the Minister of Transport (Hon. R.K. Abbott)—
Pursuant to Statute—
Road Traffic Act, 1961—Regulations—Traffic Prohibition (Mount Gambier).

By the Minister of Education (Hon. Lynn Arnold)—
Pursuant to Statute—
Fisheries Act, 1982—Regulations—Gulf St Vincent Prawn Fishery (Crabs).
Spencer Gulf Prawn Fishery (Crabs).
Fish Processor Fees.
Marine Scale Fishery Licences.
Teachers Registration Board of South Australia—Report, 1983.
Veterinary Surgeons Act, 1935—Regulations—Advertising and Trading.

By the Minister of Tourism (Hon. G.F. Keneally)—
Pursuant to Statute—
Food and Drugs Act, 1908—Regulations—
Hospitals.
Mixed Dried and Imitation Fruit Products.
Special Dietary Foods.
Radiation Protection and Control Act, 1982—Regulations—Ionizing Radiation.

By the Minister of Local Government (Hon. G.F. Keneally)—
Pursuant to Statute—
Corporation of Woodville—By-laws—
No. 25—Streets, Bridges, Piers and Public Places.
No. 52—Recreation Reserves.

By the Minister of Community Welfare (Hon. G.J. Crafter)—
Pursuant to Statute—
Local and District Criminal Courts Act, 1926—Regulations—Bailiffs Fees.
Packages Act, 1967—Regulations—Various.
Rules of Court—Supreme Court Act, 1935—Costs.
Trade Standards Act, 1979—Regulations—
Pedal Bicycle.
Pedal Bicycle Reflectors.
Solid Chlorine Compounds.

By the Minister of Water Resources (Hon. J.W. Slater)—
Pursuant to Statute—
Sewerage Act, 1929—Regulations—Registration Fees.

PUBLIC WORKS COMMITTEE REPORT

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

Barossa Country Lands Water Supply System Upgrading.

Ordered that report be printed.

QUESTION TIME

TAXATION

Mr OLSEN: Will the Premier say whether the South Australian Government's submission to the Federal tax summit will call for the introduction of a broadly based consumption tax to allow a significant reduction in personal income tax? Will the Premier present the submission to this Parliament for debate prior to the summit? The Opposition supports the introduction of a broadly based consumption tax as a major reform to allow cuts in personal income tax. Whilst the Prime Minister and the Federal Treasurer have agreed with that approach, the South Australian Government's position is not yet clear. Following the State Convention of the ALP in March the Premier said that his Government would seek an investigation into the full range of capital transfer taxes such as death and gift duties and wealth taxes. There is significant public opposition to the imposition of higher rates of capital taxation which would be a significant disincentive to investment particularly by small business. The question of tax reform is a vital one affecting the whole community. In seeking the details of the submission by the Government to the tax summit the Opposition also seeks the opportunity to have that submission debated in Parliament before the summit.

The Hon. J.C. BANNON: The summit itself is not until July. The debate on taxation is continuing in the community. I have said previously that I feel it is an important debate. It is important particularly that it be conducted in an atmosphere of constructive approach to the much needed reforms in our tax system. If each and every interest group in the community that feels that it will in some way be affected stands up and says, 'You can do anything with taxes but do not impose it on us,' then we will get absolutely nowhere. We have to develop an approach that will ensure a better and more equitable tax base. That is under close examination by the State Government, as I have said many times. We are not closing off options until we are convinced that we have assessed the situation properly in South Australia.

One thing is clear: we strongly support and endorse the proposition that, whatever else comes out of the tax summit, we must see a substantial decrease in the rates of personal income tax in this country and, therefore, the Government believes that any submission that is couched in terms of tax reform must have that as a starting point and, when looking for alternative or replacement incomes, ensure that we can still achieve that major reduction in personal income tax levels. A question that is still under debate is whether the substitution should be in the form of a general consumption tax. The very way in which that consumption tax will apply is under debate. For instance, I reject the value added tax approach as carried out in Britain and in some European countries: that is, the taxing at each stage of a transaction. I think that approach is onerous, inefficient, and inflationary. It should be rejected.

On the other hand, a general consumption tax can be efficiently collected at that final point of sale, but at the moment we have a situation where some goods are taxed in that way and some are not. We have to look at the

negative effects that that would have on lower income earners, because one of the things a general consumption tax will do is increase the cost of living in percentage terms for those in the lower income bracket at a greater rate than for those with a higher capacity to pay. Obviously there have to be compensating mechanisms introduced if that is to be done. Any submission that says that we ought to have a general consumption tax but does not address itself to the problems of the lower and middle income groups is deficient. All these matters are being explored and thoroughly worked out.

We will also address ourselves to the State taxation situation and the question of how Commonwealth/State taxing relations can be improved so as not to leave the States vulnerable, as they presently do. The summit is not until July. At the appropriate time I will certainly produce the South Australian position so that there will be a chance to have it debated and discussed in the community. I do not believe that Parliament will be sitting at that time and, therefore, there will not be an opportunity then. However, I would certainly welcome a debate on the issue when we resume.

ENTERTAINMENT CENTRE

Mrs APPLEBY: Will the Premier advise this House of the progress that is being made towards ensuring a first class entertainment centre for Adelaide?

The Hon. J.C. BANNON: When I was overseas, I understand, the Leader of the Opposition produced a scheme, which had been in the hands of the Government and under investigation for some time, with 'Liberal Party Entertainment Centre' on top of it and said, 'This is what we will do.' That was quite a reckless action, involving something like $30 million worth of capital expenditure up front and $4 million recurrent exposure by the Government for a scheme which, during the course of the Government's investigations into it, the City Council had already signalled would not be tolerated because of the massive parking difficulties.

Mr Olsen: That is not right.

The Hon. J.C. BANNON: I assure the Leader of the Opposition that it is right. It was put to us in the strongest possible terms. Despite that, it is still one of the options that the Government has under consideration. I make clear that in that situation—

Members interjecting:

The Hon. J.C. BANNON: Are we talking about having an entertainment centre or not? The fact is that within a couple of weeks I hope to have a recommendation from a body that has been examining the matter in depth. We must ensure that what we do is responsible and can be financed, and that it is not some cobbled up scheme that does not have substance and will expose the State unnecessarily.

I have always said that we need an entertainment centre, but we have to do it within the financial resources we have. I find it extraordinary that an Opposition which is constantly carping and complaining about Government revenue, at the same time, like confetti over the past few days, has been showering promises and money around. It is time it was looked at a bit more responsibly. Within a few weeks I will have before me a recommendation that involves an in depth assessment of a viable entertainment centre in this State. Having got that assessment we will move to do something about it. Until then it is pointless to raise speculation in the community.

CAR PARKING

The Hon. E.R. GOLDSWORTHY: Will the Premier say what action the Government is taking over the serious shortfall in car parking which will occur once the ASER project is fully operational, particularly the casino and hotel? Will he explain why only half the car parking needs of the Festival Centre/ASER precinct are to be met under the present plans?

The question of car parking to meet all the needs of the Festival Centre, the casino and the new hotel was raised during the campaign for the Adelaide City Council elections. Information now available to the Opposition indicates that planning for car parking has in fact been completely inadequate. The original proposal for the ASER project, submitted to the former Governemnt in 1982 by the Pak-Poy consortium, provided for a car park for between 1 700 and 2 000 cars. But the agreement the Premier signed in Tokyo in October 1983 proposed car parking for fewer than half that number—about 800 cars. Subsequently, this was extended to 1 200, although the overall increase in parking which this allows is fewer than 900 when the removal of 350 open air spaces to be lost as part of the ASER development is taken into consideration.

The Opposition has been informed that a new study of the parking needs for the Festival Centre and the ASER project has now identified a shortfall of between 1 000 and 1 500 spaces: in other words, only about half of the car parking needs of this area are at present to be met. Six options are being considered to meet this shortfall. One is to bring casino and theatre patrons by special buses from other city car parks.

The Hon. D.C. Brown interjecting:

The Hon. E.R. GOLDSWORTHY: Yes, run shuttle buses from other car parks.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: We can imagine all sorts of things. Another option is the establishment of a car park with at least 600 spaces in the area between the Parade Grounds and Government House, at a cost of between $5 million and $6 million. This area, of course, is parklands used regularly by the public.

When the Leader announced the Liberal Party's plans for an entertainment centre, he acknowledged possible car parking problems and said these would be discussed in consultation with the Adelaide City Council. But, it now appears, in relation to the ASER project, that there has been a major miscalculation over car parking, that there are going to be serious traffic difficulties around this area without further action, and that the assurances given by the Premier about comprehensive planning of the project by his Government do not apply to the question of car parking.

The Hon. J.C. BANNON: I suggest that the Deputy Leader should talk to the Leader of the Opposition. If there are these great massive problems that he suggests, it is extraordinary that the Leader is going to put another 2 000 or so cars on to exactly the same site—quite extraordinary! I suspect that a bit of joint discussion ought to take place to decide where the Opposition is and, more importantly, where it stands on these major development projects. The assessment done in terms of the car park associated with the ASER development was that around 1 000 places would be necessary. In fact, the Government increased that to 1 200 places and ensured, by so doing, that it was meeting the currently assessed demand for those car parking spaces. Planning is continuing. The car park being constructed as the first stage is one of which honourable members can see evidence with their eyes. The Opposition spent many months telling us that we would never see anything on that site, so

it must be grossly disappointing for it. The evidence is there and the work is only a week behind schedule at the moment due to a number of unforeseen problems in piling. It is going satisfactorily.

The north car park will have its first 500 spaces available some time in December 1985 on current planning and we will see the balance early in 1986. Those needs are being addressed as a first priority. If other needs are identified in the course of the development of that project, then indeed they will be addressed. However, I point out that, in terms of provision of car parking for a complex such as the Adelaide Festival Centre, we are far better provided for than are venues such as the Sydney Opera House or even any Melbourne centres. I do not think that honourable members should, as they do, continually try to focus in on the problems and difficulties in order to undermine projects. It is about time they started supporting the project. Finally, perhaps the Deputy Leader had better talk to the Leader of the Opposition, who wants to put even more cars on to the site itself.

Members interjecting:

The DEPUTY SPEAKER: Order!

CRUISE LINERS

Mr FERGUSON: Following the most encouraging recent resurgence of interest in Adelaide as a port of call for world cruise liners, will the Minister of Tourism advise as to the prospects of a continuation of this activity in the months ahead? All honourable members must have been pleased to note the use to which the Outer Harbor terminal has been put over the last year or so, with calls made by the *Oriana, QE2* and *Canberra.* I understand that a committee has been set up to ensure that planning can be co-ordinated for welcoming large liners. This committee will, I hope, have more business in front of it.

The Hon. G.F. KENEALLY: I was surprised to see the response of some members of the Opposition to the question. I am sure that their hilarity is not shared by the shadow Minister of Tourism, who appreciates the importance of major liners coming to Adelaide. Indeed, the use to which the Outer Harbor facility has been put was, as I have said so many times, an experience members opposite did not face.

I am delighted to say that there are good indications that the revival of Outer Harbor as a port of call for major liners continues to be promising. A number of major vessels are coming to South Australia and, although they have not all been finally confirmed, I would be surprised if they did not arrive. I have already mentioned in the House that the *Oriana* will call in October, and the *Royal Viking Star* will call twice in 1986, the first call being expected in February. The *Sagafjord* proposes to call in February and the luxury vessel—

The Hon. Jennifer Adamson interjecting:

The Hon. G.F. KENEALLY: It is a little more than that. The luxury vessel *Danal* will also call in February next year.

The committee that was established to look at the problems occurring as a result of major liners visiting Adelaide has, I believe, been able to establish a discipline to ensure that future calls to Adelaide will be in the best interests of South Australia, the visiting passengers and certainly the companies that own the vessels, and their agents. They have been able to get together to ensure that future visitors to Adelaide will be given the opportunity to see our city in its best light as one of the major cities of the world, I might say.

Last week a travel agent from Houston, Texas, called at the Department of Tourism to see what could be arranged to fit in a large package tour of Texans into the *Royal Viking Star's* visit in February. That would be part of the bi-State celebrations in 1986 between South Australia and Texas. The programme is for the *Royal Viking Star* to tie up at the Outer Harbor terminal for a few days, probably two nights and the best part of three days, one would expect, so that the visitors from Texas would have the opportunity to visit not only Adelaide but also the respective twin towns and cities. We would expect visitors from all over Texas to stay on the liner at Outer Harbor and then visit their twinned cities or towns in South Australia. We are very hopeful that those arrangements can be made.

I can assure the honourable member that in the meantime the committee will continue working and advising the Government on the best arrangements that can be made to ensure that future visits are made and that those visits work as smoothly as possible.

SCHOOL CLEANING

The Hon. MICHAEL WILSON: Can the Minister of Education say whether the Government has decided to phase out the cleaning of schools by contractors and subcontractors and to replace them with weekly paid cleaners and, if so, what will be the additional cost of such a policy?

The Hon. LYNN ARNOLD: The situation with respect to cleaning in schools is that discussions have been held within the Education Department and indeed at the Cabinet level. Cabinet has decided that discussions should take place between the Public Service Board and the relevant union to determine whether or not a productivity agreement could be arrived at enabling the introduction of—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. LYNN ARNOLD: I am amazed at the mirth of members opposite: they obviously do not know the experience of employing cleaners in schools in other parts of Australia. They obviously are not aware of the experience in Queensland, for example, and they are not aware of the experience in some schools in South Australia, where there are schools that presently do have cleaners employed on the staff of those schools and have had for a number of years.

We are trying to work out whether or not a productivity agreement can be concluded between the unions and the Public Service Board. If that is the case, and if it is an acceptable level of cost commitment, that matter will be referred back to Cabinet, which will then consider whether there is to be any change in direction with respect to the cleaning of schools. I say that against the backdrop of changes that took place under the previous Minister of Education.

Basically, in 1979, there were, with a couple of exceptions, petty contracts for the cleaning of schools. The previous Government then moved to an industrial contract situation. At the time we questioned whether or not that was the most appropriate course to follow, because we wondered whether or not it would lead to industrial abuses of those employed in the field. Indeed, experience has been such that there have been examples of industrial contractors who have abused their situations. Others clearly have not.

The questions we raised in the first Estimates Committee of this Parliament which met in 1981 have been vindicated, because precisely the concerns we were raising turned out to be the case with some of the industrial contractors who tendered for that work. As a result of that, changes have had to be made to tender specifications to ensure that the sort of issues we believe to be important for industrial equity are being adhered to. As recently as last month, when the latest lot of industrial tenders were put out, I asked the

Director-General of Education to report to me on how we ensure that tender contract terms were being adhered to by those who won the contracts. It is one thing for us to require industrial fairness in the employment of labour, but it is another thing to know that that is actually happening, and I have asked that that situation be monitored. When Cabinet considers the final cost considerations of this matter it will do so by considering the cost comparisons of fair industrial petty contract employment against whatever may be a possible productivity agreement with respect to day labour employed in the Education Department.

LANGUAGE TEACHING

Mr GROOM: Will the Minister of Education explain to the House the time frame in which the Government will implement its policy of ensuring that at some time in their formal education all students learn at least one language other than English, and will he indicate the cost of implementing such a policy? This morning the Minister announced the Government's language policy, following an extensive review. It was stated that we are working towards the situation where all students will have the opportunity at some time in their formal education to learn at least one language other than English. The implementation of such a policy must mean significant changes, particularly with regard to the employment of new language teachers.

The Hon. LYNN ARNOLD: Today I will make some announcements which I anticipate the Opposition will follow up in about four months time by repeating, because that is precisely what happened last Sunday with respect to a policy members opposite launched somewhere about language teaching in South Australian schools. As I understand it, the shadow Minister of Education and the shadow Minister of Ethnic Affairs announced that this would be a policy that they would introduce, should the South Australian public be unfortunate enough to have them as a Government.

I know where they got the gem of an idea, because on 12 December last year I am reported in the *News* as having said that all South Australian schools will offer students at all levels a second language by the early 1990s. Some months later, when they have finally got around to checking through their press clippings, they have said, 'It is not a bad idea: we will do it.' They have picked it up and said that they will do it. The time is not ripe for general statements like that: the time is ripe for determining how one is going to do that. It is one thing to have said in 1984 what should be happening over the next decade, and I did say that then, but it is another to say how one intends to achieve it.

That matter has been the subject of considerable further investigation, and I can give the House some advice at this time. First, at a departmental level, the Education Department has prepared a policy statement called 'Languages Policy', which I launched this morning and which, again, has been in preparation for some time. Certainly, it was not started at 9 a.m. yesterday, and it is quite a detailed statement which I commend to members of the House so that they may see just where the Education Department lies with respect to language policy in our schools. Running alongside that, given the fact that this statement really says that their capacity to deliver is dependent upon the Government's commitment to such a cause, it was timely that I make an announcement about how the philosophical statement I announced in December last year was to be translated into action.

That is indeed by a programme that sees the commitment of human and physical resources to the teaching of languages over the period to 1995 at the latest which would result in all primary school students in this State being taught a language other than English. That will require some considerable teacher resources to be put into place, and we estimate that about 400 teachers with language training experience will need to be added to those teachers presently in the Department. Even if we had the financial resources, to do that in one year it would not be possible because within the teaching force we just do not have enough people with language teaching skills. Even over a 10-year period, that implies 40 a year, but we could not even put on the 40 next year, because it is doubtful that those 40 exist. At this stage I am targeting the 1985-86 budget to see if we can put on 20 additional teachers with language training experience. If we can use more, we certainly will. Determining what the final number will be will depend on those who are suitably qualified and able to teach languages in primary schools. From there on our planning goes over the rest of the decade, outlining the sort of numbers that may consequently be required.

Another level which is important to mention, and which I do not think was even hinted at in the Liberal Party's statement, involves curriculum support and advisory services. You cannot expect to have a massive increase in a programme in schools in South Australia without a concomitant level of support being made available at the advisory level and the curriculum writing level. In fact, we have addressed that problem, and the advice I have had from the Education Department is that we will need to increase from the present level of nine up to 14 the number of advisory teachers in the language area in the Education Department. We will be starting on that in the 1985-86 Budget, and I hope to see the increase completed within three years.

The next matter is that of curriculum support materials. Again, South Australia has been a leader in the nation with respect to the development of curriculum support materials, for example, in the R to 8 Greek curriculum, the R to 8 Italian curriculum, and work that has been done in French and Serbo-Croatian. Extra money will be required to enhance that curriculum development work for other languages that will be taught in South Australian schools, and that will also be provided in the 1985-86 budget and beyond.

In addition, a support sum will need to be made available to schools which are starting language programmes for the first time, because they will need to buy books, software and teacher materials. That money will be made available; we have not yet finalised a figure, but some $1 000 will be needed by schools to start a language programme, and those schools which come onstream in 1986 will be provided with that sum of money. There is a very extensive commitment, and it involves a major curriculum initiative. First, it appeared in the Smolicz Report as a recommendation; it was announced by me in December last year, and it was belatedly announced by the Opposition this year.

Today I have indicated that that staged programme is a commitment of this Government and that the 1985-86 budget will see the first implementation of that, with 1986 being the first school year that the results of this commitment will be translated from a general philosophical statement into something of substance—something of bricks and mortar, human beings, textbooks, kids and classrooms—in relation to the learning of languages other than English, building on the very good achievements of South Australia to date with respect to language teaching. I must make the point that we are leaders in the nation with respect to the teaching of languages other than English.

Mr L. JOHNS

The Hon. B.C. EASTICK: In relation to the Government's decision to sack the former Director of the Country Fire

Services, Mr Lloyd Johns, did the Deputy Premier have any communication with the interim board of the CFS in the period between 19 March (when the Minister said that he believed that Mr Johns had a future with the CFS) and 22 March (when the board decided to recommend the dismissal of Mr Johns)? If so, did the Deputy Premier ask the board to consider sacking Mr Johns?

The Hon. J.D. WRIGHT: The honourable member is not very well informed. The matter is before the Industrial Court, and I understand that proceedings commenced at 9.30 this morning. There has also been an appeal to the internal committee. Therefore, I suggest that both those matters are *sub judice* at the moment.

Members interjecting:

The DEPUTY SPEAKER: The Chair will decide whether or not it is *sub judice.*

FLAGSTAFF HILL ROAD BRIDGE WORK

Mrs APPLEBY: Can the Minister of Transport inform the House of the reasons for the delay in the commencement of the widening of the Flagstaff Hill Road bridge works? My constituents are concerned that the promised starting time of January or February this year for the reconstruction of the Flagstaff Hill bridge work has not occurred. As a number of those people inquiring are aware of the necessity to acquire land for the bridge reconstruction, it has been put to me that the impression has been given by the Opposition spokesman that the work is now not going to be undertaken by this Government. I therefore ask the Minister to make clear the circumstances that have caused the delay.

The Hon. R.K. ABBOTT: The member for Brighton is quite correct when she said that work on the Flagstaff Hill bridge was to have commenced earlier this year, but the delay has been caused because of problems arising from land acquisition.

The Hon. D.C. Brown interjecting:

The Hon. R.K. ABBOTT: I can assure the member for Davenport that no promises have been broken with this project. The Highways Department is ready to proceed. It has specifications, and the contracts have been prepared for that work so that no more delays will be caused. The land in question is owned by the South Australian Brewing Company and the Highways Department is negotiating with its legal representatives on the question of land acquisition. That has been the only reason for the hold-up with this work. I can assure the member for Brighton that, as soon as the problem is resolved, the work will proceed immediately.

I am most concerned about the negative political tactics of the member for Davenport and the member for Alexandra on this issue. I understand their role in this matter has been to create confusion and misconception in the minds of the people concerned. If either member had taken a moment to contact me, I could have explained the reason for the hold-up.

The Hon. D.C. Brown: They have given up going to you: they come to me.

The DEPUTY SPEAKER: Order!

BRIGHTON HIGH SCHOOL

Mr MATHWIN: Can the Minister of Education say when the Government will decide the successful tenderer for building Stage I of the Brighton High School? As the Minister knows, tenders were called and closed in February this year, that is, three months ago, for the building of Brighton High School Stage I. I understand that as yet no tender has been accepted. The parents, staff and students who have accepted the responsibility of raising a massive $241 000 plus an extra $37 000 towards the cost of this project are understandably becoming concerned about the delay. The Minister would know that the shortfall in finance compared to the estimated cost is about $100 000, and that is mainly because of the long delays and procrastination by the Government over the past 2½ years. When in Government the Liberal Party promised that this work would commence and it would have been started within months. The longer this Government takes to come to a decision, the higher the final cost of the project.

The Hon. LYNN ARNOLD: I am amused at the honourable member's reference to the fact that this project would have started in months had the former Government been re-elected in South Australia. That is certainly not supported by any of the documentary evidence in the files of the Education Department or the Housing and Construction Department. It is amazing speculation that that would be the case. In fact, it was really a case of the matter being put as far on the back burner as possible.

I am also amused at the honourable member's suggestion that the cost increases that are now involved in this project are entirely the result of procrastination and delay. It is certainly true that every building project involves cost escalation. In fact, that is built into estimates and tender contracts that the Government considers. It certainly has happened with respect to Stage I (the activity hall) of the Brighton High School redevelopment, and other matters have also come into place with respect to redevelopment. One matter is the request of the school for a mezzanine floor in the activity hall, which the school community is financing—and the school community has done a magnificent job in relation to the financing it is prepared to undertake—and which the honourable member says is about $240 000, plus this extra amount I am about to refer to. That is a change of circumstances that needs to be taken into account and, therefore, means a change of cost.

This Government is committed to the Stage II redevelopment of the school proceeding. As I have previously said in this House several times, I am aware of the situation. I have visited the school and know its circumstances. We are committed to Stage II, and that appears in our forward planning programme. If one is to build an activity hall at some considerable cost on a site that one is going to redevelop in the near future, one needs to ensure that the whole lot is consistent, and that there is no situation where one is going to pay money to lay down power, sewer, and water supplies, only to have them dug up at some later stage.

There have been extra costs involved in that redesign to take into account the Stage II redevelopment, which this Government is committed to. That has resulted in extra costs as well, but extra costs that are much less than the extra costs that would have been involved had there been the digging up of power, sewer and water supplies if it had happened at some later stage. It is true that there has been a cost escalation but that, as I said before, applies to other projects as well. It is not new, and has always been the case for any building project which takes anything other than a very short time.

In relation to the tender that was called in February, I advise the honourable member that the Minister of Housing and Construction has now forwarded to Cabinet a recommendation with respect to the tenderers. That matter will be considered by Cabinet next Monday. One other situation needs to be taken into account. If there is a change in cost, that, in itself, is always a matter of further investigation, which has been happening. Members will know that this matter was considered by the Public Works Standing Committee at an early stage. The question is what further con-

sideration needs to be taken of the cost increases that have taken place on this project. This matter is before the Government now, and we would expect some information on it in the very near future.

I assure the school community of Brighton High School that the Government is committed to Stage I going ahead; it is committed to Stage II going ahead; and it is committed to the redevelopment of the Brighton High School, the substance of which was not seen in the words and actions of the former Government.

Mr MATHWIN: I rise on a point of order. In his reply the Minister said that the matter had been before the Public Works Standing Committee. That is not true.

The DEPUTY SPEAKER: Order! There is no point of order. If the member for Glenelg wishes to make a personal statement he has that privilege at a later date.

FISHING INDUSTRY

Mr PETERSON: Is the Premier, in his capacity as Minister of State Development, aware of the concern of St Vincent Gulf prawn fishermen over the future of the industry in the gulf? Will the Premier initiate an investigation into the present and future viability of this valuable South Australian industry?

Past catch results demonstrate that the St Vincent Gulf prawn fishery is capable of a production worth $9 million based on today's prices. Therefore, it is a valuable State resource on which about 50 fishing families and a similar number of ancillary workers (fish process workers, boat builders, etc.) rely for their livelihood. The fishermen have continually warned that the fishery is being grossly mismanaged, and that this will lead to its demise. In September last year after a catch decline of nearly 20 per cent the Australian Fishing Industry Council urged the Minister to appoint an independent person to investigate the fishery's management.

The Minister refused, stating that he was quite pleased with the progress being achieved through research surveys. Since then there has been a further 50 per cent catch decline to date this year. AFIC has now instructed its executive officer to explore the possibility of an Industry Assistance Commission based inquiry into the fishery's management. Further, the size of the individual prawns caught has also declined, as letters from major purchasers attest. A letter dated 3 January 1985, addressed to the Secretary of the Gulf St Vincent Prawn Boat Owners Association from Safcol, states:

> I refer to your inquiry about the size of prawns purchased by the Central Fish Market over the years from Port Adelaide prawn fisheries. Until 1978 all prawns purchased at Port Adelaide were large, being approximately 13-18 count per kg. From then the size steadily declined to an average count f 30-35 count per kg by 1981. Since then there has been a further steady deterioration in the size, necessitating Safcol to request the prawn fishermen to grade out prawns over 34 count per kg to be purchased at a separate lower price.

Another letter from Ocean Foods to the same Secretary, dated 9 January 1985, states:

> I have checked our records and advise that until 1977 all prawns purchased were of a size less than 15 to the kg. The size then consistently decreased and by 1980 was approximately 33 to the kg. The size decline has continued with most catches now consisting of mixed sized prawns averaging out at about 44 to the kg. Some unloadings, however, consist of only small prawns of about 60 to the kg.

It is signed by Mr M. Rapp, the Managing Director of Ocean Foods. He further states:

> As President of the Wholesale Fish Merchants Association, I have on several occasions expressed concern to the Director of Fisheries at this very undesirable trend, pointing out the lack of demand and poor market price for small prawns. My overseas visits cause me to believe that rapidly expanding aquaculture will result in much lower prices in the near future for the sized prawn presently being landed from Gulf St Vincent. I believe your Association should do all possible to persuade the Fisheries Department to take action to reverse the size decline.

Will the Premier, as Minister of State Development, intervene in this matter and appoint an independent person to examine the situation?

The Hon. J.C. BANNON: I thank the honourable member for his question. I have not had direct contact with this issue for some time, although it has been drawn to my attention. However, the Gulf St Vincent Prawn Boat Owners Association have seen my colleague the Deputy Premier and presented a detailed position paper. Whilst I was overseas, as Acting Premier my colleague received another paper from this organisation, and I understand has taken it up with the Minister of Fisheries and that department. I understand also that an equally detailed response to the position paper is now being prepared by the Minister.

The Government's overall desire is to ensure that the fishery is managed in the best possible manner so that its value to the community and those who work in it is maintained. In the case of Spencer Gulf, a co-operative relationship has been established between the Government and the industry that has been very productive. The same kind of co-operative relationship is being sought between the Government and fishermen in Gulf St Vincent. In 1983, to aid this process, the Government established the Gulf St Vincent Prawn Fishery Management Licence Committee, the Chairman of which is also the Secretary of the Prawn Boat Owners Association. The terms of reference of the committee include the management of prawn stocks, the investigation of a data base on which decisions are made concerning the fishery, criteria of new entries to the fishery, and the review of the operation generally.

I understand that, unfortunately, the commitee has not met very often. It could, in fact, looking at those terms of reference, make a fairly significant contribution to the problems raised by the honourable member. Seeing that he has raised the matter in this place, I will certainly get on top of the issue again. I will take up the matter with my colleague in another place and ensure that we get a detailed reply for the honourable member.

ROXBY BLOCKADE

Mr GUNN: Can the Premier give an assurance to this House and to the people of South Australia that the Government will not again tolerate a blockade at Roxby Downs or any of its associated sites by demonstrators or their supporters? I have been advised that a group known as the Nomadic Action Group has taken up residence at the old Alberrie Creek siding, west of Marree, which is one of the sidings on the old Marree to Oodnadatta railway line. I understand that this is the group that was evicted from Andamooka and was for some time in front of this building campaigning against the use of water from the Great Artesian Basin. I have been further advised that it is likely that the next blockade will take place in the area from which the water will be pumped for the project. I therefore seek this assurance from the Premier because it would be quite wrong if the public of South Australia again had to fork out millions of dollars to have police officers in this area against the actions of this irresponsible and unrepresentative group.

The Hon. J.C. BANNON: If by 'tolerate' the honourable member means in some way condone or support, certainly the Government has absolutely no intention of doing so, nor has it done on previous occasions. The Government has made an unequivocal commitment to support the orderly

development of that project and, in fact, has demonstrated that throughout its term of office. In terms of tolerating a demonstration, I would have thought that it has been made quite clear that the Government, in terms of the resources made available to ensure that those demonstrations that have taken place are controlled and dealt with within the law, has put beyond doubt its commitment to that process. The law is the law and it must be observed, whether it be in relation to the Roxby Downs project or in relation to signs advertising election policies.

To return specifically to the question the honourable member asks about later developments and possible new demonstrations, I can assure the House that the Government will do what is possible legally to ensure that anything along those lines does not infringe the law or impede the progress of the project. But short of providing some kind of restricted movement area, a pass law situation, which would be enormously expensive to enforce as well as difficult to establish in a legislation framework to do that fairly, I cannot quite see what more can be done. The police have the situation under constant surveillance. They are ready and available with the resources necessary to control it.

I would hope that we do not see a recurrence of the events we saw last September, but if demonstrators are determined to demonstrate, whether they are in Australia or in any other country they have a democratic right so to do and if they exercise that right all the State can do is to ensure that the peace is kept and the law observed. That we are determined to do and will do. I can assure the honourable member on that.

LOCAL GOVERNMENT ELECTIONS

Ms LENEHAN: Will the Minister of Local Government say whether he is satisfied with the impact of the Statewide voter awareness campaign entitled 'Have a say in May' and, specifically, can he state what was the level of voter turnout; to what extent local councils promoted and complemented the Statewide campaign; and, thirdly, how effective does the Minister believe the new voting system proved at the recent elections?

The Hon. G.F. KENEALLY: The cost of the total programme to the State was about $100 000, to which there was a contribution of $2 000 by the Local Government Association and $5 000 by IYY, so that youth participation in local government would be encouraged. I believe that the awareness programme was a successful media advertising programme, and resulted in an increased turnout from about 70 000 people who voted in 1984 to 147 379 voters in 1985. In bald terms there was a 100 per cent increase in the voter turnout, but that has to be considered in relation to the increased number of contested elections. I do not have that figure with me but there was a significant increase in the number of contests, so that the opportunity for people to vote was increased quite significantly.

The percentage of electors of those eligible to do so who voted at the previous local government elections was about 15 per cent and the percentage of electors who voted this year of those eligible to do so was about 18 per cent: there has been a 3 per cent increase in voter turnout at local government elections.

Whilst there has been an overall increase of somewhere about 77 000, the actual real increase, comparing like with like, frankly is disappointing. I believe that people in South Australia ought to have a greater concern for the performance of local government and should show that concern by going out to vote. Some country councils recorded votes of between 70 per cent and 75 per cent and the voting in other councils was considerably less. Here again, I do not have a picture that I can present to the Parliament at this stage, but that research is now going ahead.

I think the second part of the question was whether I was satisfied with the contribution that local government bodies made towards the awareness programme. I was certainly happy with the assistance given by the Local Government Association—there is no question about that. There was a considerable difference between the enthusiasm of different local government authorities as to how they viewed the awareness programme and their participation in it and that may in some ways have reflected the actual voter turnout. That again needs to be assessed by research.

I think the third part of the question was whether or not I was satisfied with the voting system that operated. There is no doubt that both systems (the optional preferential bottoms-up and the PR) worked effectively for those councils that used them. I believe that 30 councils used the PR system, which means that 62 councils would have used the optional preferential bottoms-up system. In 32 or 33 council areas there were no elections at all. The councils that used one of the two systems report that they worked effectively. I gave an undertaking to local government and to the House, if my recollection is right, that the effect of the new voting system would be assessed, and so I am putting into effect now a committee which will include officers from the State Electoral Department, my Department and local government to evaluate the effectiveness of the electoral system. I will be waiting for recommendations to come back to me.

Under the legislation, local government authorities, individual councils, have to determine within two months of the election the system they will use for the new election —whether they will use the optional preferential bottoms-up or the PR system. I hope the report from this committee will be received in time for councils to be able to make a decision, having the benefit of the research. I cannot be certain that that will take place, so I sound a word of warning that councils will need to make a decision within two months as to what system they will use in 1987.

Hopefully, they will have the benefit of the review of the current election, but that may not be the case. In summary, I was pleased with the increased turnout at the local government election, but when one compares like with like an increase of 15 per cent to 18 per cent of eligible voters in my view can please no-one.

NORTH-SOUTH TRANSPORT CORRIDOR

The Hon. D.C. BROWN: Will the Minister of Transport ensure that the full report of the advisory panel of the State Planning Commission that examined the Transportation Adelaide Metropolitan Supplementary Development Plan is released for public scrutiny?

Members interjecting:

The Hon. D.C. BROWN: I will mention the other Minister shortly.

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: The State Planning Commission took public evidence in December last year. I presented evidence on behalf of the Liberal Party concerning removal of the north-south transport corridor from the metropolitan development plan. Earlier this year the advisory panel of the State Planning Commission reported to the Minister for Environment and Planning. About six weeks ago I asked the Minister for Environment and Planning to release that report: he has refused to do so. It is for that reason that I now ask the Minister of Transport to ensure that he releases the report, as I believe it is important.

Now that the Liberal Party has announced that after the next election it will proceed with the development and

construction of the north-south transport corridor, with construction work starting within three years, it is most appropriate that that report of the State Planning Commission now be released. I point out, for the benefit of honourable members opposite, that the overwhelming support that has come from the southern metropolitan area for the north-south transport corridor is staggering. I have been staggered by the response from the Minister's own electorate as well as that from the member for Mawson's and other electorates down south.

The Hon. Jennifer Adamson: The member for Brighton's area?

The Hon. D.C. BROWN: In the member for Brighton's area her local council has indicated its strong support, too.

The DEPUTY SPEAKER: Order! The honourable member will please resume his seat. He is now debating with back-benchers of the Government. The honourable member sought leave to explain a question: I hope that he comes back to the explanation.

The Hon. D.C. BROWN: I was just responding to the interjections, and I know I should not have done so.

The DEPUTY SPEAKER: Order! The honourable member for Davenport must not respond.

The Hon. D.C. BROWN: I ask the Minister of Transport to release the report of the State Planning Commission.

The Hon. R.K. ABBOTT: I think that the member for Davenport has got the name mixed up: it is the Advisory Committee on Planning, as I understand it. It is not my report, but I will take up the matter with my colleague the Minister for Environment and Planning and advise the honourable member whether the Minister is prepared to release it.

The DEPUTY SPEAKER: Order! Before calling on the next question I remind the House that Question Time ceases at 3.15 p.m.

EARLY RETIREMENT FOR TEACHERS

Mr MAYES: Will the Minister of Education explain the nature of the new early retirement scheme for teachers, whether it is voluntary or compulsory, and how widely it is being publicised?

The Hon. LYNN ARNOLD: I thank the honourable member for his question. This is a great initiative that this Government has undertaken on behalf of the teaching force in South Australia. I think that the benefits to the education system will be felt in other ways. Some years ago while on an overseas study tour a leading officer of the Education Department, Colin Laubsch, came across a very interesting example of phasing out of work in San Francisco.

He brought back a report to his Director-General and that matter was being discussed in the late 1970s. Indeed, one of my predecessors, the now Minister for Environment and Planning and Minister of Lands, was so interested in the matter himself that he took it up with various officers at different levels of Government to see what prospects there were for implementing such a scheme in South Australia. The previous Government sent it to the dead letter office and it was never heard of again.

When I became Minister, it seemed to me to be a scheme that was well worth further consideration, so I had the matter relooked at and represented to Cabinet. With some modifications to the original proposal, Cabinet has now endorsed this scheme for teachers in South Australia. It is not a compulsory scheme: it is voluntary. It is not an early retirement scheme, in the traditional sense of the term, but an opportunity of phasing out of employment for those who wish to take it.

Those who wish to retire at the age of 55 can pick up their superannuation pension, which is at the normal level for that age, in addition to picking up a certain level of work—three days a week for that year, reducing it in the following year and phasing it out until at the age of 60 years no more work is available.

The DEPUTY SPEAKER: Call on the business of the day.

PERSONAL EXPLANATION: BRIGHTON HIGH SCHOOL COSTING

The Hon. LYNN ARNOLD (Minister of Education): I seek leave to make a personal explanation.

Leave granted.

The Hon. LYNN ARNOLD: I seek not to continue my answer, but to clarify a statement I made earlier in the House in answer to a question from the member for Glenelg concerning Brighton High School. The substance of my answer is correct in its entirety, save for one point. I mentioned that the matter had been before the Public Works Standing Committee. That was not so: it had not been. My reference was to the consideration undertaken by officers at departmental level as to whether or not the cost escalation resulted in the project going above the $500 000 limit requiring it go before the Public Works Standing Committee.

I advise the House that that has not been the case. Those costs pertain to stage 1 only and not to those costs related to accommodating stage 2. The former costs are less than $500 000. Therefore, it does not need to go before the Public Works Standing Committee. I clarify that point: it has not been before the Public Works Standing Committee to this time.

SELECT COMMITTEE OF INQUIRY INTO STEAMTOWN PETERBOROUGH RAILWAY PRESERVATION SOCIETY INC.

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

That the Select Committee of Inquiry into Steamtown Peterborough Railway Preservation Society Inc. have leave to sit today during the sittings of the House.

Leave granted.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3) (1985)

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

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

The purpose of this Bill is to strengthen the drink driving provisions of the Road Traffic Act by implementing a series of recommendations of the Random Breath Testing Select Committee, which reported on 3 April 1985. The question of the most appropriate method to counteract alcohol related driving offences has been under consideration for some time. A number of investigations have taken place and the aforementioned Select Committee's report contained some 32 recommendations which the Government has been considering with some urgency.

The Government has accepted the general thrust of the report and is now working for the speedy implementation of its various recommendations. The Bill before the House now gives effect to a number of recommendations requiring legislative change and another Bill that will shortly be considered by the House, the Motor Vehicles Act Amendment Bill (No. 2), 1985, will give effect to a further series of recommendations. Both Bills together form a package of legislation that will substantially strengthen drink driving provisions and penalties, and will provide for permanent random breath testing.

First, this Bill removes the sunset provisions for random breath testing in this Act which currently will expire at the end of June 1985. Restrictions that relate to the siting of RBT stations have been removed to allow greater flexibility to the police to carry out effectively random breath testing programmes. There is also a provision removing the requirement for all police involved in random breath testing operations to be in uniform.

The Minister will now have to provide to Parliament a report on the effectiveness of the random breath testing programme no later than four months after the end of each financial year. Motorists detected with a blood alcohol content (BAC) level exceeding .15 will be referred to the Drug and Alcohol Council for assessment. All the preceding were recommendations from the Select Committee and have been fully argued in the committee's report.

In addition, this Bill contains a series of amendments that strengthen immediate penalties for first offenders of driving under the influence, exceeding the prescribed content of alcohol and for failing to undergo breath and blood tests. These amendments will ensure greater consistency in penalties between different classes of offences and drivers.

As an example, the offence of exceeding .08 BAC has been chosen as a benchmark for other offences in this class and proposals in this Bill would mean that a licensed first offender would be penalised by a six month disqualification of licence. This is considered an appropriate and publicly acceptable penalty for the nature of the offence involved. In fact, it represents a doubling of the existing penalty. On this basis, penalties in a number of other areas have been readjusted. The variations can be seen simply from the table provided.

In addition to maintaining consistency, there has been an attempt to make penalties operate as a more effective deterrent. As a result, all first offenders for any drink driving breach will now be placed under probationary conditions for at least 12 months following any period of suspension of licence. That period of probationary conditions may be extended further by the courts in some circumstances.

Probationary conditions will be a substantial restriction on offending drivers and should serve as a major deterrent. These penalties under this Bill have been drafted to maintain full consistency with new provisions under the Motor Vehicles Act that affect Probationary and Learner drivers (that is P and L plate drivers). I seek leave to have the remainder of the explanation of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Remainder of Explanation

These provisions are contained in the Motor Vehicle Act Amendment Bill (No. 2) 1985, and represent a substantial tightening of conditions relating to L and P plate drivers. The Motor Vehicles Act Amendment Bill provides for a set of conditions for L and P plate drivers which include zero BAC level, a maximum speed of 80 km/h, compulsory display of L and P plates, and a maximum of four demerit points. A breach of any of these conditions will involve a penalty of the loss of licence for six months.

These provisions, as has been said, form a substantial package of legislative reform that goes beyond the bare recommendations of the Random Breath Testing Select Committee. There are a number of recommendations that are currently under consideration by the Government that do not require legislative change, but involve the provision of substantial resources. Assessment and implementation of these recommendations is proceeding as quickly as possible.

One recommendation, the legislative change that involves a zero BAC level for drivers of passenger carrying vehicles, is still under consideration and has not been included at this stage because of ramifications in the whole field of professional drivers. When the matter has been fully assessed, such legislation as is necessary and appropriate will be brought forward.

A summary of changes to the Road Traffic Act effected by this Bill are listed in the table attached to this report:

Summary of Changes to Penalties under the Road Traffic Act

Offence	Existing disqualification	Proposed disqualification
Driving under influence (Section 47 (3) *(a)*)	1st offence: Minimum six months disqualification	1st offence: Minimum 12 months disqualifcation
Refuse or fail to give breath test (Section 47e *(b)* *(a)*)	1st offence: Minimum six months disqualification	1st offence: Minimum 12 months disqualifcation
Refuse blood test (Section 47i (14a) *(a)*)	1st offence: Minimum six months disqualification	1st offence: Minimum 12 months disqualifcation
Prescribed Content of Alcohol (0.08 BAC) (Section 47b (3) *(a)*)	1st offence 0.15 and over (greater) Minimum six months disqualification	1st offence: Minimum 12 months disqualification and referral to Drug and Alcohol Services Council
	1st offence less than 0.15 (lesser) Minimum three months disqualification	1st offence: Minimum six months disqualification and 2nd and subsequent offences referral to Drug and Alcohol Services Council

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. The clause provides that the commencement of any of the provisions may be suspended until a subsequent day or a day to be fixed by subsequent proclamation.

Clause 3 amends section 47 of the principal Act which provides for the offence of driving a vehicle when so under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle. subsection (3) of this section presently provides that a court shall, upon convicting a person of that offence, order that the person be disqualified from holding or obtaining a driver's licence for six months or more in the case of a first offence, or three years or more in the case of a subsequent offence. The clause amends this subsection so that:

(a) the minimum period of disqualification for a first offence is doubled, that is, increased to twelve months;

(b) any driver's licence (which term includes, for the purposes of the principal Act, a learner's permit)

held by the person is cancelled on the commencement of the disqualification; and

(c) the court may, if it thinks fit, order that probationary conditions shall apply pursuant to section 81a of the Motor Vehicles Act to the next licence issued to the person for a greater period than the twelve month period fixed under that section.

The amendments proposed by this clause should be read together with the amendments proposed to sections 81a and 81b of the Motor Vehicles Act by the Motor Vehicles Act Amendment Bill presently before the Parliament. Under the amendment to section 81a of that Act, any new licence issued to a person whose licence has been cancelled as a result of a drink driving offence (that is, an offence against section 47 (1), 47b (1), 47e (3) or 47i (14) of the Road Traffic Act) will be endorsed with the same probationary conditions as apply to new drivers. Under the amendments proposed to section 81b, any driver with a learner's permit or licence endorsed with probationary conditions who drives with any concentration of alcohol in his blood will have his permit or licence cancelled and be subject to disqualification for a six month period (that is, double the present disqualification period).

Clause 4 amends section 47a by deleting the definition of 'breath tests'. This definition (which comprehends both alcotests and breat analyses) will no longer be required in view of the amendments proposed to be made to section 47da.

Clause 5 amends section 47b which provides for the offence of driving a motor vehicle while having a blood alcohol concentration of .08 grams or more in 100 millilitres of blood. Subsection (3) of this section presently provides that a court shall, upon convicting a person of that offence, order that the person be disqualified from holding or obtaining a driver's licence:

(a) in the case of a first offence—

(i) where the blood alcohol concentration is between .08 and .15 grams—for three months or more;

(ii) where the blood alcohol concentration is .15 grams or more—for six months or more;

(b) in the case of a second offence—

(i) where the blood alcohol concentration is between .08 and .15 grams—for twelve months or more;

(ii) where the blood alcohol concentration is between .15 grams or more—for three years or more;

(c) in the case of a subsequent offence—

(i) where the blood alcohol concentration is between .08 and .15 grams—for two years or more;

(ii) where the blood alcohol concentration is .15 grams or more—for three years or more.

The clause amends this subsection so that—

(a) the minimum periods of disqualification fixed for first offences are doubled, that is, for a first offence, where the blood alcohol concentration is between .08 and .15 grams, the minimum period of disqualification is to be six months; while for a first offence where the blood alcohol concentration is .15 grams or more, the minimum period of disqualification is to be twelve months;

(b) any licence held by the offender is cancelled on the commencement of the disqualification; and

(c) the court may, if it thinks fit, order that probationary conditions shall apply pursuant to section 81a of the Motor Vehicles Act to the next licence issued to the person for a period greater than the twelve month period fixed by that section.

Clause 6 amends section 47da of the principal Act which provides for the establishment and operation of random breath testing stations. The clause amends this section so that the formal procedure under which the Police Commissioner must determine the time and place at which each breath testing station is operated is replaced by a power of members of the police force to establish such stations subject, at an administrative level only, to the control of the Commissioner. The clause removes the present references to breath tests which imply that breath analysis instruments must form part of the facilities available at each breath testing station. The section, as amended by the clause, is intended to make it clear that breath analyses may in the future either be conducted at the breath testing stations or at other suitable locations.

The clause rewords the requirement as to the wearing of uniforms by police officers performing duties at breath testing stations so that the requirement only applies to the officers who stop vehicles or require drivers to submit to alcotests. The clause inserts a new provision, in place of the present subsection (4), requiring the Commissioner to establish procedures to be followed by the officers performing duties at or in connection with a breath testing station, being procedures designed to prevent as far as practicable any undue delay or inconvenience to the members of the public stopped at breath testing stations. The requirement for an annual report is altered so that the report must be submitted to the Minister within three months after the end of each calendar year and so that the report must deal with the operation and effectiveness of section 47da and other related sections during that preceding calendar year. Finally, the provision for expiry of the section on 30 June 1985, is deleted.

Clause 7 amends section 47e of the principal Act which, *inter alia*, provides for members of the Police Force to require drivers stopped at a breath testing station to submit to an alcotest and, if that test indicates that the prescribed concentration of alcohol may be present in the blood of the driver, to submit to a breath analysis. The clause replaces subsection (2a) with a new subsection that is consistent with the amendments to section 47da made by clause 6. The clause also amends subsection (6) which deals with the disqualification of a driver who is convicted of the offence under subsection (3) of refusing or failing to comply with any requirement to submit to an alcotest or breath analysis.

The clause doubles the minimum period of disqualification for a first offence against subsection (3), that is, increases the period of twelve months. The clause also provides that any licence held by the offender is cancelled on the commencement of the disqualification and that the court convicting the person may, if it thinks fit, order that probationary conditions shall apply pursuant to section 81a of the Motor Vehicles Act to the next licence issued to the person for a period greater than the twelve month period fixed by that section.

Clause 8 amends section 47g of the principal Act which contains provisions providing evidentiary assistance in relation to prosecutions for 'drink driving offences'. The clause replaces the present subsection (3c) which relates to proof of the issuing of an authorisation by the Commissioner of Police under the present provisions of section 47da with a new evidentiary provision which instead provides assistance in proving the time and place at which a breath testing station is operated under the proposed new provisions of section 47da.

Clause 9 amends section 47i of the principal Act which provides at subsection (14) for the offence of failing to submit to a compulsory blood test under the section. The clause amends subsection (14a) so that—

(a) the minimum period of licence disqualification for a person convicted of a first offence against subsection (14) is increased from six months to twelve months; and

(b) the court may, if it thinks fit, order that probationary conditions shall apply pursuant to section 81a of the Motor Vehicles Act on the next licence issued to the person for a period greater than the twelve month period fixed by that section.

Clause 10 amends section 47j of the principal Act which provides that a person convicted of a second drink driving offence committed within the prescribed area and within three years after his previous such offence may be required to attend at an assessment clinic and submit to an examination so that it may be determined whether the person suffers from alcoholism or drug addiction. The clause amends the section so that such a requirement may be made in relation to a person convicted—

(a) of an offence against section 47b of driving while having a blood alcohol concentration of .15 grams or more or of an offence against section 47, 47e or 47i; or

(b) of any second 'drink driving' offence committed within five years of a previous such offence.

The present requirement that such an offence be committed within the prescribed area is omitted under the amendments.

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

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

The Hon. R.K. ABBOTT (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

The purpose of this Bill is to enact a series of provisions relating to L and P plate drivers that flow from the recommendations of the Random Breath Test Select Committee. Prior to the report of the above committee, the Government was already committed to the introduction of zero blood alcohol content level for novice drivers.

Following on this recommendation, a reassessment of other conditions applying to novice drivers has been made and a package of conditions and penalties is now recommended that will substantially increase restrictions during the learning process for drivers.

The Bill provides for the following conditions to apply to L and P plate licences:

- zero BAC
- 80 km/h maximum speed
- compulsory display of appropriate plates
- four demerit points maximum
- learners to be accompanied by appropriate licensed driver

Penalties for the breach of these conditions will be a six month cancellation of licence and disqualification. The major variation to the recommendations of the report of the Select Committee relating to a loss of licence for a 12 month period is this reduction from that recommendation to a six month loss of licence and disqualification. The primary reason for this reduction relates to the severity of penalties associated with a fully licensed driver who has exceeded .08 BAC under the Road Traffic Act. It would be inconsistent if L and P plate drivers with very low BAC levels were to suffer greater penalties than a fully licensed driver with a BAC in excess of .08.

This series of penalties for breach of L and P licence conditions is effectively a doubling of the existing penalty and is considered an appropriate and publicly acceptable penalty for the nature of the breaches involved.

Although controversy surrounds the measurement of the zero blood alcohol measurement, the present proposals reflect the current legislation in Victoria. It is believed that the zero BAC should be the required limit as it was recommended by the Select Committee and is justified as it will discourage young drivers from consuming any alcohol before driving.

A summary of the changes to the Motor Vehicles Act effected by this Bill are listed in the table attached to this report.

Summary of Changes to Penalties under the Motor Vehicles Act

	Existing Cancellation of Licence and disqualification	Proposed Cancellation of Licence and disqualification
L Plate Drivers Licence	PCA 0.05 Minimum 3 months cancellation 4 Demerit Points or more Minimum 3 months cancellation Speeding more than 80 km/h Minimum 3 months cancellation Fail to Display L Plates Minimum 3 months cancellation	PCA 0.00 Minimum 6 months cancellation Minimum 6 months cancellation Minimum 6 months cancellation Minimum 6 months cancellation
P Plate Drivers Licence	PCA 0.05 Minimum 3 months cancellation 4 Demerit Points or more Minimum 3 months cancellation Speeding more than 80 km/h Minimum 3 months extension of licence restriction Fail to Display P Plates Minimum 3 months extension of licence restriction	PCA 0.00 Minimum 6 months cancellation Minimum 6 months cancellation Minimum 6 months cancellation Minimum 6 months cancellation

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

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation, but that the commencement of any of its provisions may be suspended.

Clause 3 amends section 75a which provides for the issue of learners' permits and the conditions that apply to learners' permits. The clause provides for the repeal of subsections (2), (3), (3a), (4) and (5) and inserts new subsections (2), (3), (3a), (3b), (3c), (4), (4a) and (5). Proposed new subsection (2) is in substantially the same form as the present subsection (2), but, by referring to conditions endorsed upon a permit rather than conditions or restrictions specified in a permit, makes the wording more consistent with the wording of section 81a. Proposed new subsection (3) sets out all the conditions that are to apply to learners permits whereas the

present subsection (3) only specifies the condition relating to driving with the prescribed blood alcohol concentration. The conditions proposed are as follows:

(a) a condition that the holder of the permit shall not drive a motor vehicle, or attempt to put a motor vehicle in motion, on a road while there is present in his blood the prescribed concentration of alcohol;

(b) a condition that the holder of the permit shall not drive a motor vehicle on a road in any part of the State at a speed exceeding 80 kilometres per hour;

(c) a condition that the holder of the permit shall not drive a motor vehicle on a road unless there are affixed to the vehicle, in accordance with the regulations, plates bearing the letter 'L';

(d) a condition that the holder of the permit shall not drive a motor vehicle on a road—

(i) being a motor vehicle other than a motor cycle—unless another person who holds a driver's licence authorising the person to drive that motor vehicle (not being a licence endorsed with conditions pursuant to section 81a) occupies a seat in the vehicle next to the holder of the permit;

or

(ii) being a motor cycle—unless any person who is carried by the holder of the permit as a passenger on the motor cycle or in a sidecar attached to the motor cycle is the holder of a driver's licence authorising the person to drive that motor cycle (not being a licence endorsed with conditions pursuant to section 81a);

and

(e) any other condition—

(i) limiting the kind of vehicle that may be driven pursuant to the permit;

(ii) limiting the hours during which or the locality within which a vehicle may be driven pursuant to the permit;

or

(iii) imposing any other restriction, that the Registrar thinks necessary.

Proposed new subsection (3a) provides that the prescribed concentration of alcohol is now to be any concentration of alcohol in the blood rather than as at present, .05 grams or more in 100 millilitres of blood. Proposed new subsection (3b) provides that the conditions under subsection (3) do not apply to the holder of a permit when driving any vehicle that the person is authorised to drive pursuant to a driver's licence. Proposed new subsection (3c) provides that the condition requiring an appropriately licensed passenger does not apply to the holder of a permit when driving a vehicle during the course of a practical driving test conducted pursuant to the Act. Proposed new subsection (4) is, apart from minor drafting changes, substantially the same as the present subsection (4). Proposed new subsection (4a) applies the new conditions to learners' permits issued before the amendments come into force. Proposed new subsection (5) is also, apart from minor drafting changes, substantially the same as present subsection (5).

Clause 4 amends section 81a of the principal Act which provides at subsection (1) for the endorsement of conditions upon any licence issued—

(a) to a person who has not held a driver's licence within the three years preceding his application;

(b) to a person who holds a licence under the law of a place other than South Australia subject to probationary conditions similar to those referred to in subsection 1 *(d)* and *(e)*;

(c) to a person who is applying for his first licence after having had a licence cancelled under section 81b (that is, for breach of a probationary condition or as a result of incurring a total of four or more demerit points).

The clause makes amendments designed to make it clear that probationary conditions will be applied in relation to a person who has not held an unconditional licence within the three year period.

The clause amends subsection (1) so that the probationary conditions will be endorsed upon a licence issued to a person who has been disqualified from holding or obtaining a licence pursuant to section 81b or by order of a court made pursuant to section 47, 47b, 47e or 47i of the Road Traffic Act (that is, the 'drink driving offices') where the person has not held an unconditional licence under the Act since the end of the period of disqualification. The clause amends subsection (1a) so that the prescribed concentration of alcohol will be any concentration of alcohol in the blood rather than, as at present, .05 grams or more in 100 millilitres of blood. The clause inserts a definition of 'unconditional licence'. Subsection (3) is recast so that probationary conditions may be effective for more than 12 months in the case where a person is disqualified under sections 47, 47b, 47e or 47i of the Road Traffic Act and the court ordering the disqualification also orders that the conditions be effective for a greater period than 12 months. Finally, the clause inserts a new subsection (4a) designed to apply the new conditions to any licence endorsed with probationary conditions immediately before the commencement of the amendments.

Clause 5 amends section 81b of the principal Act which sets out the consequences of a learner or probationary driver contravening a probationary condition or incurring four or more demerit points. The clause redefines the term 'probationary conditions' so that it includes all the conditions applying to a learner's permit under section 75a or a licence under section 81a. The clause removes subsection (1a) which provides for extension of the period of operation of probationary conditions endorsed upon a licence in any case where the holder of the licence contravenes the probationary condition requiring that the person drive at speeds less than 80 kilometres per hour or requiring that 'P' plates be attached to any vehicle driven by the person. Instead, breach of these conditions will, under the amendments, have the same consequence as breach of the condition relating to blood alcohol concentration. Under the amendments, where a person contravenes any probationary condition or commits an offence so that the total demerit points incurred by him while holding a permit or a licence endorsed with probationary conditions equals or exceeds four demerit points, the Registrar will be required (with reference to the consultative committee) to give notice—

(a) that the person is disqualified from obtaining a permit or licence for a period of six months (being double the present period of disqualification and the same period of disqualification as that fixed by the Road Traffic Act Amendment Bill for the offence against section 47b of driving with a blood alcohol concentration between .08 and .15 grams in 100 millilitres of blood);

and

(b) that any permit or licence held by the person at the commencement of the disqualification is cancelled.

The clause makes it clear, however, that any such disqualification and cancellation does not affect any unconditional licence held or sought by a person who was unconditionally

licensed when the offence giving rise to the disqualification was committed. 'Unconditional licence' is defined by the clause to mean a licence not subject to probationary conditions. The clause also makes amendments of a consequential nature to the subsections providing for an appeal to a local court against cancellation of a licence.

Clause 6 amends section 92 which provides that the holder of a licence who is disqualified from holding or obtaining a licence must produce the licence to such person as the court ordering the disqualification directs. The clause inserts a new subsection which provides that where a licence is deemed to be cancelled under the Road Traffic Act (that is, under the new provisions proposed by the Road Traffic Act Amendment Bill presently before the Parliament), then the person to whom the licence is produced pursuant to subsection (1) may retain the licence or endorse particulars of the cancellation upon the licence.

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

MOTOR VEHICLES ACT AMENDMENT BILL

The Hon. R.K. ABBOTT (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

The purpose of this Bill is to enable the Government to reissue historic and distinctive numbers under the Motor Vehicles Act, 1959, to issue numbers and number plates to commemorate events of special significance to South Australia, and to expand the range of personalized numbers presently available under the principal Act.

A consumer study recently conducted on behalf of the Government by private consultants confirmed that a demand exists in South Australia for number plates of historical significance, and an expanded series of personalized number plates and commemorative number plates.

Auctions of numbers and number plates conducted recently in New South Wales (the Great Plate Auction) and Victoria (the Heritage Plate Auction) yielded proceeds in excess of one million dollars in each case and follow-up auctions are being considered in those States. There is little doubt that a similar auction in South Australia would raise considerable funds which will be used solely for road safety initiatives.

The registration of motor vehicles commenced on 1 September 1906. From that date until 31 December 1966, numbers from two series (1 to 599 999) and (01 to 09 999) were allotted to motor vehicles registered in South Australia.

Today only 26 162 of those numbers remain active on registered motor vehicles. The reissue of historic and distinctive registration numbers would be welcomed by motoring enthusiasts, collectors of number plates, and restorers of vintage, veteran and classic motor vehicles.

The Government intends to enable the use of five to six letters of the alphabet in the case of personalized number plates. Persons who obtain personalized numbers will be given the opportunity to choose coloured number plates from a predetermined series of colours. Under this proposal, South Australia will have a selection of personalized number plates equal to or better than that of any other State or Territory of Australia.

The Bill will enable the Government to issue numbers and number plates to commemorate events of special significance to South Australia. It is envisaged that events such as the Australian bicentenary celebrations, the Adelaide Grand Prix, and the World Equestrian Championships may be commemorated by the issue of a limited series of number plates. The issue of commemorative number plates will assist the organisers of special events to promote those events, and will be of great appeal to collectors of number plates and motoring enthusiasts.

The Government plans to appoint a firm of auctioneers to conduct a public auction of certain historic and distinctive numbers and number plates, certain commemorative numbers and number plates celebrating the State's Jubilee and certain personalized numbers and number plates. It is intended that the auction will be publicised by a campaign designed to attract maximum public interest. It is proposed that the successful bidders at the auction will have the right to transfer the number plates purchased by them from one vehicle to another, and, if they wish, to sell the number and number plates to other persons. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 makes an amendment to section 5 of the principal Act (the interpretation section). The definition of 'number' is struck out, and a new definition substituted, being as follows—'number' means a figure or combination of figures, a combination of letters, or a combination of figures and letters.

Clause 4 makes a consequential amendment to section 24 of the principal Act. Clause 5 repeals sections 46, 46a and 47 of the principal Act and substitutes new sections. New section 46 provides that on registering a vehicle the Registrar must allot a number to the vehicle. Under subclause (2), the Registrar may vary or amend the number.

New section 47 provides that a person shall not drive a vehicle on a road unless a number plate that conforms with the specifications and design of a class of number plates designated under section 47a, and bears the number allotted to the vehicle, is attached to the vehicle in accordance with the regulations, or, the number allotted to the vehicle is marked on the vehicle in accordance with the regulations. Penalty for contravention—Two hundred dollars. Under subsection (2), the section does not apply to vehicles exempted from registration, vehicles which may be driven without registration under a permit, or a person who fails to comply with the section by reason of damage caused in an accident which he has had no reasonable opportunity to repair.

New section 47a provides in subsection (1) that the Registrar may, by notice in the *Gazette*, establish different classes of number plates and prescribe the specifications and design of each designated class. Under subsection (3), the Registrar may vary or revoke such a notice. Under subsection (4), the Registrar may enter into an agreement with a person providing for any of the following matters:

(a) the right to be allotted a particular number in respect of a vehicle registered or to be registered in the person's name;

(b) the right to attach number plates of a particular class to a vehicle registered or to be registered in the person's name:

(c) the assignment of rights conferred under the agreement:

(d) such other matters as the Registrar thinks fit.

Under subsection (5), an agreement may be made under subsection (4)—

(a) on payment to the Registrar of such fee as he may require; or

(b) by the sale by public auction of rights of the kind referred to in that subsection.

Subsection (6) provides that this section does not affect the duty of the Registrar, in the absence of any agreement under subsection (4), to allot a number to a vehicle upon registering the vehicle.

Subsection (7) provides that a person shall not drive on a road a vehicle, being a vehicle to which a number plate or plates of a class in respect of which a declaration has been made under subsection (2) are attached, unless the registered owner of the vehicle acquired the right to attach the plate or plates to the vehicle pursuant to an agreement under subsection (4).

Penalty: Two hundred dollars.

New section 47b provides that the owner of a motor vehicle to which a number has been allotted may obtain a number plate bearing that number:

- upon payment of the prescribed fee, from the Registar;
- from a person approved by the Minister to sell or supply number plates.

Under subsection (2), no person other than a person approved by the Minister shall sell or supply number plates. Penalty—Two hundred dollars.

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

CONSTITUTION ACT AMENDMENT BILL (No. 2)

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

It seeks to rationalise and reform the Constitution Act, 1934. It seeks also to implement the policy of the Government in relation to fixed terms for the House of Assembly. At present, the powers of the Governor to dissolve the House of Assembly are largely undefined and uncircumscribed. The present section 28 of the Constitution Act, 1934, refers to the term of the House of Assembly which is 'three years from the day on which it first meets for the dispatch of business . . .'. However, this term is made subject to the Governor's powers to sooner prorogue or dissolve the House of Assembly.

The problem addressed by the Bill is the lack of predictability and stability in the electoral cycle within this State. The present constitutional rules virtually allow the Premier of the day to call an election for the House of Assembly at his whim. This observation is borne out by the figures related to the duration of the past 10 Parliaments in South Australia; those figures being as follows:

Parliament	Duration
35th	2 yrs 9 mths 20 days
36th	2 yrs 8 mths 19 days
37th	2 yrs 10 mths 16 days
38th	2 yrs 9 mths 16 days
39th	2 yrs 0 mths 25 days
40th	2 yrs 7 mths 14 days
41st	2 yrs 0 mths 1 day
42nd	2 yrs 0 mths 12 days
43rd	1 yr 10 mths 14 days
44th	3 yrs 0 mths 3 days

This means that the average life span of a House of Assembly has been in the vincinity of 2½ years, a duration that falls well short of the constitutional aspirations expressed in the 1934 Act. The advantages occasioned by a fixed term for the House of Assembly are both numerous and overwhelming. In a relatively recent Australasian Study of Parliament Group Workshop the following reasons (among others) were identified as favouring a fixed term for Lower Houses:

(1) it protects the existence of a Government which continues to enjoy the confidence of the Lower House;
(2) it ensures tenure of a Government and during that tenure ensures a Government is capable of governing effectively;
(3) for Parliamentary committees, greater refinement and development of the present systems would occur, allowing greater deliberation, more depth of inquiry and analysis of complex and extensive issues;
(4) there would be more systematic and purposeful servicing of electorates by members;
(5) there would be a reduction in opportunities and incentives for Parliamentary procedural manoeuvres;
(6) it would largely remove the partisan political advantage presently enjoyed by the Premier in his choice of a date for an election;
(7) it would be more likely to result in a reduction in the number of elections;
(8) it would enable the Government to plan its Parliamentary timetable in a more rational, methodical and purposeful manner.

The real advantages of the proposal inherent in this Bill are the removal of the potential for cynicism and opportunism from the decision-making processes that apply to elections. Acute uncertainty very often reigns even from the early life of a new Parliament. Rational planning, in both the private and public sectors, becomes very difficult. Short term *ad hoc* political advantages will not hold sway in the decision to go to the people. It is noteworthy that a similar proposal put to the Victorian Parliament early last year received strong expressions of bipartisan support. Therefore, this Bill seeks to replace the present section 28 and at the same time include a new section 28a which will have the following role:

(1) to articulate the only grounds for dissolution in the first three years of the Parliament;
(2) to include the fact that a motion of confidence in the Government may be lost and therefore give cause for the Premier to advise an election;
(3) to overcome problems regarding possible conflicts between the Houses. A Bill of Special Importance procedure will enable the House of Government to put the House of Review on notice that a measure of importance cannot be dealt with impunity and that rejection of a Bill of this type may be attended by political consequences. The Government has only one month to determine its position and to advise the Governor on a dissolution: this limitation period will ensure prompt decision-making one way or the other; and
(4) generally, to improve the drafting of this important measure and to clarify the grounds for dissolution in the first three years. In the fourth year (especially reading this in conjunction with section 6 *(d)* of the Constitution Act) the present, largely unrestricted powers to advise a dissolution apply.

Nothing in these proposed amendments to the Constitution Act is calculated to affect the Governor's reserve powers. I commend this aspect of the Bill to members as a serious-minded attempt to obviate difficulties presently experienced by Governments in this State and to restore greater certainty in the process of Government and, hopefully, to enhance significantly the esteem of Parliament in this State in the eyes of those who ultimately exercise political power over it, namely, the electors.

Moreover, if this measure is enacted into law, an election for half the members of the Legislative Council will coincide with each general election for the House of Assembly. There would, however, be a set of circumstances in which this principle would not apply. These circumstances would arise

if a general election were held before the expiration of three years after an election arising from a double dissolution. Section 41 of the principal Act which provides for dissolution of both Houses of Parliament in order to resolve any deadlock between the Houses, also provides for a minimum term of three years for half of the members of the Legislative Council elected as a result of a double dissolution. Section 41, however, cannot be altered except by a Bill passed and approved by referendum. In the Government's view, the expense of a referendum would not be justified in order to authorise such an insignificant departure from the principle sought to be given effect to by this Bill.

This Bill also deals with the question of the order of retirement of members of the Legislative Council at a general election subsequent to an election held upon a double dissolution pursuant to section 41. The Government considers that it is quite unsatisfactory that the composition of the Legislative Council may ultimately depend on chance, as is the situation pursuant to the provisions of the present section 15. Accordingly, it is proposed that the Electoral Commissioner will be required to evaluate the comparative electoral support for the Councillors elected; he will identify those Councillors who would have been elected upon the votes cast if the election had been for 11 vacancies only. The remaining 11 members would be required to retire after the three year term provided in section 41 (2) *(b)*.

This Bill also seeks to ensure that, where a casual vacancy has occurred in the membership of the Legislative Council, any nominee to replace a member of the Council shall be of the same political persuasion as the member replaced. This nomination is, of course, effected by a joint assembly of both Houses of Parliament. The political character of the nominee has hitherto been determined wholly in accordance with convention. These matters will now be enshrined in the Constitution and, therefore, will acquire the force of law.

In conclusion, it ought to be observed that it is clearly intended that these reforms will only take effect as and from the date of commencement of the House of Assembly of the Forty-Sixth Parliament. In other words, they will not have any force or effect for or in respect of the present (i.e. the Forty-Fifth) Parliament. I commend this Bill to members.

Clause 1 is formal. Clause 2 provides that the measure shall come into effect on the day on which the House of Assembly is next dissolved, or next expires, after the measure is assented to. Clause 3 provides for the repeal of sections 13, 14 and 15 and the substitution of new sections. Section 13 revises section 13 of the Act. Of particular note is a proposed new subsection that would provide that where a member of a particular political party vacates his seat, an assembly of members constituted to fill the vacancy must, if it is feasible, select a person from the same party. New section 14 relates to the terms of members of the Legislative Council and provides that, provided a minimum term is served, half of the members will retire at each general election for members of the House of Assembly. New section 15 sets out the order of retirement of members of the Legislative Council. The effect of this proposed new section will normally result in half the council retiring at each general election, the members to retire being those with the longest period of service.

Proposed subsection (2) provides that the term of a person appointed to fill a casual vacancy will be determined by the term of the member he replaces. Furthermore, the present section 15 provides that where the members of the Legislative Council have occupied their seats for the same period the order of retirement as between members be determined by lot. This provision would have application only in relation to the election following the election held upon a double dissolution pursuant to section 41 of the principal Act. However, although the application of the provision is limited, the Government considers that it is quite unsatisfactory that the composition of the Legislative Council depends upon a lot. Accordingly, proposed subsection (4) provides that the Electoral Commissioner identify those members of the Legislative Council elected following a double dissolution who would have been elected upon the votes cast if the election had been for 11 vacancies only and that those members occupy their seats for the full term, the other haf retired after the three year term provided for by section 41.

Clause 4 repeals section 28 of the principal Act and substitutes two new sections. New section 28 is cast in terms that are similar to the existing selection, but would provide for four year terms for each House of Assembly, subject still to prescribed adjustments depending when a House first meets for the dispatch of business. New section 28a would restrict the powers of the Governor to dissolve the House of Assembly in the first three years of the Parliament.

The Hon. B.C. EASTICK secured the adjournment of the debate.

STATE SUPPLY BILL

Adjourned debate on second reading.

(Continued from 3 April. Page 3826.)

The Hon. B.C. EASTICK (Light): The Opposition supports the thrust of this Bill, although that does not mean that no questions will be asked or that we will not be seeking to move amendments at the appropriate stage. However, it is regarded as a Bill of necessity. A fair indication of that necessity was given by my colleague the Deputy Leader of the Opposition when, as Minister in 1980, he introduced amendments to the Act. At page 2279 of *Hansard* of 26 November 1980, he said:

> The Public Supply and Tender Act is a rather antiquated measure which is in some respects difficult to construe. In particular, it contains a curious definition of the 'Public Service' which makes the precise ambit of the Act difficult to ascertain. The Crown Solicitor has recently advised that, in his opinion, the Act should be taken to apply not only to the Public Service, in the normally accepted meaning of that expression, but to all statutory authorities as well. This interpretation places an impossible burden on the Supply and Tender Board, particularly in view of the fact that the Board presently has no power of delegation.

He then said:

> Accordingly, a committee consisting of Mr Voyzey, Director-General of the Department of Services and Supply, Mr Guerin, of the Public Service Board, and an expert consultant in the field is to be appointed and will have the task of recommending revision of the present legislation and advising on reforms that should be made in administrative procedures.

That had followed a series of discussions on the matter. In fact, it was the Corcoran Government which first introduced a committee to look at the matter, that committee having subsequently become known as the Richardson Committee, whose Report of Committee of Inquiry, Public Sector Procurement and Supply Function was handed down on 14 December 1979 over the signature of A. W. Richardson, the Chairman. Subsequently, Mr Geurin was requested to undertake further inquiry on behalf of the then Government. Following that review the amendments to which I have just referred became a fact of life. The inquiry continued, and over a period, both in a report to the previous Minister before he left office and then subsequently to the present Minister, there have been a number of discussions to achieve the sort of change envisaged as being necessary.

Many of the recommendations have already been implemented in a practical sense in the Department. I have alluded to the question that arises, following Crown law advice, whereby statutory authorities are to be considered as part and parcel of the general Public Service. That matter, as I understand it, has not been tested in the courts, but a vital question still being asked by some persons directly associated with statutory authorities is whether or not that advice received by the Government was correct. There is no sense of achievement in taking it to the courts to establish that fact. There is a non-partisan or bipartisan acceptance that it is an area of considerable importance to Government, regardless of the political persuasion of that Government. It is also a matter of considerable importance to Parliament, because Parliament is ultimately responsible for the legislation and ground rules by which a Government performs. The committee recommended:

1.1 Responsibility for supply in the public sector be centralised in the Supply and Tender Board inasmuch as the Board will:

i. set policies, principles and procedures for supply;
ii. provide advisory services;
iii. provide contract notification and product information services;
iv. continually review supply in the public sector; and
v. assist in training in conjunction with the Public Service Board.

The Opposition believes that that is basically being achieved with this Bill. The committee went on to say:

1.2 With the exception of those public bodies excluded from its jurisdiction the Board be responsible for, and have direct control over, supply in the public sector, where this will include, in addition to the above:

i. the supply of all goods and services;
ii. the disposal of all goods and services;
iii. the delegation of authority for purchasing and supply;
iv. monitoring of delegated authority; and
v. physical distribution.

This Bill provides for those variations. It is interesting to note that the Public Supply and Tender Act, which will be replaced when this Bill is enacted, failed to give a clear indication of what goods were. It was silent on what was the residual value and how the materials in question (be they Demac buildings, radio masts, etc.) were to be disposed of subsequently. In that regard I draw attention to the definition of 'goods' which appears in the Bill.

If one reads the recommendations in a too narrow sense, one might assume that we are seeking one major centralised authority and that it was all to be done remotely. It is clear from the intention laid down in the presentation of the Bill and from discussions I have had with persons who will be responsible for its action beyond passage that the Minister's statement in the underlying philosophy of the new legislation is to establish 'centralised control with decentralised day-to-day management of the supply function'.

The Opposition lauds the fact that that is a clear indication for decentralised day-to-day management of the supply function. At the same time the Opposition is firmly convinced that centralised control is absolutely essential in this day of accountability and credibility in Government, and that it is becoming more important for various Parliamentary groups—whether the Public Accounts Committee, the Estimates Committees or individual members—to have some idea where the State's money is deposited at any given time.

Years ago it was said that it was quite easy for the Highways Department to lose large sums of money by depositing large volumes of gravel 'at grass' alongside the road of a project that was contemplated for next year, the next year, or the year after that, and that one did not have a particularly good understanding of what funds or resources were available to the Government at any given time and could be completely at sea with the final value of Government property and the way in which funds had been disbursed.

We see that the central authority here has a very important role to play in that it keeps control of resources, not in the sense of day-to-day management, but day-to-day knowledge of where they are. This will enable questions directed to the responsible Minister to be more meaningful and members to know what supplies are being held in readiness for other projects. Paragraph 1.4 states:

Those public bodies excluded from the jurisdiction and direct control of the Supply and Tender Board be requested by the Government to observe, where possible, the policies, principles, and procedures established by the Board and to co-operate with the Board by freely exchanging information on supply activities.

The Government should expect that course of action from the major bodies that are excluded. From time to time there may be a conflict of interest in relation to how much information those bodies need to divulge to the Minister or his officers, but I hope that common sense will prevail at all times. If the Government and the Parliament are satisfied in making an exclusion in relation to jurisdiction, then having effected that exclusion the Government of the day has to accept that those people are recognised as competent to function in a business-like and practical manner. Therefore, if they withhold information that a Minister might want, it should be recognised that it is for commercial advantage which can be seen by their form of operation and need for the exclusion given to them, so that they can undertake normal commercial activity on an equal basis with other competitors.

The three bodies to be excluded—the State Government Insurance Commission, the State Bank of South Australia, and the Pipelines Authority of South Australia—are major commercial operations with an entrepreneurial role. One may suggest that there are other such bodies in Government but, as I am led to believe, none has sought to be placed in the excluded category at this stage. However, I note that local government has sought that exclusion. There was contemplation that local government would be placed in precisely the same role as other statutory authorities. It is wise that the Government—and certainly the Opposition would not resist this—did not attempt to include local government in the Bill. If we acknowledge that local government is one of the three groupings of government and has a direct independence in our State Constitution, and there is ongoing discussion for recognition of local government in the Federal Constitution, then it is clearly a group that should not be contained in the measures of this Bill.

I believe that advantages flowing from the enlightened approach to management, which the Bill will permit, will be information that can be disseminated, not in a total sense, but effectively disseminated to other bodies, including local government, so that the benefits in this form of control can be shared with other bodies, so that they collectively benefit business activity in South Australia to the advantage of South Australian suppliers. I pledge the Opposition's support to a dialogue that allows local government to benefit from knowledge forthcoming from the new board. Paragraph 1.5 states:

The services provided by the Supply and Tender Board be available on request to those public bodies covered by exclusions, except when, in the opinion of the Board, supply systems in the public sector will thereby be disadvantaged.

That is really an extension of the comments that I have just been making. There will be some commercial decisions to be taken and, basically, we would like to believe that there will be relatively free dialogue between the bodies that are included and the bodies that are excluded. Paragraph 1.8 states:

The Public Supply and Tender Act, 1914-1975 be amended to provide for the Supply and Tender Board to be comprised of five

members, one of whom shall be appointed as Chairman. Membership of the Board should be on a part-time basis, and should include the Director-General, Department of Services and Supply; three persons with experience in the operation of Government departments and statutory authorities, and a suitably experienced person from the private sector.

In presenting this Bill the Government has seen fit to vary that quite vital recommendation. The Opposition has no argument with the inclusion, for the first time, of a person outside of Government service. Indeed, a number of clauses and subclauses in the Bill make provision for the changed circumstance where membership of the board previously had been all public servants and, therefore, there were certain confidentiality aspects and requirements under the Public Service Act which controlled those members' activities. New clauses are inserted to provide for a person from outside Government service.

The Government has once again acceded to the pressure, I suggest, of the United Trades and Labor Council. It has reduced the number of public servants on the board by one and included a person nominated by the United Trades and Labor Council. I believe that it will come as no surprise to members opposite to hear that the Opposition will resist that move. This is not because the person to be nominated by the United Trades and Labor Council is a union member and is not a part of the claim which is so often directed to us of union bashing. It is purely and simply that the Opposition does not see that there is any value in a person representative of this group being involved with this board.

Going back to the original recommendation that there be three persons from within Government departments, we would accept two persons from Government departments and put up instead a person well versed in accountancy procedures. We will look at that aspect of it later. The other recommendation, No. 1.17 to which I refer was as follows:

The Government adopt the following guidelines for the exclusion of public bodies from the provision of the Public Supply and Tender Act, and the jurisdiction of the Supply and Tender Board.

i. public bodies which can demonstrate that their efficiency and effectiveness will be impaired by a requirement to comply with the Public Supply and Tender Act and Regulations.

ii. public bodies with functions that are significantly affected by market forces and the need for entrepreneurial judgment.

iii. public bodies which generate a substantial portion of their revenue from non-Government sources (i.e. self-funding), or while not necessarily generating a substantial non-Government income, would nevertheless operate under are evaluated through the normal principles used for trading operations in the private sector.

Many of those suggestions are embodied within the document that we are considering. We note that, in providing flexibility, the Government has included a regulation function within the Bill to allow certain Government agencies to be prescribed as public authorities and whose supply matters in total or in part may be subject to the State Supply Board control as approved by the individual bodies, allotted Minister. We are informed that in the initial stages the three bodies to be included are the Electricity Trust of South Australia, the South Australian Housing Trust, and the State Transport Authority. We note that here there is an involvement, not alone by the Minister responsible for the Act, but for an involvement by the Minister responsible for the public authority. Whilst there may be a little bit of procedure to be sorted out in the early stages, we would hope that that will soon fall into a simple, effective and, to the State, beneficial interplay.

We also note—and the Opposition is completely satisfied with this aspect of the legislation—that it will be possible for the board to give some assistance to business organisations within the State that have a particular product that needs some fine tuning or development. The function of the board will not be to prop up lame ducks and certainly not to provide for supply by South Australian organisations that cannot compete on relatively competitive lines. I say 'relatively competitive lines' because we believe the State has a part to play to ensure that as near as is possible without creating artificial barriers or benefits to a State organisation, that State business is able to benefit greatly from supply to State organisations.

So firm is the Opposition in that matter that fairly recently my colleague, the Leader of the Opposition, issued a press statement that I want to read in its entirety, because it gives an indication of what we believe is important for small business and the Government contractual position. The press release, issued on Sunday 24 March 1985, stated:

The Liberal Leader, John Olsen, announced today that the next Liberal Government will take action to ensure small business has more opportunity to obtain Government contracts. The Liberals will withdraw the current Cabinet instruction which gives preference to Government departments to undertake public works, Mr Olsen said. And in line with this policy, the Liberals have also been investigating how to assist small business with Government contracts, whether for the construction of public works, the manufacture of materials or the supply of goods and services.

I interpose to say that I fully appreciate that the thrust of the press release was wider than simply supply of goods and did move into the area of construction for public works. The principle is the same and we hold by that view. The Leader further stated in the press release:

These contracts have tended to be awarded to larger companies because small businesses do not have the resources to tender for them, Mr Olsen said. This has occurred largely for Government convenience, as contracts have often been advertised as a single entity. I believe large Government contracts could just as readily be subdivided into many parts, to allow small businesses more opportunity to tender for those parts of the work in which they specialise.

Accordingly, the next Liberal Government will: 1. implement a 'small business set aside programme' under which large contracts are subdivided when tenders are advertised to ensure a significant portion of Government contracts are awarded to smaller manufacturers, suppliers or contractors; and, 2. more adequately inform small business of the types of contracts available.

He further stated in the release:

Under a Liberal Government, far more Government contract work will be allocated to small business. The future well-being of South Australia and South Australians will probably be influenced more by small business growth than any other sector of the economy. Small business is a vital source of creating jobs. In economic terms, small business and its contribution to the community is of fundamental importance because, in aggregate, small business is big business. Most South Australian businesses are small, and there are more than 70 000 operating in this State, employing up to 60 per cent of the workforce in the private sector.

Not every aspect of that statement will necessarily dovetail into the activities of the new board, but significant areas are highlighted in that statement and indicate the sort of recommendations that the Minister responsible for the Act would be passing on to the members of the board. It is noted that there is a guarantee that the eventual proclamation of the Bill will coincide with the gazettal of regulations. That is necessary because of the interaction of the regulations with the Act, more specifically with respect to the prescribed organisations.

We believe that the wider perspective of the issue relates to State development and economic matters, that State purchasing preferences and offset arrangements and a common approach to reduce the cost to private sector businesses and public sector agencies is an issue worthy of support.

The Minister, in presenting the Bill, made further comments that I believe are worthy of restatement and placing on the record for those who follow the debate. He stated:

The new body is also charged with:

- avoiding procurement practices which discriminate, for example, by specification, against local products;

- improving communication with local industry both to ensure that industry is aware of contracts being let and has adequate time to tender; and
- working with industry to develop new products and to test local products where appropriate.

Care will be necessary to ensure that assistance provided by the Board does not encourage the development of uneconomic or inefficient industries requiring continuing Government support.

It is not only in the area of supply and tender or supply as we are dealing with now that we have to be very mindful of those comments. Concerning other commercial activities in recent times (the Riverland Cannery and the Government Food Processing Factory to mention two organisations which, in retrospect or with hindsight and not running away from the significant social issues involved), we should recognise that sometimes the first decision is the best decision rather than encourage someone to try for a goal that they are not going to meet.

We would certainly charge the new Board with the responsibility of making sure that the extra assistance that they were giving was properly placed and not just at the whim of a Government to gain some short term political advantage. It would be entirely wrong for a Government of either political persuasion to seek to use the Board in that way.

I would welcome the Board, and believe its integrity would be best exemplified by Board members resisting such advice. I know that practicality comes into this but I issue a challenge to the members of the Board to look at the matter seriously. I know they will take seriously the role they are called upon to undertake. I believe that it is the nature of advice, the nature of questioning that is necessary to challenge executive government today, rather than just political expediency. I believe that needs to be firmly on the record.

We take particular note of clause 4, which extends the definition of goods and the management of goods. We take particular note of clause 13, which sets out the function of the extended Board. Quite apart from the extension of the Board to which I have referred previously we note that, as is the norm in many Board appointments these days, it is possible for the Governor to nominate deputies, and that is wise. Too many boards or committees are frustrated in their activities because of a busy person, the main nominee, being otherwise involved in activities and a quorum not being present or important decisions having to be delayed too long until it is convenient for the quorum to be filled. The presence of a deputy to undertake that role is I believe warranted. I will still express a personal point of view that I believe the nominee to the Board should be the one, all other things being equal, who should attend but under circumstances that do prevail from time to time the activity of the Board can continue with that person's deputy in place.

We notice clause 14, which provides for the method of directing public authorities, by policies, principles and guidelines issued by the Board. The question might arise as to whether such policies, principles and guidelines in some measure are a little bit like regulations or some of the fairly recent Government documents which have come before Parliament for scrutiny. I am thinking here of the Planning Act activities, with Supplementary Development Plans going before the Joint Committee on Subordinate Legislation, and I recall that, in respect of the local government superannuation scheme, the contract or the document which outlines the method under which that superannuation fund will be controlled was laid on the table of the House for scrutiny.

Where one is getting into the areas which will impact, such as a regulation, I believe there is a need for close questioning, and certainly we will be looking over a period of time to identify what those directions have been and whether they should be as a matter of course laid before the Parliament. That is open government in the best sense. We take note of clause 16, which makes provision for the acquisition or disposal of goods and clause 23, which provides the regulation making power.

The only other area I pick up immediately is the fact that the Chairman of the Board will have two votes or, in the case of equality, not only a deliberative but also a casting vote; that is a rather extended opportunity available to the Chairman. As the Chairman is the permanent head of the Supply Department, it is obvious that it will not be lightly used to provide that second vote. I would hope—and again I am expressing a personal wish; I am not seeking to remove that function in the first instance from the Bill—that if decisions are so close that they require the Chairman to exercise a second vote, perhaps the matter will be stood aside whilst it is reconsidered rather than the Chairman necessarily frequently exercising the double vote. It is bad in principle and certainly against the preaching of Government members of one vote, one value. That principle does not apply in this place and there is some question in our minds as to whether it should apply in relation to this measure. We do not seek to remove it at this stage other than to say that it is an area of activity on which there will be subsequent questioning and which will be reviewed over a period of time.

The Opposition intends to support the measure to the second reading with the hope that its two amendments to be moved will be given due consideration by the Government.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I thank the member for Light for his contribution to this debate and towards the ultimate passage of this very important measure. We are all aware that one of the reasons why it is a gross distortion to refer to societies like ours these days as capitalist societies is that Government is the largest purchaser of goods and services in modern society, and that of course introduces all sorts of distortions (for good, I would have hoped) into the classical picture of capitalism drawn by the economists of the eighteenth and nineteenth centuries. I guess that reality is one matter that has to be taken into account in this attempt to streamline the purchasing procedures of Government.

I would like simply to refer to two specific matters in urging the House to support this measure to the Committee stage. Both relate to the flexibility which is available to Government through the statutory authority by way of this new legislation. The first of these matters is one to which the honourable member has referred and that is the necessity of Government having regard to the particular concerns of small business in its purchasing policies.

I would hope that this Government has shown some considerable concern for small business through the setting up of the corporation, which was a feature of the Labor Party's 1982 election policiy and which is now, of course, a fact, though the corporation is only now starting to spread its wings and indicate just what sort of assistance will be available. I believe there is sufficient flexibility in the legislation to be able to take account of the problems that small business has in approaching Government and in seeking to treat with Government in relation to the sale of goods and services. I assure the House that the Government certainly has in mind both problems in laying this schedule of legislation before honourable members.

The second matter relates to technological innovation. There were one or two slightly cynical words, I thought, in a newspaper which I read less than 24 hours ago about the benefits of high technology industries, and of course we cannot blind ourselves to the fact that, if we go racing willy nilly after every opportunity in the high technology area and forget some of the more run of the mill industries

which are very large employers of labour, we may get ourselves into strife from time to time.

It is important, however, that the Government takes the opportunity, through its purchasing policies, to encourage industry to become technologically innovative, to pick up the new ideas that are around, and to develop them to commercially viable propositions. Again, I believe that that flexibility is available to us by way of the legislation. I do not want to go on: my second reading explanation was fairly lengthy and set out basically the philosophy behind the legislation, but I simply wanted to make those points.

As to the two particular matters that the honourable member has raised by way of suggested amendment, it is more appropriate that I deal with them as they come up during the Committee stage of the debate. I urge honourable members to support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Act not to apply to certain bodies.'

The Hon. B.C. EASTICK: For the purposes of the record, I will read the definitions of 'goods' and 'management' of goods to which I alluded earlier. It is certainly an extension of what we have had previously, and the Opposition has no problem at this juncture with those definitions. Clause 4 provides, in part:

'goods' includes any movable property and anything attached to or forming part of land that is capable of being severed for the purpose of its acquisition or disposal.

Clause 4 further provides, in part:

'management' in relation to goods means the care, custody, storage, inspection and stocktaking of the goods.

I believe that they are worthy extensions of definition and that it more clearly outlines that the product, once acquired by the Government, unless it becomes a permanent fixture on a parcel of land, remains in the general control of the Government. Therefore, the disposal of same needs the same sort of attention as does the original supply.

It has been a grey area for a long time and I believe that the State has probably lost out on many an occasion in the past when materials which rightfully belonged to it have been disposed of, the financial advantage going to other organisations. I do not think that we want to get down to saving the last cent: there was never any intention of that. Common sense will prevail in general management. It is a worthy extension, which the Opposition supports totally.

Clause passed.

Clause 6 passed.

Clause 7—'Constitution of the Board.'

The Hon. B.C. EASTICK: This is one of the clauses about which I indicated the Government has taken action that is contrary to the advice laid down in the original Richardson Report: there were to have been three members of Government employment, plus the Chairman and a person from outside. The Government, by whatever means it reaches such decisions, has decided to remove one of the Government employees and put forward a nominee of the United Trades and Labor Council.

The Opposition, through the years, has supported a number of such appointments. It has quite frequently insisted that the appointments be on the basis of selection from a panel of three, rather than nomination of one person. What I will say is not just anti representation from the United Trades and Labor Council, but this is not the sort of body where representation from the likes of the United Trades and Labor Council is warranted. One could argue that there are other bodies. If the UTLC were to be assured of a place on the board because of some particular expertise it could produce, then there are other organisations which equally can produce the sort of expertise that would assist the board.

We do not want to see it extended out beyond five. There might be some question as to whether it needs to go to five, but that decision has been taken. It is consistent with the recommendation. Therefore, we will not quibble on that one. However, we commend to the Committee, and I formally move:

Page 3, lines 33 and 34—Leave out 'nominated by the United Trades and Labor Council' and insert 'with qualfications and experience in accountacy'.

It will not necessarily be that the heads of the Department or the Chairman who is to be appointed—the Chairman being the top officer of the Supply Department—will have specific accountancy knowledge. I think I am correct in saying that about $250 million per annum is involved in this area, so obviously one will need someone who understands figures. Whilst one will have staff who will be able to assist in that way and no-one is denying that, we believe that around the board table there is a distinct advantage to be gained from the input that a person with major accountancy or financial knowledge could impart to the discussion. That person would be equally contained by the other provisions of the Act as to how they may use the information that became available to them.

They would be able to be called to task if they were failing in the provisions that appear in clause 8 relating to providing good counsel, or breaching any the rules or regulations; they could be removed from office. A person with that background of commercial and accounting knowledge is a far better proposition to this important board than a person who gets there purely and simply because they happen to be a nominee of the United Trades and Labor Council. That is by no means putting down a member of the United Trades and Labor Council: it is a matter of horses for courses. We do not believe that this is a form of board that will benefit from that involvement. This is consistent with the original recommendation that there be three persons with expertise other than that which is directly associated with union membership.

The Hon. MICHAEL WILSON: I support my colleague the member for Light in relation to this amendment. I have had some experience in the area of appointments from the United Trades and Labor Council to various boards. I cite the instance of the State Transport Authority. Whilst I was Minister of Transport the member for Florey was a very worthy appointment to that board. The Government of the time, of which I was a member, had no objection to a member of the United Trades and Labor Council being a member of the State Transport Authority, because the State Transport Authority, amongst its other jobs, has to deal with a great emphasis on industrial relations. Of course, to have a member (as in the case to which I referred) who was Secretary of the United Trades and Labor Council as a board member could only assist the Authority in achieving greater industrial relations, although the member for Florey would be aware, of course, that he was not in fact representing the UTLC on that board. A decision of the Supreme Court of New South Wales states that that is not the case.

Nevertheless, the Government has a commitment to the appointment of UTLC members on boards. I am trying to point out to the Minister and the Government that those appointments should be made only where there is a definite need for such an appointment to be made, and not just as a matter of course. The State Supply Board, which as my colleague from Light says has the carriage of some $250 million worth of purchases, is not a board on which one would imagine that a UTLC nominee could necessarily be of much value, although individuals within the trade union movement may well be able to contribute provided that they have the type of expertise that is required.

The member for Light's amendment calls for the appointment of a person with qualifications and experience in accountancy. I would say that it would be most unlikely that there was no-one in the trade union movement with those qualifications. If the Government agreed to the amendment the Government could more than likely find a person with those qualifications. However, the appointment, as a right, of a nominee from the UTLC on the State Supply Board is, I suggest to the Minister, going against the best interests of the State Supply Board and its very important deliberations. I support the member for Light's amendment.

The Hon. D.J. HOPGOOD: I must urge the Committee to reject the amendment. I am not in an altogether obstreperous mood, as the Committee will find a little later on. First, I agree with the general theory outlined by the two members who have just spoken. Of course one does not willy-nilly appoint, as a right, members of the UTLC to boards around the place. Considering most of the various committees which advise me or which have statutory functions in the three basic portfolio areas for which I am responsible, I must scratch pretty deeply to find anyone from the trade union movement. There is no trade unionist, as a right, on the South Australian Planning Commission, for example, or on any of the consultative committees under the National Parks and Wildlife Act. No-one would suggest seriously that that should happen. On the other hand, there are those committees where it goes without saying that such representation should take place.

It seems to me that the body with which we are dealing here is in somewhat of an intermediate position. It is necessary to make the case for representation, but the case can be well made. Again, I make the point that we are dealing here with a Bill which recognises the Government as being the largest purchaser of goods and services within our community. Those purchases and the way in which the system operates have implications for business (both big and small), employment, the skills that operate within the industry, technological innovation, and all those sorts of things. It seems to me that this body which represents the broad mass of wage and salary earners in the community has a role to play in the sorts of decisions that are involved. Of course, it can work both ways. Having such an appointment is not only important in providing formal advice directly to the board which might not otherwise be available to it; it also works backwards in relation to the broad community that such an appointee represents.

I give a specific example of this. Sectors of the trade union movement have had problems in coming to terms with some aspects of Government policy in relation to purchase. It tends to be a bit of a gut reaction (and this applies not only to the trade union movement but also to many employers) to say, 'Let's ensure that the rules operate in such a way that favouritism will be given to local manufacturers or local suppliers of goods and services at every possible opportunity.'

The Government has not accepted that argument. The Government has maintained that South Australia is a net supplier of goods and services to markets in the Eastern States, and if we run what is really a protectionist line in respect of Government purchases we will simply get retaliation from the Governments that administer our big markets, namely, New South Wales and Victoria, and the effect of that will be a net loss. In the national forums the Premier has gone quite aggressively towards pursuing (and I shall use a term that I hope will not be misunderstood) a free trade position, an open purchase position throughout the States, on the grounds that what we may lose on the roundabout we will more than pick up on the swings in a free purchase type of situation.

As I have said, there has been somewhat of a battle with some sections of the trade union in respect of that sort of philosophy, a battle which perhaps may have been easier to address had there been a representative of the UTLC on the body which directly has the statutory responsibilities for this. One can think of other areas of policy which relate to some of the matters I have talked about, such as employment and technological innovation, where it would be good to have direct dialogue between a representative of the broad mass of wage and salary earners in this State, on the one hand, and the people who on behalf of the Government—indeed the people of South Australia—are experiencing this enormous influence of purchase of goods and services throughout the community.

Certainly, the Government is not committed to putting, as a right, UTLC people on every board, irrespective of the merits of the case involved. I think in this instance the case has considerable merits, and therefore I ask the Committee to reject the overtures made by the two members opposite.

The Hon. B.C. EASTICK: To say that we are disappointed is to understate the situation. I welcome the explanation given by the Minister. Had he said that the Government would not accept the amendment, but rather than nominate the UTLC as a specific body it would consider having a representative of the work place on the board, that would have been more meaningful than tying in such an organisation, albeit the supreme body of membership of the work force. The Minister indicated that there was likely to be success a little further down the track.

I do not know whether I am presuming too much: it could well be that it depends on what occurs in another place, where quite obviously the argument will proceed along the line that I have outlined, and that will be one of the areas that will be very keenly looked at in the review three years down the line. I believe that the Minister's argument could have been satisfied by a variation of the proposition that the Opposition put forward. We will certainly persist with our view on this matter, and we will give it further consideration in this place when the measure is returned from the other place.

The Hon. MICHAEL WILSON: The Minister mentioned the question of State preference and said that some sections of the union movement found it hard to understand why the Government did not apply a policy of State preference or 'protection', to use the Minister's term. I just point out that this Bill prohibits that in any case: it prohibits State preference.

Amendment negatived.

The Hon. B.C. EASTICK: What type of person is envisaged in subclause (2)*(b)*? Are we looking at somebody who is currently employed, somebody who has completed their major term of employment and is in the twilight of their life yet still has merit to apply for such a job, or somebody who might be an executive officer, for example, of a commercial organisation?

The Hon. D.J. HOPGOOD: The implications are found in clause 11 of this Bill. We do not want to recruit somebody for this sort of position and then find that that person is continually having to disqualify himself in these decisions because his employer is a supplier of particular goods and services. So, without really canvassing any specific individual, because in fact no specific recommendation has been given to me at this stage, I would say it is likely that we may be looking at somebody who, although in the full vigour of his or her physical and mental capacity, is perhaps retired from the private sector and is therefore able to address himself or herself to these matters without this problem of disqualification of consideration on particular matters arising from time to time. However, if it is possible to get around that problem—and I mean that in the proper sense of the term—

then we may well look at somebody who is still very actively involved in business.

Clause passed.

Clause 8 passed.

Clause 9—'Meetings of the Board.'

The Hon. B.C. EASTICK: Clause 9(4) refers to the chairman having the second or casting vote. That is not strictly correct. It is the person who is presiding at a particular meeting; it extends beyond the person who is the chairman. The comment I made earlier, whilst not being enshrined in this Bill, is still one I hold to, but I would trust that there are going to be only a few very important decisions, based on a time factor or something of that nature, which will be resolved by a chairman exercising the double vote. It is a rather unfortunate use of power.

The Hon. D.J. HOPGOOD: I would certainly support the honourable member's contention that, if there is a continual use of this power, the Board is not operating properly and, the more often it can operate on the basis of there being a unanimity of opinion, the better. As I understand it, that has usually been the case in relation to the Supply and Tender Board.

Clause passed.

Clause 10 passed.

Clause 11—'Disclosure of interest.'

Mr M.J. EVANS: The member for Light referred to the magnitude of the amounts of money which the Supply and Tender Board is required to consider. At this stage it is appropriate to remind the Committee of those figures. For example, in 1983-84, as the Minister mentioned in the second reading explanation, in excess of $200 million worth of stores materials and requisites were purchased by State Government departments. In addition, the Health Commission purchased approximately $190 million worth of stores, and some $26 million worth of stores was housed in 250 storehouses holding inventories for State Government departments. Those figures are substantial. Clause 11 does not quite offer sufficient protection to the Government and taxpayers of this State for a member of the Board who might seek to take advantage of his position in a way which is contemplated by the section but for which no substantial penalty is provided.

Recent local government amendments provide substantial penalties for any member of a council who seeks to use or abuse his office to obtain a direct or an indirect financial advantage for himself or any person to whom he is related. Penalties such as $10 000 and gaol terms are canvassed in that legislation. Unfortunately, this Bill provides no such penalties. In view of the nature of the activities of the Board and the way in which contracts and companies are dealt with, and given the substantial amounts of money which are involved in purchases for the State, it is appropriate that a person who abuses his office in that way (and in this State so far we have been particularly fortunate not to have found any evidence of that) should be substantially penalised. When reconsidering legislation of this kind, I think it is appropriate, as we have done in other areas—and local government is a good recent example—to take that into account.

Given the nature of the activities of the Board and the potential for abuse, it is important that an appropriate penalty of substantial weight should be included in a clause of this kind where a member of the Board chooses not to declare an interest which he might have and then still proceeds to influence the Board in relation to a decision in which he might well have an indirect or direct pecuniary interest, or in which a company with which he might be associated has an indirect or direct pecuniary interest. I would appreciate it if the Minister would give consideration to that topic and, if he chooses, make a recommendation for an amendment in another place.

The Hon. D.J. HOPGOOD: There was in fact a monetary penalty written into an earlier draft of this Bill. That was deleted, I think on the philosophy that, in the instance of something unfortunate such as the honourable member canvasses occurring, then one would expect that the person would be sacked and that the normal machinery of holding bodies to account would apply, namely, if there is any cover up, there are the normal Parliamentary and electoral pressures which can be brought to bear on the Government of the day.

The honourable member rightly reminds me of the Local Government Act amendments which were recently passed. It is true that we are dealing with a very much smaller group of people in relation to this Bill, and therefore the position is rather more manageable than in a situation where you have 128 local government authorities with the associated large number of staffs employed by at least the larger provincial local government authorities.

I think that the honourable member has raised a valid point. I undertake that the Government will immediately proceed to consider the possibility of the Minister in another place moving an amendment to this clause. Since it is not immediately available and I believe it is important that we take proper advice before determining the level of such a penalty, I urge the Committee to pass the clause unamended.

Clause passed.

Clause 12 passed.

Clause 13—'Functions of the Board.'

The Hon. B.C. EASTICK: I draw attention to the very broad nature of this clause and the extension of the activities of the Board from those which have been traditional. Previously we picked up the point that policy advice and general directions will be given. In the normal course of events the Auditor-General's Department will audit the accounts. Paragraph *(d)* states:

> To investigate and keep under review the practices of public authorities in relation to the acquisition, distribution, management and disposal of goods;

I expect that there will be an audit policy direction from the Board. If it is found that it is inadequate to cover that aspect, some action will need to be taken at a later stage. The normal function of the Board would be to ensure an over-view of the effectiveness of its directives. As the Minister indicated, he would see some, or all, of those directives coming before Parliament as a matter of course. Therefore, it will be a double audit in that sense. I believe it is an imperative function of the Board that there be a competent policy audit.

The Hon. D.J. HOPGOOD: It is appropriate, while looking at paragraph *(d)*, to explain to the Committee the question that arises as to the sums of money that can be saved by proper management of inventory. The Department of Services and Supply last year brought over here a gentleman who is known world wide for his expert advice in relation to inventory and the amount of money that can be saved by keeping one's inventory reasonably lean while, at the same time, not reducing the service that one is giving to one's customers. Certainly, paragraph *(d)* gives the Board the opportunity to monitor the policies of its customers in relation to those matters.

Clause passed.

Clauses 14 to 16 passed.

Clause 17—'The Board and Government policy.'

Mr M.J. EVANS: I draw the Minister's attention to another suggestion I have in relation to this matter. I agree that in broad terms the Minister should have the right to direct the Board in relation to a particular policy, principle, or matter in the exercise of its powers. That is a perfectly

reasonable exercise of Ministerial discretion. However, the clause requires that to be in writing, but there is no requirement that that should in any way be disclosed to the Parliament or the public in general so that the broad policies and guidelines on which the Minister is directing the Board can be held accountable to this Parliament.

I suggest that the Minister consider a requirement that any such direction from the Minister be published in the annual report of the Board, which is laid before the Parliament. That would provide an additional safeguard to ensure that the Parliament is kept properly informed of any direction that the Minister might choose to give in the exercise of its authority under this clause: it would not unduly inconvenience the Board or the Minister but would simply provide a mechanism for collating in one place all of those directions, if any, and enable the Government to give it proper attention and scrutiny, if that were required.

The Hon. D.J. HOPGOOD: I sit very easy with that suggestion. It is only proper that such instruction should be featured in the annual report of the Board and certainly that will be the policy of the Government.

Clause passed.

Clause 18 passed.

Clause 19—'Delegation.'

Mr M.J. EVANS: I advert to the argument I put in relation to a previous clause. The power of the Board to delegate to a member of the Board or to an officer is quite broad and such a power of delegation is in keeping with modern management practice. However, again, there is no prohibition on a delegate acting in a matter in which he has an interest and, given that the Board might well delegate the power to approve small contracts to a particular officer or member of the Board, it is only reasonable that that person should be prohibited from dealing in any matter he has a direct or indirect interest in.

Similar concepts have been picked up in other legislation before this House. Given the nature of activities that the Board undertakes, the multiplicity of small contracts and the ready potential for abuse in such an enormous supply system, it is only reasonable that Parliament should insert proper safeguards into the control of legislation. I urge the Minister to consider the implications of this clause and the possible need to include a prohibition on a delegatee acting in a matter in which he has an interest, with an appropriate penalty if he fails to do so.

The Hon. D.J. HOPGOOD: I see that as consequential on the commitment I gave the honourable member in relation to clause 11. Therefore, we will treat it in that light.

Clause passed.

Clauses 20 to 22 passed.

New clause 22a—'Report on operation and effectiveness of Act after three years.'

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

Page 7, after line 28—Insert new clause as follows:

22a. (1) The Minister shall cause a report on the operation and effectiveness of this Act to be prepared within three months after the third anniversary of the date of commencement of this Act.

(2) The report shall be prepared by persons not involved in the administration of this Act.

(3) The Minister shall, as soon as practicable after his receipt of the report, cause a copy of the report to be laid before each House of Parliament.

This Bill has been described as an innovative umbrella for the operation of supply and a number of new grounds have been introduced into the normal Government procedures. It has been clearly demonstrated that both the Government and Opposition believe that the action being taken is in the best interests of the State. However, because there are those new innovations and because of a change in technology and other aspects of financial control, the Opposition is of the opinion, not so much as a sunset clause but as a requirement, that there be an independent review in relation to the satisfactory or otherwise conduct of the new Act.

The Hon. D.J. HOPGOOD: The Government is happy to accept this amendment. I see this provision as somewhat akin to what I was involved in many years ago when, as Minister of Housing, I had charge of what was called the quinquennial review of the South Australian Housing Trust. Such reviews I guess are still a feture of that legislation. Once every five years there has to be an external audit policy as well as financial and other ways of the operation of statutory authority. The honourable member's amendment does not go as far as that, but it would be a useful exercise and one that we should certainly accept. I urge the committee to support the amendment.

New clause inserted.

Clause 23 and title passed.

Bill read a third time and passed.

ANZ EXECUTORS AND TRUSTEE COMPANY (SOUTH AUSTRALIA) LIMITED BILL

Adjourned debate on second reading.

(Continued from 3 April. Page 3824.)

Mr OLSEN (Leader of the Opposition): The legislation we have before the House will enable the ANZ Banking Group through its subsidiary ANZ Executors and Trustee Company Limited to extend its operations to this State. Following the announcement of the ANZ Bank last year to obtain access to the local trustee and executor market through a proposed takeover of ETA and the State Government's subsequent and unprecedented share market intervention in this State, introduction of this legislation is to compensate the ANZ Bank for the Government's action in handing ETA to the State Bank.

Given that the ANZ Bank had been negotiating with the Government since October 1983 in relation to the proposed takeover, and during that time the Government had raised no objections to the ANZ Bank's proposals (including lifting the shareholding limits so that that could take place), it is appalling that the ANZ was excluded from the market place. In his second reading speech, the Premier, following his usual form, attempted once again to fudge the issue. He stated:

> In accordance with the spirit of the legislation which was introduced originally on the initiative of a Labor Government and confirmed by the Liberal Government in 1980, the Government informed the ANZ Bank Limited that its offer for the Executor Trustee and Agency company was not acceptable.

It is necessary to inform the House, in order to have the matter clarified, that when the former Liberal Government introduced legislation in 1982 to tighten shareholding limits in ETA, it was on the basis of ensuring protection for the thousands of persons with interests in the trust funds administered by the company. We also wanted to ensure that the company was not split up and that management control was maintained in this State. Since then there have been marked changes in financial markets with substantial deregulation of the financial and banking sectors and the strict controls placed on interest bearing deposits with trustee companies in Victoria. There have also been discussions on extending those controls uniformly throughout the States. These factors are leading to increased competition in the delivery of a whole range of consumer financial related services.

Provided the control of ETA remained with an established, reputable responsible financial institution, that a majority

of directors were residents of South Australia and the management and control remained within this State (all criteria which were met by the ANZ Bank), a Liberal Government would have been prepared to lift the shareholding limit, so as to enable the ANZ Bank or any other financial intermediary the opportunity to proceed with the takeover. We would not have interfered with the market place.

Through acquisition of the failed Victorian based Trustees Executors and Agency Company Limited, with operations in New South Wales, Queensland and the Northern Territory, the ANZ Banking Group subsidiary has demonstrated its competence in the executor and trustee field since 1983. It is for that reason the passage of this legislation will not be opposed by the Liberal Party. It will support the legislation before the House which will enable the company to extend its operations to this State, thereby ensuring healthy competition among market participants. But, I stress and repeat again that that action would not have been necessary had the true market forces been allowed to come into effect in South Australia and had those market forces been intervened without good reason. There was no good reason for the Government's intervention.

I referred previously to the fact that the instruction from the Government to the State Bank that it should not allow the shareholding to go above $8 and to ensure through legislative means that it would not go above $8 was a direction that I do not believe was a responsible one with the Government interfering with the market place in that way. It is to the credit of the Board of the State Bank of South Australia that it said it wanted to compete in the market place and pay the market price of $8.75 for the purchase. That being the case, I repeat again my commendation of the actions and attitudes of the Board of the State Bank in that instance in its being entrepreneurial and wanting to ensure that it competed in the market place and private sector as indeed was the wish of this Parliament when the legislation establishing the State Bank was passed. The Liberal Party supports the proposal before the House.

Mr BAKER (Mitcham): I wish to make one or two brief comments for the record. During the remarks made by the Leader of the Opposition and remarks made in the previous debate on the acquisition of Executors Trustee by the State Bank, certain members made their displeasure known to this House on the way the transaction had occurred. Members felt that the market had not operated in the way it should have operated. I know that the Premier, in response to those remarks, said that he was rather disappointed with comments made by the Opposition. I do not wish to reiterate ground already covered in that debate other than to say that in principle I am opposed to this Mickey Mouse legislation and the way it is occurring in this place, particularly as it relates to the financial institution and the setting up under legislation of a privileged position. We all realise that we are in a far more competitive market than probably Australia has ever seen, and changes made in the operation of financial institutions have been quite fundamental in the last 12 months. There is going to be increasing competition from overseas. We are seeing a service to the public like we have never seen before in the financial sector, purely because of competition. It is for this very reason that, whilst the introduction of the ANZ into the executor trustee business adds that element of competition, it is the very way that it is being done that raises questions fundamentally about whether we should in legislation place companies, specifically the likes of ANZ, in this position or whether we should open up now the Executor and Trustee Acts and create an Act describing conditions on which executor and trustees should operate.

Perhaps it is now time to say that it is a free market. We need to have some strict conditions on the way in which trustee companies should operate to prevent the sort of problems that were created in Victoria. It is perhaps time that, rather than indicate which companies we wish to operate in the market, we indicate specifically to the public of South Australia that the market will operate but that we will prescribe only those conditions which we believe are necessary to protect the interests of the public. For those people who wish to participate in it, if they can fulfil all the obligations such as asset backing, proper audit control and listing on the share market—there may be a whole range of conditions which we believe are responsible—then they are the conditions we should lay down in legislation.

We should no longer specify that the ANZ Banking Group shall have a position in the market or that Westpac shall have a position in the market. We have not heard from the Premier what will happen when other groups come to the Government and say that they wish to operate a trustee business in South Australia. I believe the Australian financial market has come a long way in the last 12 to 18 months but in South Australia we are still operating in a situation that does not recognise that the market has changed. Here was a grand opportunity for the Premier to say that the ANZ has a case: it has demonstrated that it can operate an executor and trustee company and operate it efficiently and effectively and keep the interest of the public at large before it. Instead, we have a specific Bill which really relates to a trade-off that was made by the Premier at the time. The Leader of the Opposition has already indicated to the Parliament some of the unsatisfactory background to this measure.

Perhaps the next legislation in this field will be a Bill which describes how an executor and trustee company shall operate rather than putting in place a specific company or companies that can operate in the market. We can do that and we have done it in almost every other industry where we believe regulation is important. I believe it is time the Parliament came to grips with the fact that financial institutions have changed and therefore some of these instrumentalities have to change in the same way. When he is responding to this debate perhaps the Premier could indicate under what conditions he would allow other banking or financial groups to take part in the executor trustee and agency business in this State.

The Hon. J.C. BANNON (Premier and Treasurer): It is good to see the Opposition supporting this measure. We have already traversed some of the matters raised by the two speakers in the debate concerning the Executor Trustee and Agency Company. The action taken in this instance, of which this legislation was a part, was not without precedent. The Government is simply carrying out the law as it stood and the intention of Parliament, and I make no apologies for that.

The intention of Parliament was clearly that the Executor Trustee and Agency Company should remain in South Australian hands, South Australian control, and that is what has happened, as it turns out through the State Bank acquisition of that Executor Trustee and Agency Company. I believe there are considerable benefits to the people who deal with the Executor Trustee and Agency Company, the State Bank and, most importantly, the community of South Australia, in that result having been achieved. It was not a case of market forces operating. On the contrary, there were clear legislative constraints on that company and it was not open to the market. Parliament intended that it should not be open to the market and in fact the State Bank acquisition was more than generous to the shareholders of that company

in the situation in which they were involved. I think what has happened is in fact to the overall benefit.

I was very surprised indeed to hear the remarks of the member for Mitcham, who acknowledges the deregulation of the financial system that has occurred in the last 12 to 18 months. It has been occurring because the Labor Government, under Treasurer Keating, has taken steps that were not taken under a previous conservative Administration, despite a lot of rhetoric around the matter. Those moves have been fully supported by the Government of South Australia. In fact, in terms of our financial system, there has been such a revival, such energy injected into it, that it is in many ways a pacesetter to the rest of Australia, and that has come about by deliberate policies. In fact, employment has increased in the financial and services sectors as a result of that. In South Australia we have found a greater vigour in our institutions, a greater range of financing abilities available to people in South Australia. The Reserve Bank Board is meeting in Adelaide today on an all too rare visit to this city to look at the financial scene, and I think the Board would have been impressed by what is occurring here. Certainly, it makes a marked contrast to the Reserve Bank's involvement in 1979-80 with the demise of the Bank of Adelaide. The situation has been completely turned around; it has been turned around to the benefit of South Australia.

In preserving the control of the Executor Trustee and Agency Company in South Australian hands, as was clearly the intention of Parliament, we did not intend to prevent a reasonable application and a reasonable extension into the executor and trustee area of operations by a body such as the ANZ Banking Group. They had demonstrated that they could do it and wanted to carry it out in South Australia. We could have stood flat-footed and done nothing: we owed them no obligation, and there was no financial, moral or any other reason why the Government should say in the existing circumstances other than that they could not operate in South Australia.

We did not do that. On the contrary we acted with expedition to indicate firmly that it was not the competition from the ANZ or the services it could provide to the benefit of the community that was involved. We were prepared to facilitate that, and that is why this legislation is before us. It deserves the support of all sides of the House and it should not get grudging support by any means.

I believe we have kept alive the two elements the important aspect of control of our chief and strategic financial sector in South Australian hands, while at the same time ensuring that those who wished to operate in the South Australian financial sector had access to do so. Whether this should or could be extended more widely is a question that would have to be looked at case by case. The case of the ANZ was well established and well argued, and this legislation is the result.

Bill read a second time.

In Committee.

Clauses 1 to 13 passed.

Clause 14—'Division 6 of Part IV of the Companies (South Australia) Code not to apply to common funds.'

Mr OLSEN: This clause proposes that any common trust fund established by ANZ Executors and Trustee Company shall be exempt from prescribed interest provisions of the Companies Code. In other words, if investments in the funds are sought from the public, the trustee company is not required to register a prospectus or have an independent trustee. In our view, it is proper for such a clause to be inserted in a trustee company's enabling Act, which this is. However, why has exemption been given from those provisions in this instance?

The Hon. J.C. BANNON: I have had circulated earlier today an amendment to delete this clause, because it is redundant. I will oppose the clause. Clause 14 provides that Division 6 of Part IV of the Code does not apply to any common fund established, as the Leader of the Opposition has mentioned. The Companies (Consequential Amendments) Act, 1982, amended each of the private executor companies Acts to remove the corresponding provision. Exemptions from the application of Division 6 of Part IV were then granted to each of the private executor companies under section 16 of the Companies (Applications of Law) Act. The effect of deleting the clause is to put the ANZ Executor and Trustee Company into the same position with respect to this matter as other companies. It was copied from previous legislation.

Clause negatived.

Remaining clauses (15 and 16), schedule and title passed.

Bill read a third time and passed.

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 April. Page 3828.)

The Hon. MICHAEL WILSON (Torrens): The Opposition supports this Bill, which has resulted from lengthy correspondence between the University and the Government. In all respects save one, the Bill mirrors the original suggestions of the University, or at least represents an agreed position after discussion. Most of the clauses in it are of what we would call a machinery nature and are those that have been requested by the University Council. They relate to such things as transitional provisions. Some of the amendments delete from the Bill transition provisions such as, of course, the terms of office of the original University Council, when the Bill was proposed in 1966. It provides that the pro-chancellors and pro-vice-chancellors be *ex officio* members of council. Subsequently, that means amendments limiting their numbers.

The Bill also alters the definition of ancillary staff to general staff, which is a more acceptable provision in the 1980s. However, the main provision of the Bill relates to the jurisdiction of the Industrial Commission over the general staff. At present, the Industrial Commission has jurisdiction over both the general staff and the academic staff as regards salaries, wages and conditions, but not over such things as classification and promotion criteria.

This Bill extends the jurisidiction of the Commission in those areas over the general staff, as they are now to be called, but not over the academic staff. That is because there has been a difference of opinion between the University and its academic staff on this question. The Minister acknowledges this in his second reading explanation. The academic staff who are, incidentally, covered under a Federal award, require or wish to be under the full jurisdiction of the South Australian Industrial Commission but the University's view was that as they are under a Federal award there was no need for them to be included in this Bill at all. It would have liked the academic staff to be removed from that section of the Act.

The Government has brought about a compromise on this matter and has really maintained the *status quo*. So, when this Bill becomes law the Industrial Commission of South Australia will have full jurisdiction over the general staff but only its present jurisdiction over the academic staff. I would favour the point of view of the University, if it had come to that, because you cannot have your cake and eat it, too. If the academic staff is covered under Federal

awards, it should be restricted to those Federal awards. It is not necessarily right to have a foot in both camps.

However, I can understand why the academic staff would wish that, because it probably gives its members access to a wider list of conditions and benefits. Nevertheless, one opts for one or the other. As they are under a Federal award, they probably should remain there. That is quibbling, and I do not wish to quibble with the action that the Government has taken: it has reached a sensible compromise. I have received a letter from Professor Abrahamson who has been, until last week, the Acting Vice-Chancellor, in which he states in the penultimate paragraph:

> While the University would have preferred that they not be included—

and that is referring to the academic staff—

> since their salaries are determined by a Commonwealth tribunal we do appreciate that the current version of the Bill merely preserves the *status quo* and represents a practical compromise between different points of view.

Professor Abrahamson further states:

> In view of this, we would hope that Parliament would pass the Bill in its present form.

That is what the Opposition intends to do. I have just discovered on my desk an amendment introduced by the Minister. Obviously, we cannot canvass that at this stage, but I cannot see any problem with it.

Whilst on the subject of Flinders University, if I may be allowed a little licence, I compliment the University on its commemoration ceremony held last week. It was excellent to see the way in which it was presented: I found it quite an exciting occasion. I compliment Professor Hancock, the Vice-Chancellor, on his return to South Australia after the important work he has been doing in the field of industrial relations.

We have been very fortunate with the Vice Chancellors that we have had at both universities in South Australia. Of course, the present Vice Chancellor of the Adelaide University is Professor Stranks. In relation to the Vice Chancellors of Flinders University, the Federal Government has made great use of their services over the years. I have refered to Professor Karmel, whose original report on education had such a significant effect on the future of that most important of all Government areas, which I am sure the Minister will agree with. Of course the competence of Professor Hancock, who has served previous State Governments extremely well and who is now serving the Federal Government in the very important area of industrial relations, is acknowledged. I think it is a great honour to South Australia that the Vice Chancellors should have that status within the Australian education community. I also want to put on record in this place that the Flinders University receives the highest level of Federal research grants per student of any university in the nation.

Mr S.G. Evans: That is mainly because of the results and success in the past.

The Hon. MICHAEL WILSON: As my colleague from Fisher says, indeed it is because of the success of the research programmes conducted at Flinders University. That is a great tribute to the University, and I put on record my congratulations and those of other members of my Party.

Mr S.G. Evans: And also Dr Fraenkel.

The Hon. MICHAEL WILSON: The member for Fisher is doing a good job assisting me: I would be remiss if I did not refer to the contribution that Professor Gus Fraenkel has made to medicine in this State.

Ms Lenehan interjecting:

The Hon. MICHAEL WILSON: I know Professor Fraenkel; I have had meetings with him and I am well aware of the great contribution he has made to medicine. It was a great pleasure to see him receive his doctorate at the University last week. With those very pleasant remarks, I conclude by saying that the Opposition has much pleasure in supporting the Bill.

Mr S.G. EVANS (Fisher): I did not intend to comment at this stage, but I point out that my little bit of prompting was to ensure that the shadow Minister recognised (and I am sure that he would have done so anyway) those areas that he mentioned. From my experience on the Council of the University I know the background of the Bill that is before us. I understand why there had to be a compromise, and I support it. In particular, I endorse the remarks made in relation to Dr Frankel and Professor Hancock and the success of the University in its research work. That is all I wish to say, although given a little bit of latitude I could comment on those areas.

The Hon. LYNN ARNOLD (Minister of Education): I thank members opposite for their support of the Bill and I hope that it passes quite speedily. It is certainly true that significant consultations have been undertaken with those in the field in relation to the form that the legislation should take. Whereas there was absolutely no disagreement at all with respect to most of the provisions in the Bill, be they matters that came from the Flinders University Council itself or the matter of the extension of the access to Industrial Commission by general staff (there was no disagreement anywhere to those propositions), it is true that there was a divergence of views with respect to the academic staff. That matter has already been canvassed in this place.

May I say that the Government's position is one of compromise between two differing points of view. But this is a very real debate and one which I am certain will not be stopped by the passing of this legislation. Indeed, I recently received a letter from the Secretary of the Flinders University Staff Association, who also notes the action that the Government is taking in this regard. He went on to say:

> We would still argue for full access for all employees of the University, as we have argued in a previous letter. We have no wish to delay proposed action that will benefit our non-academic members, but we would draw your attention that it is only in South Australia that university academics do not have unrestricted access to the local Industrial Commission.

Clearly, this is a matter that will be the subject of ongoing debate. It was important that the matters brought before us by the Flinders University Council and the extension of rights to the non-academic staff proceed as quickly as possible: we felt that it was important to get this matter into the House and through the Legislature at this stage. In that circumstance there was no way in which the Government could have supported the withdrawal of rights from academic staff. In fact, our predisposition would be to consider why they should not be extended to match the rights applying to those elsewhere. However, the Government appreciated and understood the firm viewpoint that was being expressed by the University Council on that matter. I have an amendment on file, but I cannot canvass that at this stage. It relates to a matter that has arisen since the Act has been under consideration. This is a peripheral matter but it is something the Government believes is important, and it will help to some considerable degree the proceedings of this House at the start of each new session.

As to one other matter that the member for Torrens raised with respect to research, it is true that the Flinders University does have a commendable record. I enjoy reading through the bibliographies of research prepared by our various tertiary institutions in South Australia and I find that they cover a fascinating range of topics and indeed they show the wealth of research capacity in South Australia. I extend the comment generally to say that we have this capacity in all our tertiary institutions, as they have shown by their pre-eminence in Australian research records generally.

Flinders University has a very good record, but so too do Adelaide University, Roseworthy Agricultural College and the Waite Institute as part of the Adelaide University, and we can now see that the South Australian College is growing in its research capacity at the general CAE level of research in Australia. I thank honourable members for their support, and I hope that the Bill passes through Parliament speedily.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

New clause 5a—'Election of members of council by Parliament.'

The Hon. LYNN ARNOLD: I move:

Page 2, after line 8—Insert new clause as follows:

5a. Section 6 of the principal Act is amended by striking out subsections (2) and (3) and substituting the following subsection:

(2) The persons appointed to be members of the council by each House of Parliament shall be members of that House elected by that House.

This matter quite clearly involves this House. It is to speed up the procedures at the start of the year. It really has no direct relevance to the University itself. The Parliament has to select Parliamentary representatives for the Flinders University Council. At this stage the two Universities have different methods of doing that under their respective Acts. The Act applying to the Adelaide University provides that this House can by agreement decide on a set of names which is then put to a motion in this House, at which time this House accepts or rejects that motion. The Act applying to the Flinders University requires that the procedure be done by ballot, and the ballot is therefore a secret ballot.

Members would know that what happens is that we have a lengthy process where people score off names from a sheet, even though by practice of the House agreement has been reached by the Government and the Opposition as to the best way of dividing up the potential candidates between Government and Opposition members. The fact is that the pre-selected slate of Government and Opposition candidates always gets up, but we end up with a number of other names that also run in, as a result of members enjoying the secret ballot situation. Of course, this takes up some time on a very busy day of the House, namely, the opening day of session, when officers of the Parliament have a number of other things to attend to, getting ready for a busy Parliamentary session after that time. The suggestion was put to me, and I subsequently put it to Cabinet, that we could in fact easily amend the situation and reduce a little bit of the work that is necessary on the opening day of Parliament without causing any inconvenience to the University at all. It makes no difference to the University, as it will still get its Parliamentary representatives by a method which is quite credible and respectable and which has worked well in relation to the selection of Adelaide University Council members over many years. Therefore I commend the amendment to the House.

New clause inserted.

Remaining clauses (6 to 15) and title passed.

Bill read a third time and passed.

DAM SAFETY BILL

Adjourned debate on second reading.

(Continued from 3 April. Page 3828.)

The Hon. P.B. ARNOLD (Chaffey): Legislation of this nature has been mooted in South Australia for a number of years. The purpose of the legislation that has been considered by various Governments on a number of occasions was basically, as has been stated by the Minister of Water Resources, for the purpose of protecting life and property by making provision for the structural safety and surveillance of dams, but that is where the matter starts and finishes. This legislation has been effectively limited to comparatively small dams in South Australia, such as those in the Mount Lofty Ranges. The setting up of an authority merely to have control over comparatively small dams in the Adelaide Hills is a blatant waste of taxpayers' money.

The purpose of this type of legislation is to protect the public from major disasters, and there have been many major dam disasters around the world to which I will refer later. The Government has not been prepared to include Government dams under this legislation; in other words, it is not prepared to be bound by the Act. That makes the legislation and the setting up of an authority to control comparatively few small dams an absolute waste of time and money. The Director-General of the Engineering and Water Supply Department or one of his senior engineers is more than capable of keeping adequate surveillance over the existing comparatively small dams which may be of some risk to life and property in an area such as the Adelaide Hills. He is also capable of having some say in the design and standards that will apply to such a dam built in an area where there could be some risk to the public. I refer to an article in *The Journal of the Institution of Engineers* of 5 April 1985 by Brian Cantwell which states:

Worldwide, over the past 30 years, there have been some catastrophic and spectacular dam failures. In 1973, the International Commission on Large Dams (ICOLD) published statistics on all known large dams throughout the world and recorded failures.

There were more than 10 000 large dams worldwide and recorded failures totalled 103—about 1 per cent which is surprisingly high. Of the 103 failures, 27 were caused by overtopping of the dam, indicating inadequate spillway capacity. Most surprising of all, half the 103 failures occurred in the previous 20 years of the 1950s and 1960s, with the loss of 5 000 lives and property damage of the order of $1 000 million.

These figures show dam failures are more common than one might expect, that inadequate spillways have often been the cause, and that the consequences of failure can be disastrous.

In Australia, dam safety has never really been a contentious issue, nor a politically sensitive one. This is because Australia has a good record in dam safety. The last failure of a major dam occurred in 1929 when a 20 m dam owned by a mining company in Tasmania failed with the loss of 14 lives.

In 1972, the Australian National Committee on Large Dams (ANCOLD) addressed a document to all Governments in Australia expressing concern at the total lack of dam safety legislation in Australia. ANCOLD specifically proposed that each State should legislate for a single control authority which should be independent of the existing agencies which engineer and/or own dams.

The Australian National Committee on Large Dams is saying that we cannot have such an authority being answerable to the body which owns, constructs and operates the large dams over which it is meant to have authority. That is exactly what is being proposed by the Government. It is in direct contrast with what has been recommended by engineers in this country and also by the Australian National Committee on Large Dams. The article further states:

In Australia, matters relating to water rights, dam licences and, therefore, dam safety are traditionally State rather than Federal matters. Thus successive national Governments have taken no action and left the matter to the States. New South Wales proclaimed a Dams Safety Act in 1979 and created a Dams Safety Committee, responsible for ensuring the safety of all significant dams in the State.

In Queensland the Water Act was amended in 1975 to vest the Commissioner of Water Resources with powers to control the safety of all significant dams. Most other States prepared some form of draft legislation but, for a variety of reasons, none has been enacted. Thus, in summary, there is effective dams safety legislation in only two States, NSW and Queensland. These two States together contain about half the nation's total of about 700 significant dams.

Despite Australia's good safety record, some developments in design have given rise to concern. As an example, all the concrete gravity dams built in NSW before 1930 did not include adequate

provision for uplift pressures, nor are their spillway capacities adequate by current standards. Works to ensure they conform to modern criteria in these and other aspects have been carried out over a number of years and are still in progress.

Now, I am not suggesting the Engineering and Water Supply Department and its engineers have been lax in their surveillance and maintenance of the State owned dams. In fact, I am conscious of work that has been done on a number of concrete dams in South Australia that are owned by the State Government and the grouting procedure which has been carried out by the Department in the interests of safety.

However, this legislation completely exempts the State Government, as the major owner of significant dams in the State, from requirements. That makes an absolute farce of the whole situation. There is no value in our having this legislation when I know of no major dam in South Australia that is owned by anyone other than the Government. So, the fact that the Government is proceeding in this direction can only be described as somewhat farcical.

During the past two years, I have taken particular interest in one of the major dam failures that occurred in the United States. In fact, Dr Quinn, of the University of Nebraska, has forwarded to me a considerable amount of information during the past two years on the failure of this major dam. A report, in the 21 June 1976 issue of *Time* magazine, which was headed 'Environment' and which related to the Teton Dam disaster, stated:

> Last week investigations were under way by the Interior Department, congressional committees and Idaho authorities to determine the cause of the 5 June disaster; which unleashed 80 billion gallons of water, killed at least nine people, injured more than a thousand, inundated 400 000 acres, devastated several communities, and caused more than $1 billion in damage.

It is interesting to note that the Teton Dam, which is 12 or 14 times the size of Kangaroo Creek Dam, was built by the Bureau of Reclamation, which is a major engineering construction authority of the Department of the Interior in the United States. It built that dam against the advice of many independent engineering authorities, and the dam was barely completed and had only just reached full capacity when it collapsed, causing that massive loss not only of the nine lives but also of $1 billion worth of assets in that country.

I have a further article, which was also provided to me by Dr Quinn, from the *Science Journal* of 2 July 1976. Headed 'Teton Dam collapse: was it a predictable disaster?', it contains two comments: 'Theoretically, what happened could not happen. But it did.' That is a statement from Gilbert Stamm, Commissioner of the Bureau of Reclamation, explaining the failure of the Teton Dam. That comment was contained in the *New York Times* of 9 June 1976. A further comment, 'All this was predictable three years ago', made by Robert Curry, Professor of Geology, University of Montana, was contained in *Time* magazine of 21 June. The article goes on to state:

> The shocking collapse of the Teton Dam in south-eastern Idaho on 5 June has spawned a number of inquiries aimed at uncovering the cause of the disaster. But, even before the findings are in, charges have been made that the Bureau of Reclamation, the federal agency in charge of building the dam, recklessly ignored warnings that the geology of the area was unsuitable and that the structure would be unsafe.
>
> These allegations have been widely circulated in the press. The Washington *Star* reported that the Bureau was 'warned by government geologists more than three years ago that the Teton River Dam in Idaho was dangerous and should not be built. The warnings were ignored and the dam burst Saturday . . . '. Similarly, *Newsweek* asserted that 'one of the most tragic elements in the disaster was that it had been warned against in advance.'
>
> But such charges seem wide of the mark. The fact is that, while several geologists and environmentalists did indeed raise questions about the dam project, not one of them is known to have challenged the structure's safety under such normal conditions as appear to have prevailed at the time the dam collapsed. At this point it is not clear whether the dam failed through some unforeseen and perhaps unforeseeable fluke of nature, or through malfeasance on the part of contractors and inspectors, or because the Bureau goofed up and built the structure in an unsuitable location. But, if the latter is the case, the real tragedy of the affair may be not that the Bureau refused to heed prior warnings but that the Bureau made a mistake in engineering judgment and there was no one around both willing and able to second-guess its decision.

This is exactly what I am coming back to. The Bureau of Reclamation has built 250 similar dams in the United States but, for all intents and purposes, it is a law unto itself. It does not have to comply with anyone else's views on the matter.

I am merely saying that, no matter how good our engineers are within the Engineering and Water Supply Department, no-one is infallible, and, if the Government intends to have such an authority to oversee dam safety in South Australia, it ought to be prepared at least to have the legislation binding on the Crown. If it is not, the whole legislation is an absolute farce. It is a cost to Government that can be ill afforded, because it will merely be looking at comparatively small dams on private property which may be of concern to local government. It certainly will not be coming to grips with the large dams in South Australia which are mainly situated in the Adelaide Hills. Without any doubt, if Kangaroo Creek or one of the other major storages in the Adelaide Hills was to totally fail, the devastation and loss of life in the metropolitan area would be enormous.

I use Kangaroo Creek as an example, because work has been undertaken on that storage. I am not suggesting for one moment that Kangaroo Creek is about to fail, but work has been undertaken on that storage to reduce its capacity and to enlarge the capacity of the spillway, thus making that dam somewhat safer. As I said, no-one is infallible, and there is nothing to say that any other dam that is built by the Government in South Australia should not be under the strict supervision of an independent authority. However, it appears that the Government is not prepared to place itself under the same surveillance that it wants everyone else in this State to be under. The proposal as it stands is not acceptable to the Opposition. We believe it is somewhat farcical and I opposed the second reading.

The Hon. JENNIFER ADAMSON (Coles): No-one can argue with the motives of this legislation which, as the Minister stated in his second reading explanation, are designed to protect life and property by making provision for the structural safety and surveillance of dams in South Australia. However, as my colleague the member for Chaffey and shadow Minister of Water Resources pointed out, the whole foundation of the legislation makes a mockery of the Minister's claim for its purpose because, on the one hand, it exempts the Crown and, on the other hand, it makes the supposedly independent authority answerable to the Minister. On two counts there is conflict, and that cannot be countenanced by a Parliament that wants to protect life and property.

My special interest in this legislation comes from the fact that the electorate of Coles, which I represent, has as its northern boundary the Torrens River. The impact on the electorate of any damage or failure on the part of the Kangaroo Creek Dam would be massive and potentially catastrophic. In addition, the Thorndon Park recreational boating facility (formerly reservoir) is also in my electorate. Another dam, which I believe would come under the ambit of this legislation, is the White Rock Quarry Dam, which is above Horsnell Gully. The definition of 'prescribed dam' contained in the Bill encompasses:

> *(a)* a dam—
>
> (i) with a capacity exceeding twenty megalitres; and
>
> (ii) of which a wall exceeds ten metres in height;
>
> *(b)* a dam—

(i) with a capacity exceeding 50 megalitres; and
(ii) of which a wall exceeds five metres in height;
(c) a dam that—
(i) by reason of its location may constitute, in the opinion of the Authority, a substantial risk to life or property; and
(ii) has been declared by regulation to be a prescribed dam for the purposes of this definition:

The latter category is quite clearly a catch-all category which, as I understand it, would encompass the White Rock Quarry Dam some distance above housing developments, that dam periodically releasing its flow into Fourth Creek. How on earth can Parliament consider prescribing a relatively small dam the impact of which on life and property would be negligible when compared with the potential impact on life and property of the failure of a dam relatively close by which is owned by the Government?

The member for Chaffey referred to the Kangaroo Creek Dam which was constructed between 1966 and 1969 in the Torrens Gorge. While certainly not wishing to cast any doubt on the safety of that dam, it is worth noting, when one looks realistically at the whole question of dam safety and the principle of this legislation, that the reservoir capacity of that dam is 6 000 million gallons; its full supply level is 800 feet above sea level thereby creating a potentially dangerous situation; its catchment area is 112 square miles; the length of the dam crest is 440 feet; the height of the dam above stream bed is 200 feet; the crest width is 20 feet; the upstream slope is one on 1.8; the downstream slope is one on 1.4; the total quantity of rock fill is 462 000 cubic yards; and the length of spillway is 840 feet. All these measurements are identified on a plaque attached to the viewing area adjacent to the dam.

Given those statistics, how anyone can look at a definition of a dam which refers to dams with capacities of 20 megalitres, 50 megalitres or dams which by reason of their location may constitute a substantial risk to life or property, and compare it with the dam to which I have just referred and which is exempt from this legislation begs the imagination. No citizen of Athelstone, Paradise, Newton, or further down the track at Payneham, Norwood, or going further down the Torrens at Thebarton and down to the breakout creek could possibly feel secure with a Government that is legislating to bring under its control small dams in the Adelaide Hills and ignoring the great Government dams which, while constructed in many cases several decades ago to very particular specifications and by highly qualified people, should not be exempt from the scrutiny of an independent authority.

Yet, that is what the Minister is asking Parliament to do with this Bill — to exempt Crown dams from the scrutiny of an independent authority. The Thorndon Park Reservoir is and has always been in the name of the Crown, but is under the care and control of the Campbelltown council. I know that the council would welcome the supervision of an independent authority, but under this Bill it is not going to get it — the reservoir will be exempt. That does not mean that the council cannot refer to the Engineering and Water Supply Department for advice. The interesting part of the Minister's second reading explanation states that the drafting of the Bill was not proceeded with in the late 1970s due to a lack of sufficient resources in the Engineering and Water Supply Department for administration of the Act.

My questions to the Minister are: Where are the resources coming from now and why are they not going into the Department which has the expertise and could fulfil these functions? What is it going to cost? Why is it being made an independent authority? Why is the so-called independent authority going to be answerable to the Minister and thereby compromise its independence? This Bill proposes many more questions than it answers. It is my view that the Government has made a very inadequate response to the issues which arose out of the consideration of flood mitigation following the serious floods that occurred in the Torrens and Mount Lofty Ranges regions in 1980.

The question of exempting the Crown is one that should concern every citizen, as should the fact that the legislation, as it applies to smaller dams, provides nothing whatsoever by way of appeal for a dam owner who might believe that the authority's decisions are not soundly based in a technical sense and could be well counteracted by equally valid technical advice from another quarter. Very heavy penalties are provided in the Bill, with no appeal for the owner of a dam. The whole thing seems to be ill considered and a real copout as far as the Government is concerned.

On the grounds outlined by my colleague, I could not support the legislation in its present form, although I fully support any moves which are designed to protect the public of South Australia from the possible failure of any dam existing or as yet unbuilt. I urge the Government to carefully look at this legislation again and to go back to the drawing board and ensure that South Australians are properly protected and do not have inflicted on them what I believe will be a costly and inefficient exercise in the form of this legislation.

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

Mr GUNN (Eyre): I wish to take only a few moments of the time of the House to speak on this Bill. When I first read it I was amazed because it is a clear example of a Government having gone mad for the sake of legislation and setting up a board to consider the safety of dams with all the paraphernalia that goes with such an action. Talk about a load of nonsense! What is the place coming to? All members would be concerned to ensure that action is taken to prevent the sort of problem that this legislation purports to solve, and we do not need another board with more secretaries, administrators and inspectors going around the country annoying people to achieve the objective of the Bill. We will have another heap of forms and more regulations, and so it will go on. What nonsense! All that is required is to appoint a senior engineer in the Engineering and Water Supply Department to investigate these problems and to allow district councils to act, if necessary. Fancy setting up another board!

The Premier has just appointed the former Ombudsman (Mr Bakewell) to attack red tape in this State. Let Mr Bakewell consider the procedure under this Bill and see what he says. This Bill is a classic example of what not to put on the Statute Book. This problem could be easily resolved without passing legislation. I agree with the member for Coles that, if this legislation becomes law, the Crown should be bound. It will be interesting to hear the Minister's reply to that opinion. How much will the implementation of this legislation cost? The Minister has not told us. Whom will he appoint to the board? Possibly, he will appoint some of his cronies, the same as has been done in respect of the ETSA board, on which there are now two former Labor members.

It is time that the Government and the Minister came to their senses. I find such legislation unbelievable. When the House rose on 3 April, I took the Bill home and read it. I was amazed to read the provisions concerning another board and all the paraphernalia that goes with it. The Bill provides that the Minister may remove a member from the board, but I hope that he does not appoint any members, because then he will not have to worry about that provision. The Bill is a waste of the paper on which it is printed, and I hope that the House takes appropriate action on it.

All that is required is a senior officer in the Department or someone from the Department of Mines and Energy who is experienced in these matters. If power must be given in

this matter, then it should be given to local government, which knows the local conditions. There is no need to set up another arm of Government and another set of public servants costing the long-suffering taxpayers millions of dollars, because there are probably too many public servants now. Government members have been silent on this measure. Will they sit idly by and allow this legislation to pass into law without giving it proper consideration? Do members opposite understand the ramifications of this sort of nonsensical Bill? I have better things to do with my time this evening than to take part in a debate of this nature.

Mr Ferguson: Then why don't you sit down?

Mr GUNN: If members wish to provoke me, I have much to say on this matter. This is typical Labor Party legislation that shows no common sense or understanding of what would be a reasonable approach to the problem. The main trouble in my district in respect of dams is that we cannot get enough water into them and, if the Minister were to use some of the money that he intends to use to set up the proposed board to improve the water supply for my constituents, that would make more sense than the legislation. I hope that the House rejects this nonsensical Bill.

Mr S.G. EVANS (Fisher): I am concerned about this Bill. I know the emotion that is involved in any matter when one starts talking about a dam being lost when there is a property below it on which people live or work. I know the thoughts that go through one's mind if that occurs and lives may be lost. So, it is easy to sell this type of legislation on that sort of emotion. However, right through the Minister's second reading explanation, his officers and advisers have given no serious instance of a dam bursting in this State.

True, dams have been lost in this State. I began as a lad of about 14 years of age working a horse and scooper helping a chap build one of the earlier types of dam. In those times the soil was packed and, because of the weight of the animal and the slowness of the job, the compaction was equal to, if not better than, some of the more rapidly developed dams that are built today in poor sandy soil with less water holding capabilities. In many cases, sandy volcanic clay was used with an expansion rate of something like 10 times its capacity when it became damp as the sealing component.

In the Virginia area there are dams that would cause such a problem because they are built mainly in sandy soil and people have used volcanic clay, or other material has been brought in. I have had experience with such dams. A certain dam in the Mylor district (not of the size that would be covered by this legislation) was lost before it was completed, because of a storm that occurred when it was least expected at that time of the year. That sort of thing occurs, and it will occur regardless of how many engineeers we have advising on the building or siting of dams, because a thunderstorm will occur at an unexpected time in the weather pattern.

The Minister may consider the more serious problems referred to by the shadow Minister of Water Resources. For instance, at large dams, such as Mount Bold and Kangaroo Creek, there are problems because of deterioration of the construction, where the concrete was poured in layers and where a continuous pour was worked. I believe that Mount Bold was the first reservoir on which this type of continuous pour may have been used when the top section was built on. If I am wrong in that, I take it back, but I think that it was in about 1961 or 1962 when we carried out the contract to clear the vegetation from the area over the 220 acres where the new water line was created.

So, I refer to those dams where the plateau pouring is done by finishing off one level and then pouring another level on top. This may result in seepage and the eventual rusting of the rods. That can be a problem, as I am sure the member for Chaffey would agree. More particularly, in the case of the Happy Valley Reservoir where the homes are built right under the main wall, if the wall goes there is no buffer and the immediate burst of water would go straight into the homes, because they are sited at the foot of the bank with only the width of the road between the house and the wall of the reservoir. That is one of the oldest reservoirs in the State and was probably built when less was known about construction practices.

One will have to wait to see whether the big excavations and the deep work we have done in putting in the filtration plant present any possibility of seepage or water going through that section of the stratum that will weaken the wall, even though it is a long way away. Water has a habit of finding any weaknesses in the soil. If the Minister was genuine about the emotional side or about the real risk of a lot of lives being lost or damage being done, he would include reservoirs owned by the Government. The legislation does not cover them. If the Minister's answer is that the Department is aware of its responsibilities and is able to employ consultants, it is no use using his own consultants regularly employed within the Department as there is a pyramid structure to protect one in an ongoing developing situation. That is not a reflection on departmental officers because they come and go, but it is a tendency we all have as human beings when we work alongside someone.

If the Minister is giving a guarantee to this House that his departmental officers have enough consultants of their own or bring in enough from outside so that there is no risk of failure of our major reservoirs now or at any time in the future, I come back to the purpose of this legislation in setting up another authority. A couple of years ago we passed legislation to give local government control over the streams in their council areas. The Minister himself or any future Minister has control to a great degree over watercourses within the water catchment areas and reservoirs. The Department has much say now in what happens with these watercourses. I am not advocating that that power be taken away, but most of the dams we are talking about that are likely to have an effect upon residential areas in particular and on the population of such areas are water catchment areas. The Minister now has a lot of say in what happens with those streams.

If we give local government control over streams in council areas and over any structure or development in its area, do we need to extend that further to guarantee it control over dams? For example, the Stirling District Council already makes it a condition that anybody wishing to build a dam in that area applies to the council for permission. It can then tell them to get advice from an engineer before going ahead with it. Somebody will tell me that that council is acting illegally. I believe Victor Harbor has done the same in one instance. If the Stirling council is acting illegally, let the Minister tell me that it is so doing. However, the situation is working, and therefore we do not have to set up another authority but change the legislation to give councils the power to carry out the action that the Stirling council is currently carrying out.

How many dams built by private individuals come under the first two classifications—the 20 or 50 megalitre dams? Very few are covered by the legislation although there is a third proviso. They can regulate or bring under control by regulation smaller dams that somebody decides have been built on a dangerous site or which create a dangerous situation.

The Hon. H. Allison interjecting:

Mr S.G. EVANS: My colleague refers to the dam at Coromandel Valley over which there was a 10 year fight. I want to forget about that: everyone is satisfied with the

result. When we pass laws in the Parliament it does not matter what the Minister, the members, the Parliament or the Government of the day intend to do with the legislation but rather what happens in the future. As with regulations for clearing native vegetation, no-one thought that such legislation would be enacted stopping all clearing on farms without special permission. That was not the intention at the time it was brought in, and I make that comparison. We are now saying that they can regulate any dam. The Minister shakes his head. He can shake his head,but he is not the decision-maker of the future. It simply needs a person from the Dam Authority, to come along to an individual and say that he believes that the dam is in a dangerous situation. The owner cannot say that he is wrong and get a second opinion. The owner is bound to do what the authority tells him to do. I do not like legislation that does not clearly spell out what we are trying to cover, and I do not believe that this legislation does that.

I also make known that the intention was discussed to license earthmoving contractors and only those people who had the licence would be able to carry out this sort of work. That proposal was put up and in the end rejected. From past practice we know what happens in such situations, as happened with tow trucks. Another pressure group comes along and says that it can license contractors who will build dams and only earthmovers who carry out certain tests or exams will be allowed to do it. I am not prepared to accept any of those arguments whatsoever—I am not interested in it.

I appreciate that local government was involved in the committee that recommended the legislation. I recognise that those councils in two cases are close to my electorate and have a bearing upon it. They may hold against me what I am saying. That aside, I believe that the Stirling council has proved it can be done and that is how it should be done. If we had examples of dams that had burst on private property, causing a lot of damage, it would be different. I am not talking about minor bursts that take down a few fences or pumps, as that happens in a flood when nature decides that some things will happen. In almost every case the dams were built when people were just learning to use bulldozers. They did not understand that they had to compact more than they were compacting with the type of dozers they were using. Sometimes they were using straight pad tracks instead of creek tracks. They were building dams too rapidly, depositing loose material and not compacting it. Those dams went early, but through the Department of Agriculture and its advisory section on dams most of these problems have been resolved—we know that.

We also know that most of the dams built today are of a standard to withstand any test. Some of the very small ones that would have an insignificant effect upon a neighbour are sometimes built in a haphazard way with a scoop on the back of a tractor fiddling around with something that holds 40 000 or 50 000 gallons, if I can use that measure. There is no real threat to anybody that there will be a claim against insurance for any minor damage done next door. I am conscious of the damage that can take place if dams burst. I do not know of any instance in the last 40 years of a dam bursting in the Hills. I do not believe that a real hazard exists. If we are worrying about the real catastrophe, that will come from the Minister's own reservoirs. He has failed to recognise that in the Bill.

An honourable member interjecting:

Mr S.G. EVANS: Under the Minister's jurisdiction. If they do not belong to the Minister, if he is not to have ongoing control over them, and if he is going to continue with the legislation he should at least recognise that they should be covered under it if we are to have an independent authority. Frankly, I do not want that. Any Minister who is advised by his departmental officers that a problem is developing with any reservoir and who does not get advice, internationally or from another State, is a fool and is putting the community at risk.

Any Minister who had received such advice and who had not taken action, such as engaging consultants from outside our State, deserves to have a vote of no-confidence passed in Parliament to have him removed. That is not a reflection on the Minister; I am saying that that should be the case. To say that we need an authority is wrong, but legislation to control dams on private property would be a waste of such legislation. As the member for Eyre said, there will be more secretaries and inspectors walking around for that one purpose when we have people in each council area who could gain understanding about the types of dams that appear mostly on rural farms. I ask the Minister to drop the whole idea. He should forget about it. However, I pay respect to the committee that worked on this matter. Its members were hoping that they could work out controls and also that local government could deal with it. However, I do not think that local government wants the problem of policing it. Local government should look after local conditions. This is a local problem and, therefore, it should be given the power to do that.

Mr BLACKER (Flinders): When I saw this Bill on file my initial reaction was, yes, I have had a query within my own district. A constituent had expressed some concern to me about the safety of a dam that was uphill from a highway then under construction. I made appropriate inquiries. I contacted the E&WS, which in turn contacted the Highways Dept. Those officers inspected the dam and were satisfied that there was no risk to the neighbour, to the farmer's own land or to the highway itself.

Had that inquiry not been made at my office, I might not have even given this legislation a second thought, because I have not had any other experience that would have led me to believe that legislation of this kind was worthwhile. I note in the Minister's second reading remarks the reference to the ANCOLD Committee—the Australian National Committee of the International Commission on Large Dams—whose recommendation was that there should be a controlling body operating within the E&WS Department.

If that were the case, probably not many of us would have objections, because the E&WS has a good reputation when it comes to engineering works. It is able to build good water supplies. I would have rested easy if that was the recommendation. I note that this suggestion has been made by previous Governments—both the Government before the present Government and the one before that. It is not necessarily a new idea. Although on each occasion when it was discussed it was considered unnecessary, for some reason or another it has now dropped out of the blue. That was when I started to get a little worried: it sets up another bureaucracy.

The Government is crying poverty: it needs to set up its own razor gang. It says that it needs to cut expenses, yet here we have another statutory authority which will need staff. It is not allowed to police Government dams and, according to the second reading explanation, is not allowed to look at farm dams. In between that is a small number of dams that fit someone's criteria, and that might concern some people. I wonder just what category is being referred to. I will return to that matter shortly.

This Bill has all-embracing clauses for regulations. Whilst the Minister can stand in this House and tell us it is not the intention to incorporate farm dams we all know that, at the stroke of a pen, we could have another regulation. Without coming into this Parliament he could incorporate anything from a billabong, the largest dam constructed or even a barrage across the Murray River, because they contain water. The fact that that can be done without coming back into this Parliament really concerns me. It is nice for the Minister to smile, but already we have heard this evening what has happened to the Planning Act. No-one in their wildest dreams envisaged that farm scrub would be incorporated in a Planning Act, which was designed principally and debated in this House as an urban development planning Act.

This whole issue concerns me. There is an ulterior motive. How can the Government justify another statutory authority, with all the associated expenses, when it cannot even define what it is all about? If we worked out those costs of this dam authority, it could be measured in thousands of dollars per dam in South Australia that meets the criteria set down by the Minister today. As I mentioned, Government dams are not involved and farm dams, according to the Minister, are not envisaged to be involved. So, somewhere in that category is a group of dams to which the Minister, his Department, or whoever is referring.

I have tried to do a quick mental run around my district to find out how many dams might be involved under this legislation. If we take the Minister's assurance at face value there are probably very few. But, on the other hand, I believe there is an ulterior motive in relation to this legislation because honourable members may not be aware that there are many Government dams in my district and in the member for Eyre's district that the Government is handing back to farmers. It is actively looking for farmers to take on Government dams and to set up their own private little water scheme so that it can then hand over all its responsibilities.

I can easily envisage that those dams could then be incorporated under this Bill and that the Minister, using this legislation, could empower those four or five farmers (or, in some cases only one or two) to be totally responsible for the dams that the Government has so generously given back to them. The implications of those actions are very severe. I am critical of this possibly being involved in this legislation. I trust that the Minister can give me some explanation and an assurance to this House that those Government dams now being handed back will not be incorporated under this legislation, because it would break each and every one of those farmers if a tragedy should occur.

I am very concerned about that, because those farmers who are taking over those dams are very reluctant partners indeed. They have not got water and in many cases it is the only way they can get it. The implications are serious. Furthermore, the issue of inspectors has been mentioned by other members and I would like to know who will be responsible and what qualifications those people will have to direct any landholder to carry out certain provisions in relation to a dam. What authority do they have? According to this, the only authority is that they have to be an authorised officer.

I would like to know why they will be given such strong powers to do things of that nature which in turn could totally break a land holder and his ability to be able to continue in his enterprise. Dams are indeed a very integral part of a farming operation. I quite deliberately want to incorporate farm dams into this legislation, and the facility is there for the Government to do it. It is the Opposition's role to look at all of the possibilities that could occur, and we know that such action requires only the stroke of a pen. If the Minister is sincere about the operation of farms, he should provide in the legislation that farm dams are exempt from the provisions applicable. The Minister's own department cannot provide reticulated water to many of the areas involved, so it is essential that the farmers do that of their own accord. It can be said that farm dams are only for stock water and that in the majority of cases they are not placing anyone at risk. We could always argue that. Again, it gets back to being a matter of discretion, who is involved and who is exercising that discretion.

We all know that a dam and a gully always pose a risk to those living downstream. That risk is recognised by all concerned. I guess it could be said that if a gully runs out to sea and if there are no households nearby, there is little or no risk associated with such a gully. Nevertheless, environmental risk and damage can occur in many places, and one never knows where water could go.

I feel that by exempting itself from this legislation the Government is trying to catch someone along the line. I do not accept that the Government can justify its actions in that way. It is a case of do as I say and not do as I do. I would be grateful if the Minister will explain to the House just how many dams are in each of the categories that he mentioned. I would be most grateful to receive a practical explanation of that. It may be that the points that I have raised are totally irrelevant, but I would like the Minister to explain those points if he possibly can.

I would also like to know how the authority will be funded and why it would not be cheaper to provide fewer funds or even equivalent funds to the E. & W.S. Department so that it could expand its level of expertise in this field. The option to do just that is available. As I have said right from the word go, I certainly would be much more confident if the E. & W.S. people were handling this matter, and that is just in the light of my own experience.

It also concerns me that this is just another measure that loads up the responsibilities of district councils a little more. It appears that matters are brought before this House every day in regard to which local government is expected to carry out more and more duties for and on behalf of the State Government, with no right of recovery of funds expended. I think that that argument in itself is worthy of support, because councils are short of funds: fewer funds raised by councils can be used on basic facilities in council areas, principally roads. Roads are the number one requirement in many areas. However, every time an authority like this is set up which requires an input from local councils, less money can be spent on basic facilities.

I do not intend to go any further, other than to say that I oppose this Bill as explained in the second reading explanation. I do not think that any of the debate so far has raised issues that would tend to encourage me to change my mind. I recognise that an authority responsible for this matter is needed. I have explained that I know from my own experience that the E.& W.S. Department in conjunction with the Highways Department inspected a farm dam on a person's property and was able to make an assessment, believing that there was no risk to a neighbouring property, to the farmer's own land, the adjacent highway, or an E. & W.S. pipeline which could have been damaged had the dam burst. I shall leave my remarks at that. I look forward to the Minister's explanation, and I shall certainly seek further information during the Committee stage.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): The Bill leaves a lot to be desired. There are two areas of concern in relation to the safety of dams: the

first is in relation to the major water storages which supply metropolitan Adelaide but which the Bill does not address at all. I refer to the major loss of life and damage that would run into many millions of dollars if one of the major storages was to be breached. One can think of the Kangaroo Creek dam, which is quite close to where I live. Just what would happen if that dam wall was to collapse under flood conditions and metropolitan Adelaide was flooded? There would be enormous devastation. The Bill does not address that problem at all. I would have thought that that would be a major area of concern, if we are talking about setting up some high-blown authority to oversee dam construction in South Australia. That is the first problem that the Bill does not address, and it is a matter that certainly should be addressed.

Secondly, I refer to the way in which other dams of lesser significance, including agricultural and rural dams, are controlled to ensure that they are safely constructed and that they do not pose any threat to life or limb. In my judgment, some control in that area is needed. From time to time problems do occur. In the Onkaparinga council area I think three dams were breached not all that long ago, and that caused problems. Requests have been made to me from time to time, although in 15 years I can recall only two occasions when people were concerned about the construction of dams in the Adelaide Hills area of my electorate. So, that is not a problem in the Kavel electorate at the moment, although the Onkaparinga area will be included in that electorate after the redistribution. However, in relation to the present Kavel district, I have had only two queries in 15 years, one from Birdwood and the other from Kenton Valley, from people who were concerned about possible flooding of their properties due to the breaching of a dam.

The most recent inquiry concerned the situation at Kenton Valley and occurred about 18 months or two years ago. Local government was consulted but it maintained that it was not a local government problem. I made inquiries of the E&WS Department, but was informed that there was in fact no control, that no-one was responsible for the safety of those structures. That was the information that was passed on to me. Therefore, it would appear that some authority is needed to handle these complaints and to make judgments in relation to the safety of existing dams.

I do not know what the rationale is for the size of the dams as outlined in the Bill, although I believe that there is another measure which stipulates that by regulation one can catch anyone that one wants to anyway. So, there are two potential problems: one is in relation to the major water storages, which are under the control of the Government and which the Bill does not address at all. In my view, that matter should certainly be addressed somewhere. I recall that some alterations were made to the spillway of the Kangaroo Creek dam when the Liberal Government was in office. The spillway was enlarged, as I recall, to cope with flood conditions in the Torrens Valley and to improve flood mitigation and safety generally.

However, as I have said, enormous problems can occur. I can envisage the day (although this may not happen in our lifetime) when freak conditions may occur, and I instance the flooding of the Barossa Valley that occurred some two years ago, when 11 inches of rain fell in the Truro Hills in a very short time. It was a miracle that lives were not lost on that occasion. Therefore, the unexpected does happen. Reference is made to the one in one hundred years flood and the one in two hundred years catastrophe, and no doubt the time will come when a large volume of rain is dumped in the Hills catchment area under freak conditions, at which time a major problem could occur. As I have said, I think that the mechanism set up by this Bill is too big (and I refer to the statutory authority and all the rest of it) to deal with matters relating to the smaller dams. As I have pointed out, all dams could be caught under this regulating power.

We do not have to go to those lengths in order to come to grips with that problem. I think that the second reading explanation referred to fairly sensible conditions laid down in Queensland for looking after these smaller dams. I do not think it would be impossible to obtain somebody from the E&WS Department with some expertise to adopt this role. That person could be given the necessary regulatory power to see that these dams are surveyed adequately. Local government would receive queries from time to time, so that person could work in co-operation with local government to see that this situation was contained. There would then be no need to set up this bureaucracy. Because of the close proximity of our metropolitan water storages, they should be checked periodically by people with the necessary expertise.

The Hon. J.W. Slater: They are.

The Hon. E.R. GOLDSWORTHY: I would be interested to hear the detail of that, because if we are talking about those storages, we would probably want them checked by people with international expertise. That should be done. If the Minister assures me by way of interjection that it is done, I would be interested to hear some more detail, because that is where a major catastrophe could occur.

The Hon. P.B. Arnold interjecting:

The Hon. E.R. GOLDSWORTHY: That is a good question. It seems ridiculous to be worrying about dams that do not impose an enormous threat and not be worrying about those which could be the cause of a major catastrophe. The Bill is sadly deficient in addressing that problem. I agree with the Government that there must be somebody, possibly from the E&WS Dept, for example, the engineer in chief, who by regulation would be ultimately responsible for ensuring that dams, particularly in rural properties, are safe. That person could be consulted in relation to these matters and could work in co-operation with local government to ensure that that is the situation. I do not believe that an enormous bureaucracy (which is so dear to the heart of a Labor Government), a full blown authority with all the red tape that goes with it, is necessary.

That proposal emanates from a Government which tried to pip the Liberals at the post with a deregulation policy. We know how interested the Labor Party is in deregulation; it is regulation mad. The Labor Party enjoys this proliferation of regulations and controls, so from the moment we wake up to the moment we go to sleep we are regulated, somehow or other, by government. This Bill smacks of that. It sets up another enormous bureaucracy which is expensive and intrusive, unnecessarily so, and it does not get to the heart of the real problem in relation to the safety of dams and major water storages.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: Deregulation is a farce to the Labor Party. Their is a proliferation of regulations, controls and rules—

The Hon. P.B. Arnold interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: Mr Bakewell has a job for life and I think his grandchildren will have one too working with the Labor Party on deregulation. It will be passed on from one generation to another: there will be a whole dynasty. They are set for life if they are working on deregulation.

Some controls are necessary in the high rainfall area. I am not convinced that the way the Government is going is the right way. It does not address what I believe is the major problem, particularly in relation to metropolitan Adelaide, that is, the major water storages. They are not covered by

the Bill. I agree that we need to do something, but this Bill does not remedy the problem.

Mr ASHENDEN (Todd): I support the alleged aim of the Bill that is presently before the House, but I cannot support the Bill itself, because it does not achieve its purported aim. The Bill is supposed to provide safety to the residents of South Australia from potential overflowing, flooding, breaking and bursting of dams. However, the Bill makes quite clear that it does not include any dam which is owned by the Government. One of the boundaries of the District of Todd is the Torrens River and on the Torrens River there are two major dams owned by the South Australian Government, the Kangaroo Creek dam and the Millbrook reservoir. The Kangaroo Creek dam is in the Torrens Gorge, which is quite a narrow and high gorge in terms of the Mount Lofty Ranges. The dam holds back a very considerable volume of water. If that water was released because of a dam burst, it would move very rapidly down that narrow gorge until it reached the foothills and then it would rapidly spread out over the flood plains of the Torrens River. The effect upon the residents of that area could only be described as disastrous.

If the Government was genuine in protecting the public of South Australia from potential dambursts, it would include its own dams, but under this legislation, as the member for Flinders pointed out, surveillance of dams is very limited. The only large dams that could come under the ambit of this Bill are Government owned, but they are precluded. We have been told that small dams on private farm properties are not included, so I ask the Minister which dams are included, because they must be very few in number. If the Millbrook reservoir, the Kangaroo Creek dam, the Mount Bold reservoir, the Happy Valley reservoir and Hope Valley reservoir, and so on had been included in this legislation, I would believe that the Government was genuine, but these dams are not included; they are specifically precluded under the wording of this Bill, so the major dams in South Australia, which would cause a major catastrophe if they burst, are not covered. I ask the Minister why the Government is bringing this legislation forward.

An honourable member: It is window dressing.

Mr ASHENDEN: It is not even window dressing.

Mr Baker interjecting:

Mr ASHENDEN: That may well be, because once again we can see that what the Government is doing is setting up yet another statutory authority, and I will refer to that shortly. This matter is a very real concern to the residents of the District of Todd and the present District of Coles. I hope that the member for Newland will speak on this Bill later this evening, because the Torrens River runs right through the centre of the electorate for which he will be running as a candidate. I assure members of this House that the Liberal candidate for the new electorate of Todd, Mr Jeff Nicholas, is extremely concerned about this legislation.

The Hon. D.C. Wotton: He will make a very good member of Parliament.

Mr ASHENDEN: He will make an excellent member of Parliament. He will certainly be letting the residents of the new electorate of Todd know in no uncertain terms that the Bill brought in by the Government specifically denies them any protection; that the Government states it is concerned about protection from bursting dams yet turns around and says that it will bring in a new statutory authority and give employment to some people who will really have nothing to do, because none of the major dams will be included. Members on this side of the Chamber cannot but be cynical in asking just what the Government is trying to achieve in this Bill.

The shadow Minister of Water Resources (the member for Chaffey) has foreshadowed an amendment which, if accepted by the Parliament, will bind the Crown. In other words, if that amendment is accepted, all Government owned dams will be included. If Government members reject the amendment I assure the member for Newland that I will rapidly be advising his opponent that the Government has deliberately decided to preclude any safety inspection by this statutory authority of either the Kangaroo Creek Dam or Millbrook Reservoir. If a burst were to occur at either of those dams it would cause damage to the new electorate of Todd.

Mr Klunder: Are you saying that they are not being properly checked now?

Mr ASHENDEN: That is an interesting interjection from the member for Newland. It is exactly what I will be covering shortly and what other members before me have said: the Government already has officers from the Engineering and Water Supply Department doing this job. Why bring in a statutory authority to do something which, according to the member for Newland, is already being done? That shows the nonsense of the argument that the member for Newland is putting forward, and I hope that he speaks later. This statutory authority is a waste. The Bill, as the member for Chaffey said, is purely window dressing. For some reason that members on this side of the House cannot yet determine the Government has said it will bring in a new statutory authority ostensibly to provide safety for dams, but it already has a system of checks presently set up. Therefore, it is not necessary to have a statutory authority.

That is the only convoluted argument I can see from the member for Newland. He is saying that it is already being done and we do not need the statutory authority. In effect, he is arguing against his Minister. I look forward to the member for Newland getting up and explaining where he stands on this Bill. I am certainly concerned about the safety of residents in my electorate. The member for Newland is telling me that my constituents do not need to worry, neither do the constituents in the present electorate of Coles, because the Government is already doing these safety checks.

If that is the case, why on earth do we need another statutory authority to employ more people? It will cost the taxpayers of South Australia tens, if not hundreds, of thousands of dollars a year, when the Department is supposedly already doing this job. That is why I oppose the Bill. Why cannot the Director-General of the Department be made accountable for the safety of all dams in South Australia? The member for Newland said that that officer is already doing that with the major Government dams. The Minister has already told us that this legislation does not cover small farm dams. Which dams will be covered by the legislation? There cannot be too many left if all the big dams and all the small dams are excluded. What on earth is this statutory authority going to do?

The Hon. P.B. Arnold: Window dressing.

Mr ASHENDEN: Again, as the member for Chaffey said, it is purely window dressing. The Labor Government stated that it is interested in deregulation. We find tonight that in its attempts at deregulation it thinks the best thing to do is bring in another statutory authority. So much for its window dressing on deregulation. Let us face it: the Government has appointed a person to supposedly make recommendations on deregulation only because the Liberal Opposition had, just before that, released its policy on deregulation which made it quite clear that when—not if—a Liberal Government is returned at the next State election action will immediately be taken to reduce the number of statutory authorities and to deregulate the over control that presently exists in South Australia. Because the Liberal Opposition made that promise, the Government thought that it had

better jump in there and make sure that it tells the public it will do the same.

Mr Mathwin: But they won't do it.

Mr ASHENDEN: Obviously, they will not do it, because the first Bill it brings in when we come back after a month's adjournment is a Bill to create yet another statutory authority. The Government says that it will deregulate, and what does it do? It brings in another statutory authority. We hear the Minister saying that we need a statutory authority to bring about the safety of dams. Then we hear the member for Newland saying that we do not need that, because the Engineering and Water Supply Department officers are already doing it.

I wish members of the Government would get together and find out just what is going on, because everything I have heard so far tonight supports the arguments of the Opposition that this Bill is totally unnecessary and should be defeated. If it is proceeded with, the member for Chaffey's amendment to include Government dams obviously must stand. I will be looking forward to the way in which the member for Newland votes on this Bill. On his own admission the Bill is not necessary and, therefore, he should vote against it. If he does not, it will be interesting to see how he explains to the residents of the new seat of Todd why it is that he does not believe that the Government should be bound by the same requirements as any private dam owner. I look forward with a great degree of interest to hearing him explain that to his potential constituents.

I add my support to other speakers from this side of the House who have already put forward their points of view, that is, that while the purported aim of the Bill is good, it does not in any way achieve anything but provide additional employment for persons who will be appointed to the statutory authority—a statutory authority that will have little to do on the Government's own admission because, as I said and can only repeat, Government dams are not included and small farm dams are not included. Therefore, what will this statutory authority and the extra employees do?

I look forward to the Minister's answers and hope that the member for Newland rises to make his point of view well known. It is important to residents in the new electorate of Todd that they be able to have a clear choice between a potential member, who states that if we are to have this authority we must include Government dams for the protection of residents of the new electorate of Todd, and the member who says that the Bill is not necessary, but he will support it. As the member for Newland said, it is a new statutory authority which really does not have much to do. That is an important choice for residents in the new electorate of Todd. I am concerned about the residents in my district, the present electorate of Todd. This Bill does nothing to protect their safety or interests, and I cannot support it.

The Hon. D.C. WOTTON (Murray): I have probably had as much, if not more, to do with localised flooding in the high rainfall area of the Mount Lofty Ranges than anyone in this House. I have had considerable experience and recognise some of the problems that have been caused by heavy downpours and people not taking a responsible attitude in keeping their water courses, etc., clean. In fact, during our term in Government one of the most significant floods occurred in the Hills area; a number of houses in the Balhannah-Oakbank area were flooded, and considerable damage was caused. Much was said then about the need for action, and my colleague the shadow Minister (then Minister) of Water Resources and I met with people including representatives of local government to consider the problems and to try to rectify them. In fact, action was taken by the then Government which overcame significant problems at that stage.

Now, however, this Government seems to be trying to use a sledgehammer to break an almond. The provisions of this Bill are not needed. It is an absolute farce. I have had considerable dealings with local government representatives in my district who have expressed concern about water catchment in their council areas. I am aware of those who have served on the working party, and I am also aware that they have been dedicated in trying to solve problems. Some of my colleagues have already indicated in this debate their desire to give local government more powers and responsibilities in saying what should happen in relation to the construction of dams.

We were talking about the small farm dams, and I understand from some local government representatives that they have expressed concern because they have not the necessary expertise. Most councils find it difficult to discharge their responsibilities because of the legislation which has been passed in recent years and which has given them more responsibility. It has been pointed out to me by one local government representative that the only way in which they could accept more responsibility in this area of checking on dams would be to employ consultants, and they recognise the costs involved in doing that. My colleagues have said that the Engineering and Water Supply Department has a good reputation in engineering expertise, and I cannot see why a senior officer or senior officers in the Engineering and Water Supply Department cannot be given the responsibility. If we need someone responsible, why set up another bureauracy or statutory authority?

Enough has been said by my colleagues about the problems of having more regulations. So much hot air and wind has been produced by this Government concerning the need for deregulation, yet more and more regulations are being introduced daily and more and more are being passed through this Parliament. There seems to be no end to the flow of regulations telling people what they can and cannot do. Here we have a glaring example of taxes being spent on people who will make up this statutory authority or bureaucracy. It is not just a matter of those who will have the responsibility: it is also a matter of those who will be employed by that authority. Goodness only knows how many people would be on pay-roll after a few years, because the legislation is so open ended. No-one knows what the Government is trying to achieve through this legislation, and I do not want a situation in which Government officers will be working for the authority and tearing around over private farms telling people what they can and cannot do and the times at which water must be released from a dam or, after construction, that the dam has not been constructed properly.

We all recognise the responsibility shown by landholders in the construction of dams in a proper manner, especially the responsibility shown by landholders who have properties high up where there is a danger to life or property below the dam. Of course, it is the responsibility of such a landholder, and I am sure that that responsiblity is being properly discharged. How often do we hear about such dams breaking? What examples have been quoted about property loss as a result of a dam breaking? There have been very few indeed. I do not think it is necessary to have people under the auspices of this or any other authority roaming around the country checking up on such matters, and that is apart from the cost involved in setting up yet another authority.

There are two major issues. The first relates to the small dams on farming properties throughout the Hills and in other areas. I have referred to this issue. The other issue concerns larger dams under the control of the Government—the reservoirs. As has been said so many times during this debate, this legislation is an absolute farce. I should have thought that the appropriate person to be responsible for

the storage of water and for the construction of large reservoirs was the Minister. The Engineering and Water Supply Department is the responsible Department, and the Minister of Water Resources is the responsible Ministerial head of that Department. Yet we find that under this legislation the Crown is not involved: it is not bound by this legislation. That is an absolute farce because, as my colleague the member for Chaffey said, if lives are to be lost and if there is to be major property damage, this will result from the breaking of some of the larger dams and not that of the smaller farm dams. Is the Government genuine about this legislation? I do not believe that it is, nor do I believe that it knows what it is trying to achieve by the Bill.

I look forward to hearing the answers that the Minister will hopefully provide to the many questions that have been asked, because such answers may clarify some situations. However, I do not believe that the Government knows what it is hoping to achieve through this legislation. If, however, the Government is genuine in its reasons for introducing the Bill, there is no reason why it should not be willing to bind the Crown. If it is not, I shall look forward with interest to hearing why that step should not be taken and why this legislation should not be seen to be a complete farce.

I cannot support the Bill. I have had plenty of experience in respect of localised flooding. I know that there is a need for action to be taken in respect of watercourses, especially in high rainfall areas in the Mount Lofty Ranges. Such action has been taken in most cases. A much more responsible attitude has been adopted by councils and property owners who have watercourses running through their properties, and there is no necessity for another bureaucracy that will cost what is an unknown sum at this stage. I am sure that the Minister cannot tell the House what will be the costs in relation to the establishment of this statutory authority, what its responsibilities will be, and how many people it will employ.

So many answers need to be provided. Let us see whether the Minister is able to give us these replies. Unless he can, I certainly cannot support the legislation in any form. It is certainly not my intention to support the second reading. We can only hope that some of the matters brought forward by my colleague in this debate will be clarified by the Minister when he has the opportunity to reply to the second reading debate.

Mr MEIER (Goyder): I believe that many of the points made by my colleagues are very salient factors and need to be taken into account in this debate. I do not intend to go over a lot of them, but I point out a few factors that concern me in this Bill which is for an Act to provide for the safety of dams and other related purposes. If we look at the definition of what is meant by a dam, we find that it is wide. It provides:

> *(a)* an artificial reservoir for the storage of water or a natural reservoir of which the capacity has been artificially increased;

'Reservoir' can apply to a storage of water. One definition says 'a large quantity of water'. It depends on what is defined by 'large quantity'. Another definition simply states 'a natural holding area for water'. We can include both the large and smaller dams in the first definition. The second part of the definition provides:

> *(b)* any buildings, structures, pipes, machinery, equipment or other works related to the storage and control of water.

It concerns me that machinery comes under that provision and I will refer to that shortly. We then look at the crux of the Bill and the definition of 'prescribed dam' which means, amongst other things:

> *(a)* a dam—
>
> (i) with a capacity exceeding twenty megalitres;
>
> *(c)* a dam that—
>
> (i) by reason of its location may constitute, in the opinion of the Authority, a substantial risk to life or property;

Therefore, if one takes that definition by itself, it again opens up the scope of what could be concluded under 'dam'. We then look at clause 4(2) which provides:

> The Authority—
>
> *(a)* is a body corporate with perpetual succession and a common seal;
>
> *(b)* is capable of suing and being sued.

It elaborates further on the function of the Authority. Many members have already commented that it will cost the Government or the taxpayer money to have that Authority in existence. Further, the functions of the Authority are outlined. Clause 11(1)(b) provides:

> to determine safety standards in relation to the construction, operation and maintenance of dams;

Another function as provided by clause 11(2)(d) is as follows:

> exercise any other powers that are necessary for, or incidental to, the efficient discharge of its functions.

With those definitions in mind, we find that the Minister in his second reading explanation stated:

> It is not the intention of this legislation to control small dams other than small dams in high-risk areas, but rather to safeguard against failure of large dams or smaller high-risk dams and thereby benefit the whole community.

I believe he made some reference later to the fact that farm dams would not come under this legislation, and that is fine. It is pleasing to have that assurance from the Minister. Knowing the Minister as I do, I would be prepared to accept his word on it. However, we know that after the next election we will not have that Minister but rather a Liberal Minister in power. If the Labor Party should ever get back into Government some time in the far distant future we are not certain what sort of Minister will be in charge of the Act and what the current Minister has said will not apply. A new Minister at some time could easily interpret on the basis of the definitions I have read out changes to the Act so that it will apply to a larger group of dams than that to which the Act was originally meant to apply.

I believe that, amongst others, the member for Flinders clearly pointed out the matter when he said that the Planning Act was not ever, in its wildest intentions, meant to apply to vegetation clearance controls, yet for the last year or so we have had the whole wrangle of vegetation clearance dragged through this Parliament, making a mess of some farmers' lives. Still in the court wrangle we are waiting on a final determination one way or another. We know how it will be determined. The Liberal Government that will come into power at the end of this year will have to put things right. It is a pity that we have to be brought in to correct so many things that the Labor Government has mucked up.

This is another case where it is clear to me that unless we see common sense here tonight in this Chamber there will be too many provisions that could affect the ordinary farmer or the ordinary little dam, despite the fact that the Minister says that the intention is not to apply the legislation to such dams. Look at, for example, the definition that I cited in regard to 'dam' including machinery. I have had a terrific battle in the Goyder district with regard to machinery in the engineering business over the last two years to keep some firms going because of the insistence of the Department of Labour that firms meet certain safety standards. The Minister of Labour would well appreciate the talks we have had together to try to sort things out. To give credit where it is due, the Minister has helped on occasions so that firms have not been shut down with certain inspectors demanding that certain safety factors are adhered to.

'Dam' can apply to machinery and I can well see the time coming when a farmer with a pump on his dam to pump water may not have it suitably covered or some other safety factor may not have been attended to. It appears from the definitions as I read them that that could well come under the safety angle and the farmer would be forced to change that situation. Additionally, one can look at safety factors as they apply to people who may venture near the property.

Those people who have had the privilege of being brought up in the rural areas (and I was one of them) would remember exploits near dams. Parents, certainly in earlier years, often had near heart attacks because their children went too close to dams or built rafts and insisted on trying them out on dams, which was not looked upon in a kindly manner. I guess that parents are still the same today, but if one looks at the safety —

Mr Blacker interjecting:

Mr MEIER: We will not go through that now. It was good fun, as the honourable member says. If we look at the safety factor in its strict sense as defined in this legislation, I can see it venturing that way. The Government of the day in 10 years (or possibly earlier) might say that it will change the regulations slightly. It may not have to change the Act: it is all there. It can reword the regulations so that farmers have to comply with certain safety standards.

This Act is deficient in that there is no specific statement to back up what the Minister has said—that it will only apply to larger dams. Even when one looks at the way it has been spelt out in relation to 'prescribed dams', so much under those definitions goes back to the word 'dam'. I would be interested to see a legal interpretation occasionally on a few of those subclauses which start off with 'prescribed', occassionally mention 'prescribed' and then at times just mention 'dam'. Are we referring to a large capacity dam or just to an ordinary water storage?

Much has been said about this Bill to which hopefully the Minister will give consideration. We have a responsibility to the people of South Australia, particularly those in the rural community, to see that matters not attended to in the Bill are corrected so that at least power will not be abused in future and that we do not set up an Authority that simply takes more taxpayers' money and perhaps does more harm than good. At this stage I will not rehash arguments as to the positive and negative features of safety standards. Other members have gone into that matter in adequate detail. If people wish to follow that up, I refer them to the appropriate speeches in *Hansard.*

Mr Mathwin: What about the Government's deregulation policy?

Mr MEIER: Again, I do not intend to take the time of the House at this stage on that matter. I simply ask the Minister to reconsider those factors, particularly as they apply to the rural area. In that way South Australians in rural areas can be safeguarded for many years to come.

Mr GREGORY (Florey): I have heard some amazing things here tonight, the most amazing of which was from the member for Goyder who is concerned that inspectors from the Department of Labour have actually had the temerity to go to factories or workshops in his district and demand that they have safe machinery. Then he made representations to the Minister to have those safety standards lowered so that those cut throat cheapskates can remain in business, endangering peoples lives.

Mr Meier: They are not cheapskate employers. You will go down well.

Mr GREGORY: If they have machinery that is dangerous, that should be replaced, of course they are: placing people's lives in danger. I have seen people who have been injured. If the honourable member had had a similar experience he would know what I am talking about. As a school teacher he has no idea about seeing people who have had injuries to fingers and arms or who have been killed because of deficient machinery. That is exactly what he said.

Mr Meier: Your Government—

Mr GREGORY: We are not: we are ensuring that people are kept in safe working conditions. When it comes back to cost, and this has amazed me here tonight, if powers are given to the Engineering and Water Supply Department to do this work, it will not cost anything. If we set up an Authority it will cost a lot of money, but who will be the Authority? When one reads the qualifications required by those people it makes a lot of sense that the most experienced people in hydrological work should be on this Authority. Where will they come from—the E&WS Department. If one reads the second reading explanation closely one sees that one of the reasons why there has not been an Authority in the past is because the Engineering and Water Supply Department has not had spare personnel. Now it has.

There are other reasons why we should do this. If the Engineering and Water Supply people do it, it will not cost anything. The same people with another name will cost a lot of money. We need an authority with some power that has authority to issue orders, that can sue and be sued, because it is plain that people do make mistakes. If they have advised people, there is the right to sue. There is some doubt, however, about the right to sue officers of the Crown. I wish that members opposite would make up their minds. The member for Murray said that we did not need an authority and that he would vote against it. The member for Todd said that we do need one but that we need to get the Government—

Mr Ashenden: Read my speech tomorrow; it's a shocking misquote.

Mr GREGORY: I will, but the honourable member said we need this because we need to have the Kangaroo Creek dam under the control of this Authority to make sure that the residents of his electorate, which he will not be representing in a couple of months time, will be made safe. The member for Murray cannot even recall it. He cannot get his words straight. The member for Eyre does not want it at all, yet the member for Coles does.

I wish that members opposite would make up their minds and at least be consistent. They must belong to different factions of the Liberal Party. I notice that they meet in little groups from time to time. Perhaps they make up their minds to be different. One honourable member carried on about the fact that the Minister ought to have authority to do this and that, yet the amendment of the shadow Minister of Water Resources wants to take away from the Minister the power to direct the Authority to do things. I do wish that some of those honourable members would make up their minds about what they want to do.

Let us consider the major metropolitan water storage facilities in South Australia. I cannot remember some being built, I am so young, but I can remember a few being built. I think that the only one built when a Labor Government was in power was the Kangaroo Creek dam: all the others were Liberal Party initiatives. Yet, when all those facilities were built that Party, on the other side now, in its natural place, never thought when in Government that it needed an authority to run around and inspect Government dams.

What has been the history of the Kangaroo Creek dam? Engineering and Water Supply Department officers—and not someone from somewhere else or from around the world, but officers employed in this State—came to the conclusion that the dam was not safe so they lowered the spillway, broadened it, and did a number of other things, which was to their credit. When I talked earlier about hydrological information I was referring to water flows and

concepts of a 100, 200 or 500 year flood. Some people talk in terms of a 1 000 year flood. Most rural dams have been built with no concept of any of those floods, even a 50 year flood, being taken into account.

What has happened has been luck. We are also running into another situation. We have much residential development taking place in the Adelaide Hills and the inner environs, and that takes away from the ground the capacity to absorb water. It creates more run off. In other words, it creates the chance of getting a 50 year, 100, 200 or 500 year flood much more quickly.

Unless people are experienced in water flows, in what can happen in run offs, and unless they can give some expert information, I am not happy. When the Golden Grove development was being considered by the Select Committee fairly specific questions were asked of the officers on whether hydrological studies had been done, what was the effect of the 100 and 200 year flood on the Dry Creek system and whether their flood control dams would stop houses in Dry Creek from being flooded. It is so dangerous and serious that houses built in Valley View in the last 15 or 20 years would suffer in a 100 year flood from water damage.

Corporations have now built levees on the basis that they think they will stop water from running in there, but only for a 100 year flood. Why have we decided to approach this now? A series of dams has been built in the Adelaide Hills. The member for Fisher gave us a long discourse on his experience of dam building. I admire that man: he must have done everything up in the Adelaide Hills. He has been involved in fire fighting, house building, quarries, and now he is into dams. No doubt he has, but I also know other people who have built dams and I know how they used to do it. Their idea of building dams was to look for a convenient place in the valley where they could get the earth up and where it would hold water in the building.

They also had a fair judgment in relation to whether they could get sufficient run-off. They could work that out reasonably well. Of course, if the dam did not hold it did not matter much, because they would lose a few sheep, a couple of trees and that would be about it. However, nowadays, people can lose their lives. I do not accept the argument that because we have not had a dam burst we will not have one go. That argument was applied by a former Liberal Government under John Gorton when he was the Prime Minister. At the time when he was doing the Public Service razor gang work the people at the Adelaide Airport were told that because there had not been fires in the aircraft one man would be taken off each crew. That meant that they could not put a safe firefighting unit on the runways. However, the rationale was that because they had not had a fire the Government would not bother about further precautions, but one does not approach safety matters like that: when an unsafe position is recognised it should be corrected, and that is what this Bill is addressing.

We have been very lucky in the past, but because of the rate of house building in the Adelaide Hills we could be confronted with a tragedy. The member for Kavel talked about floods in the Barossa Valley. I know of a person who had just had a house built: that house was just about ruined because the water went half way up the walls. He said that he did not know that that would happen. One can refer to the floods in Brisbane some years ago, when whole areas of Brisbane were flooded because the Brisbane council had not taken into account the effect of a 100-year flood on the flood plains. Sure, it is an attractive place to be, but if dams in that area burst the amount of water that would come down could cause a lot of damage.

It makes a lot of sense to have skilled engineers from the E and WS Department visit dam sites and offer an opinion. I would be surprised if any person in the farming community rejected any of the advice given. Dams cost a lot of money. If a dam bursts, all the water goes, and the dam wall material, which usually consists of the less fertile soil from one's property, is deposited somewhere below the dam. Also, any fences located below a dam are washed away which means that any stock that is left after the flooding can wander around until the fences are fixed. Flooding also gouges out the ground. Further, dams are usually built on water courses, which means, in our country, that on either side there is fertile ground. However, clay is dumped on that, which inhibits the growth of grass or any crops.

In 1983 a friend of mine watched a dam burst on his property. I said, 'Norm, what did you do?', to which he replied that he had to sit there and watch. He had both his hands burnt in the fires and he was still recovering from that. I asked him what he was going to do about it, and he said he could not do anything about it. He said, 'I can't drag the dirt back; I will have to try to reinstate the property and forget about having a dam.' The other tragedy was that he had no water supply. That dam was built by a young farmer who did not have the necessary skills. It had been there for some time and no-one had checked it to see whether it would be all right. Loss in economic terms was considerable, and this farmer was unable to afford repairs.

At the moment about 100 dams come within the two definitions. I would have thought that members opposite were fairly astute politicians. They know as well as I do that with any given criteria there is always an exception that one cannot plan for. In many of these instances it is not necessary in relation to these smaller dams for the authority to go to the owner and inform him that a dam is unsafe and that he had better do something to it or make certain alterations so it will be all right. There may not be enough money, and the dam may be out in a paddock in the middle of nowhere. If such a dam bursts all that happens is that a farmer loses the capacity to hold water until he repairs it or builds another dam. However, in other places it is different. From the Coromandel Valley Road at Clarendon one can see three small dams in the valley, one on top of the other. If the top dam burst, the other two below would go also. None of those three dams would come within the definitions of *(a)* or *(b)*, but those three dams would come under definition *(c)*. That is what it is for, namely, for those sorts of circumstances, circumstances that are not very necessary.

I would like to accept the assurance of members opposite that there will not be a one in 100-year flood and that we will avoid any such catastrophe. However, one of the things that we know from living in this universe is that from time to time these catastrophes occur. It is a prudent Government that takes initiatives to ensure that if such things happen damage is minimised.

Mr Ashenden: It should bind the Crown, too, then, shouldn't it?

Mr GREGORY: I find this concept about binding the Crown rather peculiar, considering that the people doing the inspections are the same as those who do it for the Crown. The member opposite knows that as well as I do. All the honourable member wants to do is to find something wrong with the Bill, because the Liberal Government did not have the courage to introduce such a measure when it was in office. A Liberal Government was in office for three years prior to this Government's coming to office, as well as for many years before 1965.

In conclusion, I indicate that I support the Bill because I see it as being a very important safety initiative. We should ensure that people living in areas surrounding catchment areas of dams can rest assured that an independent authority of skilled people has checked those dams and ascertained that they are reasonably safe.

Mr BAKER (Mitcham): I shall not take up the time of the House for more than one or two minutes, but I must respond to the effort of the member opposite. I do not know whether that was the shadow Minister speaking or whether he was the spokesman for—

The DEPUTY SPEAKER: Order! Will the honourable member speak to the Bill?

Mr BAKER: I was, Sir. I was wondering who was the Government spokesman on this matter. The honourable member referred to his friend Norm whose dam burst. However, he then said that he was not included anyway. The honourable member waxed long in relation to that subject, and we were all wondering about the relevance of it. Then the honourable member told us that the experts checking out these dams would check both small and large dams. In the process I got a little confused as to what the honourable member wants. Let us be clear: we are as safety conscious as are members opposite. We believe that any inherent risks should be minimised, which can be achieved by appropriate inspection. Whether one uses a size criterion or some other criterion in relation to perhaps people being in the vicinity of a water course who would be affected by an unusual flood, that is fine.

However, mechanisms do exist. There are experts, as they are called, in the E and WS Department and in the Department of Agriculture. We do not need a dam authority—and I use that word in both senses, with an 'm' and an 'n' on the end. The Government loves to set up new employment opportunities but at a cost to the Government and to the taxpayer without any conceivable benefits. The people involved sit around a table and look at the proverbial navels, and of course they have meetings. They know that the best way to get no decision made is to put the matter before a damn committee, and in this case a dam committee is more appropriate.

The Opposition is not opposed to the principle of safety and we are strong adherents to it. If the officers of the E and WS Department are not doing their job then they should own up about that. If the councils are not doing the job because of insufficient expertise, let us fix up that problem. However, this piece of garbage should not have been put before the Parliament. The Bill stipulates that the only way to solve problems associated with the safety of dams is to promulgate an authority to look after everyone. This would involve three or four people sitting around a table, and perhaps going on field trips looking at dams. We do not really know. Members on this side of the House have made it clear that a number of mechanisms are available. For our larger dams we need international expertise, and for our smaller dams we must have some local expertise, some very strong engineering input, which is already available (as the Minister knows) and it can be utilised. If he wants those mechanisms fixed, let him do so.

As the Minister, he should have already fixed them up. If he thinks he has a problem, that should have been remedied. Is he saying to this Parliament that he cannot do his job so he needs an authority to help him out? I get a little tired of the way Government is governed by committees and authorities because it cannot make a decision. Is the Minister saying to us tonight, 'We are going to have to set up an authority because I really cannot do my job as a Minister'? That seems to be the case.

Let us put on the record that we are as concerned about safety as anyone else, but let us not set up an authority that will use the same mechanisms that exist today in the bowels of the Engineering and Water Supply Department and the Department of Agriculture. If there is thought to be a problem at the local level, let us tighten that up but let us not have another damn authority!

The Hon. J.W. SLATER (Minister of Water Resources): I have been rather surprised by the attitude of members opposite, first, in questioning the motives of the Government in regard to this legislation. Let me assure them that there are no ulterior motives. The motive is simply as expressed in the first paragraph of the second reading explanation, that is, to protect life and property in the event of circumstances which are perhaps beyond our control in relation to excessive rainfall over a period of time. We have been very fortunate in South Australia in not having, on previous occasions, catastrophes where life and property could have been involved. That is no reason for us to be complacent and to think that it cannot happen, because we have had some fairly close calls. A number of incidents have been referred to during the course of this debate.

It has been said by most speakers in the debate that the authority will cost money. How much is a life worth? We believe that there is a necessity for this legislation, otherwise it would not have been presented to the Parliament in the form in which it has been presented. It appears that the Opposition's main objection is that the legislation will not be binding on the Crown and therefore the reservoirs and dams owned by the State through the Engineering and Water Supply Department will not be covered. I made the point in the second reading explanation that, whether it be the E&WS Department or any other statutory authority or Government department which has a dam under its jurisdiction, we will ensure that it will comply with the requirements of the legislation. The authority will be bound to ensure that it complies with the requirements, as every other dam which will be presented under legislation will be forced to comply.

The legislation is the result of 12 months of consultation which has taken place on a national and local level. I have had consultation with some Government departments, with the Department of Agriculture, with the United Farmers and Stockowners and also the Local Government Association. They have had every opportunity to make comments and did so before the legislation was presented to this House. My understanding is that the legislation has their support.

Some of the comments made by the various speakers were tedious repetition, but I do want to refer to some of the points made. A number of speakers referred to the Kangaroo Creek dam as an example of a dam where some danger may exist if certain circumstances prevail. It has been said that certain precautions have been taken. The flood mitigation programme included an alteration of the spillway and lowering of the wall of the Kangaroo Creek dam. That action was taken after consultation and deliberation by people who are experts in the field of dam safety. All the reservoirs and dams under the control of the Engineering and Water Supply Department are continually monitored to ensure their safety. Modern technology is applied. In relation to the Happy Valley reservoir, because of its nature, the surrounding homes, and so on, we engaged a person who was formerly Chief Executive of the Snowy Mountains Authority to act as a consultant and to confirm that the Happy Valley reservoir was entirely safe. We did that to ensure the safety of the residents in that area, particularly those who live on the lower side of the reservoir. All dams that are administered by the Department are continually monitored to ensure their safety. Instrumentation is used to detect any movement—and dams do move. It is a quirk of fate or nature that they move.

The Hon. P.B. Arnold: And some of them fall down altogether.

The Hon. J.W. SLATER: And some of them, as the member for Chaffey said, fall down altogether. That has happened overseas, on occasions with disastrous results. The very reason for this legislation is to ensure that that

does not happen in this State, so I cannot understand why members opposite are not supporting the Bill.

Mr Ashenden: But you do not bind the Crown.

The Hon. J.W. SLATER: There is no need to bind the Crown. They will be required to comply with the requirements as prescribed for dams, so it will not be necessary to bind the Crown in the way that the Opposition seeks.

Mr Ashenden interjecting:

The Hon. J.W. SLATER: I will deal with the comments of the member for Todd in a moment. If he gives me the opportunity, I will listen to him and his colleagues without interjection and I trust he will afford me the same opportunity. All State dams and reservoirs have been built by eminently professional people who are qualified in their field to ensure that the dams are structurally sound.

The real concern expressed in this legislation is for the hundred or so private dams which will be subject to the authority's control as a prescribed dam. The Bill sets down certain dimensions for prescribing certain dams. It also prescribes a third category of dam which depends on locality and certain situations. It is not the intention of the legislation to prescribe dams which are purely small farm dams. The member for Flinders asked how many dams would be covered under this legislation. The information I have is that there are 40 dams of prescribable size owned by the Engineering and Water Supply Department; two dams owned by ETSA; four dams owned by local government; two dams owned by mining interests; and an estimate only of approximately 100 private dams.

There are legitimate reasons for bringing this legislation before Parliament—to ensure the safety of dams built in South Australia, the number of dams having significantly increased. It is now considered, not by me as Minister but by professional people—hydrologists and engineers—that there is an urgent need in some areas of the State to prescribe dams to ensure adequate safety measures when they are constructed and for surveillance purposes after they are constructed.

A number of large dams built each year, the majority being non-government bodies, are without adequate professional design and supervision. Urban development below dams is expanding, and this leads to increased risks from dam failure. Dam sites are becoming less favourable from an engineering/geological viewpoint, and there is a greater need for foundation investigations. Dam designs are being attempted by consultants and council engineers with little or no dam engineering experience. Some metropolitan Hills councils—not all—are proposing to make more use of dams for flood control purposes.

A departmental officer cited an example that arose some seven or eight years ago when a drainage control authority—I think the Eastern Drainage Control Board—wanted to build a dam in the Glen Osmond area purely to be used for flood mitigation purposes. A subsidy was sought, I think from the Highways Department, which looked at the situation and found that the site (I think it was in a quarry or something of that nature) was most unsuitable. The department found that there was a fault in the geological construction of the quarry, and if the dam had been built there it could have had a disastrous result.

That shows just how fortunate we have been that circumstances have not prevailed involving loss of life and a substantial loss of property. I am also advised that departmental officers are called out to advise on private dams in times of heavy rainfall when there is an imminent risk of dam failure. We should not get to that situation. As I said, there is no ulterior motive behind the legislation. The Government believes that it is acting to protect the community at large because of changing circumstances, particularly in the Adelaide Hills area. Even though the Crown is not bound by the legislation, we must ensure that it complies with the directions and the safety requirements which are most important to the whole concept of the legislation.

The Hon. P.B. Arnold: You'll have to convince people that you're sincere.

The Hon. J.W. SLATER: I do not have to convince anyone that I am sincere.

The Hon. P.B. Arnold: You have to convince the public.

The Hon. J.W. SLATER: The public are convinced. I have had discussions with representatives of people who are most appropriately to be consulted in legislation of this nature, and they have no objections.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.W. SLATER: For the benefit of the member for Coles, who raised a query in relation to White Rock Quarry Dam, I advise that this dam is, in fact, a series of dams which form a system of recirculation ponds, providing immediate protection against large volumes of water which could come down the creek. I do not know whether that dam will be prescribed under the legislation: that will depend on its assessment by the authority. According to the dimensions stipulated in the Bill, it may not be prescribed. I thought that the member for Coles would support that concept for the protection of her constituents.

The Hon. Jennifer Adamson interjecting:

The Hon. J.W. SLATER: I said a while ago, although the honourable member was not listening—she did not want to hear—that the Government will be bound to comply with the same requirements as will every other person. The Deputy Leader, said that all dams should be regularly checked. I have already dealt briefly with that: all dams are regularly checked. The member for Todd raised the same issue, and in a quite strange way he suggested that presently members of his electorate are in some jeopardy as far as Kangaroo Creek and Millbrook Reservoir are concerned. Of course, they are not, because I have already made the point that these dams are monitored and are certainly safe. I give a guarantee of that. The honourable member's geography was not too good, because the Millbrook Reservoir is not built on the Torrens River: it is an off-stream storage which receives its water from the Gumeracha Creek. So, he was not quite right.

Members interjecting:

The DEPUTY SPEAKER: Order! The Chair has been patient with members, especially with the honourable member for Todd. The Chair will not put up with it any longer and I hope that the honourable member for Todd will stop interjecting. The honourable Minister.

The Hon. J.W. SLATER: The Government has taken the initiative in order to protect the life and property of people in areas where lives and property could be in jeopardy because of dams that have been constructed by persons without engineering qualifications and experience. The Authority will cost about $180 000 a year in recurrent costs, which will be borne by the Engineering and Water Supply Department budget. The Government sees this legislation as a matter of priority and something that is necessary in the interests of the public of South Australia as it will protect people from floods that could occur.

The Hon. Jennifer Adamson interjecting:

The Hon. J.W. SLATER: I would be severely criticised by Opposition members if a dam failed, although at present the Government has no authority to ensure the safety of private dams. The member for Flinders said that he had contacted the Engineering and Water Supply Department and asked that a dam in his district be inspected because it was a hazard to certain people and property. The officer inspecting that dam said that it was safe, but what would have been the situation had he said that it was not? I do

not know whether it was a private dam, but I suppose it was. If the inspector had ruled the dam unsafe, the Government would have had no power to do anything and the purpose of this Bill is to give the Government, through the Engineering and Water Supply Department, the power to ensure that people and property are protected under those circumstances.

Unhappily, people do not always consider their neighbour and it is unfortunate that Governments must occasionally use their power to protect people from the actions of others. That is the purpose of this legislation. It has taken a long time to reach this stage. The problem has been around for some years. In 1972, the then Prime Minister wrote to State Premiers suggesting that legislation be enacted to protect persons and property from the failure of dams. We have been lucky not only in South Australia but throughout Australia: there has been only one disastrous failure of a dam in Australia recently. In Tasmania in 1929 a dam failed and 14 people lost their lives. We do not want to see anything like that happen here, nor do we wish to see property damaged because that is costly not only to the individual but to the community.

I ask honourable members who have spoken against the legislation to reconsider their position because this Bill is the result of discussions with representatives of groups with whom it should be discussed. Arising from those discussions, changes have been made to the legislation. I was advised that the best method to cover the situation was not by amending the Water Resources Act but by having separate legislation that would ensure a more appropriate method of dealing with dam safety. Consequently, an Authority that will be a low-key authority and not a big deal will be set up, representing the Local Government Association and including people with knowledge and expertise in the field. That Authority will be able to delegate its responsibilities to local councils, which are qualified to act and which will have the power to ensure that the requirements of the legislation are observed.

We need not fear that the Engineering and Water Supply Department will not set the standards that are required of other people. The Department is eminently qualified in this field, not only as regards the construction of dams but also as regards hydrology and water resource management generally. So let us not hear the furphy that the Government will not comply with the requirements of the dam safety legislation: it will comply whether or not it is bound by the legislation. That is the present position and it will not change whether I am or anyone else is Minister in future. No person would be silly enough to jeopardise the safety of people in this regard.

The whole reason for the enactment of the legislation is to ensure that all dams in South Australia, whether owned by the State or privately owned, are adequately sound, structurally, and that they are kept under surveillance to ensure that they comply with the safety provisions. I ask honourable members to support the Bill, which is of prime importance to all South Australians.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

Mr BLACKER: Does the meaning of the word 'safety' extend to the construction of fences around dams that are accessible to persons, including children? One other speaker made the point about access by children to a dam. If we are talking about the safety of a dam we could also be talking about the safety of mankind and preventing access to a dam by children.

The Hon. J.W. SLATER: The legislation covers only structural safety of dams and how they are built. It does not cover any aspect of safety as far as access is concerned, such as fencing. It is related basically to structural soundness and safety from failure of the dam.

Clause passed.

Clause 2 passed.

Progress reported; Committee to sit again.

STATUTES REPEAL (LANDS) BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (COURTS) BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

The Hon. J.W. SLATER (Minister of Water Resources): I move:

That the House do now adjourn.

Mr S.G. EVANS (Fisher): I wish to raise an issue of concern to me and my area, namely, the massive build-up of traffic occurring in Blackwood and surrounding areas. In recent times my Party has announced that it will make money available to upgrade various roads within the State and made the point that $200 million would be spent over many years by using money normally transferred into general revenue instead of where it should rightly go—into the Highways Department at the rate of $15 million a year currently. That money will be used to develop roads. I am aware of a comment made by Dr Scrafton that projects need to be looked at other than the north-south freeway or transport corridor to cater for the traffic in different parts of metropolitan Adelaide that wishes to travel either completely or partly on that north-south track. I accept Dr Scrafton's argument that other projects need to go ahead. One of those projects is in the Coromandel Valley/Blackwood area.

The proposed development by this Government of 6 000 more homes east of Morphett Vale through to Craigburn, and the other homes in the Craigburn/Happy Valley area that still can be constructed on other allotments, will mean 10 000 new homes in that area as a minimum number—approximately 30 000 people. For every two people there is at least one car nowadays, if not more. Many will be new homes where people cannot afford two cars. However, there will be no fewer than 10 000 more cars in that area, and the figure is more likely to be 15 000 cars. These people will wish to travel into the city through the South Road/Flagstaff Hill junction, the main South Road or, if it is built, along the corridor. A significant number will want to travel over the range, through what is often referred to as the Mitcham Hills, into the eastern and north-eastern suburbs.

For eight years I have been arguing that we have to tackle the Coromandel Valley problem of the massive build-up of traffic coming through on narrow roads, such as the main Coromandel Valley Road, and the more southerly section of Coromandel Parade. Very few people would be prepared to drive an STA or any other bus with passengers down that section of Coromandel Parade with a truck or heavy vehicle coming in the opposite direction. I take off my hat to those bus and other commercial vehicle drivers for the safety record they have on one of the, if not the, most

dangerous sections of metropolitan road in Adelaide. If anyone doubts that, I challenge them to go and have a look.

My own Government, when in power, did not find the resources or see the necessity to tackle the problem—I admit that; nor has the present Government; nor did the Dunstan/Corcoran Government in power when I began to raise the issue in the mid 1970s do anything about it. There is now serious traffic congestion within Blackwood itself. The main traffic island in Blackwood in the morning causes such delay that cars are banked back to a level rail crossing and to the other side of it. It will only be a matter of time before a motorist is trapped in a queue over the crossing, the bells will start, a train will be coming, and there will be real panic. If that does not occur, the build-up when a train goes through, from that point back down the hill to the main Coromandel Valley Road is such that East Terrace, that takes most of the traffic through from Hawthorndene Drive down to the stop sign, is also being congested because of the inability of drivers to get on to that main road.

So, within a short space of time that congestion has reached a serious situation and will worsen daily. We have Coromandel Parade and the main Coromandel Road in a difficult situation with traffic congestion. In particular I refer to the safety of children on roads, both on bikes and walking, in peak hour traffic when they are travelling some distance to get to school.

In that community we do not have as good a public transport system as has most of the rest of metropolitan Adelaide, even though the suburbs surrounding Blackwood are some of the oldest in the metropolitan area. I hope to be able to debate the issue of a report or study into the Coromandel transport corridor by the Highways Department when my Government was in power between 1979 and 1982. If I cannot, I hope that the Minister notes my concern, which has been expressed in letters I have written to him and previous Ministers, by personal representations and through my action in seeking to move that motion.

I know why both Governments would be relucant to release that report—there will be much community comment and concern. It can recommend only one of perhaps two ways of doing it on the cheap, which will cause the Government or whoever releases it a little embarrassment. If we widen main Coromandel Valley Road we have to avoid the Blackwood level crossing, the East Terrace junction, and go up Winns Road, along which are trees of some significance and many houses close to the road. That will cause an outcry. Likewise, the historic bakery (Winns Bakery) at the bottom of that road is a National Trust item. It would be difficult to make a good junction of Winns Road and main Coromandel Valley Road. So, concern will be expressed by the community about how we approach that suggestion. Some people would see that as the easiest way to overcome the problem.

Another way would be to widen Coromandel Parade on the southern end connecting to Murrays Hill Road over Horners bridge, which is a historic bridge that will always be salvaged and preserved, whether we use it or not. However, that is unlikely to happen also because it would be impossible to get into some houses there. The only other alternative is to take the road right away from the residential area of Coromandel Valley and go through Craigburn, but that would still channel all traffic into the Blackwood shopping centre and Belair and with the upgrading of Old Belair Road more people would travel on it. I ask the Government to give us an answer now on what it proposes is the best proposition, and then let us try to sell it to the people.

Ms LENEHAN (Mawson): I would like to speak tonight about the need to reduce the road toll in South Australia. I have been prompted to do so by a deterioration in the road accident fatality statistics in South Australia for this year, when the road toll is about 20 above the corresponding figure at the same time last year. The latest figures for a whole year, which are available for road traffic fatalities, are those for 1983 for the whole of Australia. If we concentrate on driver fatalities—perhaps the most important indicator of the hub of the problem—we can illustrate the extent of the problem and draw some conclusions about the statistics. I seek leave to insert in *Hansard* without my reading it a table of statistical data.

The ACTING SPEAKER (Mr Ferguson): Can the honourable member assure me that it is purely statistical data?

Ms LENEHAN: Yes.

Leave granted.

Number of Driver Fatalities in Road Traffic Accidents: 1983

Age	Motor Cars, Station Wagons Utilities, Panel Vans			Motor Cycles			Other Motor Vehicles			Total		
	M	F	T	M	F	T	M	F	T	M	F	T
16-25	314	93	407	264	8	272	17	1	18	595	102	697
%	77.1	22.9	100	97.1	2.9	100	94.4	5.6	100	85.4	14.6	100
Over 25	405	126	531	99	3	102	78	0	78	582	129	711
%	76.3	23.7	100	97.1	2.9	100	100	0	100	81.9	18.1	100
Total	719	219	938	363	11	374	95	1	96	1 177	231	1 408
%	76.7	23.3	100	97.1	2.9	100	99.0	1.0	100	83.6	16.4	100

Source: A.B.S. Road Traffic Accidents Involving Casualties: Australia, 1983, 9405.0.

Ms LENEHAN: It seems to me that the most useful analysis of the data is to compare fatalities for drivers under 25 years of age with the totals for drivers of all ages, and to compare them within vehicle classifications. I have concentrated on these divisions because of the generally accepted insurance principle in relation to drivers under 25, and to drivers of different vehicles, particularly motor cycles.

The data, I am sad to say, is not encouraging. It shows that drivers in the age group 16 to 25 years account for 49.5 per cent of all driver fatalities—that is almost half; motor cyclists in the age group 16 to 25 years account for 19.3 per cent of all driver fatalities and 39.0 per cent of all fatalities in the 16 to 25 years age group; motor cyclists account for 26.6 per cent of all driver fatalities—that is more than one quarter.

One of the most disconcerting factors about this is that drivers in the age group 16 to 25 years are over represented in the driver fatalities compared with the numbers who hold drivers licences: 16 to 25 year olds hold approximately

30 per cent of all licences, yet have half the fatalities. Even worse is the proportion of motor cyclists in the driver fatality statistics. Only about 5 per cent of all registered vehicles are motor cycles, and yet they account for almost 20 per cent of driver fatalities. It becomes patently obvious at this point why insurance premiums are so much higher for drivers in the age group 16 to 25 years.

However, a further reading of the statistics suggests that women are being discriminated against quite markedly. For instance, male drivers account for 83.6 per cent of all driver fatalities. Male drivers in the age group 16 to 25 years account for 85.4 per cent of driver fatalities in their age group and 42.3 per cent of all driver fatalities. Male motor cyclists in the 16 to 25 year age group account for 97.1 per cent of all motor cycle driver fatalities in their age group, 70.6 per cent of all motor cycle driver fatalities, and 18.8 per cent of all driver fatalities. In addition, they account for 44.4 per cent of all male driver fatalities in their age group and 22.4 per cent of total male driver fatalities. Overall, male motor cyclists account for 97.1 per cent of all motor cycle driver fatalities, and 25.8 per cent of all driver fatalities.

So, despite the fact that women hold about 40 per cent of all drivers licences, they account for only about 16 per cent of all driver fatalities. Of course, if driver mileages were surveyed, the proportions might come closer together. Nevertheless, it is clear that women are much maligned as drivers (as we all know from the jokes in our culture), particularly if driver fatalities are examined. To sum up, driver fatalities are disproportionately male, disproportionately 25 years or younger, and disproportionately motor cyclists. However, the way to approach this problem is not simply to call for advertising campaigns, stricter penalties and increased driving ages. In fact, the South Australian proportions of male and female driver fatalities and 16 to 25 year driver fatalities do not differ significantly from the national proportions, although they are at the lower end of the scale. The driving age in South Australia is 16 years which suggests that lifting the licensed age will do little to help solve the problem.

The real solution must lie in better driver education and stricter testing for drivers. Advertising campaigns might make drivers more aware of the dangers on the road, but they are not going to give the practical knowledge of how to avoid them. Stricter penalties, likewise, will do little to teach drivers how to avoid road dangers, other than avoiding traffic police. Similarly, increased driver licence age will not teach young drivers the practical knowledge of driving skills, nor the experience they need in learning how to face road dangers. This is a serious problem which deserves the attention of all people, and particularly the concerted attention of all Governments.

I am aware that much has been done in South Australia in the field of driver education. The reversal of the road fatality trends indicates that it is not enough. All South Australians should be aware of and concerned about this issue and should be making an effort to overcome this problem.

I now turn to a matter that I have been involved in for some time since I have been in this Parliament, and I refer to the use of child safety harnesses in motor vehicles. As members may recall, in December last year I asked the Minister of Emergency Services to initiate discussions with the Commissioner of Police to introduce a road safety campaign focusing on the current use of child restraints in motor vehicles.

As a result of my raising this matter with the Minister, a campaign was conducted in January of this year, which was the first of the 1985 campaigns in the police traffic plan for Statewide road safety campaigns. During the campaign of one week, 20 people were reported for not obeying the law relating to child restraints. This compared favourably with the incredible number of 576 people who were found to be not obeying the laws relating to the use of seat belts.

The Royal Automobile Association has just issued the second of its reports in relation to children and restraint use in cars. Unfortunately, the results show very little improvement in the situation outlined in its 1982 report. Of the 1 000 motor vehicles involved in the survey, 1 182 children were in the cars and 94 per cent of those children had restraints available to them. The survey divided the children into two age groups. In the six months to four-year-old bracket, only 57 per cent of children were adequately protected. This is a marginal improvement on the 1982 survey. Of those children in the four-year-old to eight-year-old age group, 41 per cent were adequately restrained, and that is a marked improvement on the 24 per cent recorded in 1982.

While there has been an increase in the use of booster seats, which has helped with restraint, still 18 per cent of the booster seats were not correctly fitted. While the numbers are improving, only about half the children observed were adequately restrained to minimise and prevent injury or death. That is not nearly sufficient. We must impress upon parents and guardians the responsibility that they have in transporting children by motor vehicle. We cannot expect children to understand the nature of injury to which they are potential victims, but we must impress upon their parents that in a collision a child who has no form of restraint will be thrown about inside a car, risking serious injury or death. Now that the RAA has done extensive work on this report, which details the ages of children and the way in which they travel in cars, we must use this information immediately to implement an education campaign. I feel sure that adults would be more responsible if they realised the dangers involved. Even a short trip to the shops or to school is potentially dangerous for unprotected children.

The Hon. P.B. ARNOLD (Chaffey): Some time ago I raised in this House the matter of the Government's proposed reduction in the manning of road blocks to prevent fruitfly entering South Australia. To this point the Government has not given any indication as to whether or not it intends to continue down that path. People living in the Riverland are gravely concerned that any reduction in the manning, particularly of the Yamba road block, could have the effect of allowing fruitfly to enter the Riverland of South Australia, and not only fruitfly but also other exotic plant diseases which could have a devastating effect on the fruit and horticultural industries generally in this State. At the time I raised this matter I mentioned some of the other diseases such as phylloxera and phytophera, which could enter South Australia if surveillance is reduced.

The Government's proposal is that the manning of the Yamba road block would be reduced during the early hours of the morning in the winter months. This would involve a saving of some $8 000 to $10 000 per annum. However, I believe that that would be a minute saving having regard to the dramatically increased risk that the South Australian horticultural industry would be subject to. I appreciate that the Department of Agriculture is looking at grid traps throughout the horticultural areas in an endeavour to identify fruitfly in the area.

To the best of my knowledge we have managed to keep the Riverland completely free of fruitfly. We believe that any reduction of the manning of road blocks in the area, particularly of the Yamba road block, would be an adverse step and all those involved in horticultural interests in the area are strongly opposed to that proposal. It has been some time since I raised this issue in the House, but, as I have said, to date the Government has given no clear indication

of whether it intends to continue with its proposal. I call on the Government to give an unequivocal guarantee that the manning of road blocks to intercept infested fruit will be maintained at the present level and I ask that an assurance be given as soon as possible to allay the anxiety that currently exists in the area in relation to this issue.

The other matter that I want to raise tonight is in relation to irrigation and drainage. I commend the Department of Agriculture for a report that has just been released. The report is entitled 'The River Murray Irrigation and Salinity Investigation Programme'. I say without any hesitation that that report is an extremely good one and it comes to grips with the issues that I have raised on many instances in this House, particularly over the past 10 years. The summary states, in part:

The River Murray Irrigation and Salinity Investigation Programme began in 1979. The programme has developed significant insights into the processes operating in irrigation areas. This increased understanding will:

- Allow better use to be made of water resources.
- Minimise the effects of salinity on crops.
- Help to maintain the economy of the Riverland and Lower Murray regions.

The report further states:

The research undertaken has highlighted opportunities to resolve water management and salinity problems 'on-farm' where they arise, rather than by 'off-farm' engineering or capital works alone. For example, the better control of irrigation water application through more accurate scheduling to meet actual crop water demands allows for drainage from irrigation areas also to be controlled.

The size and extent of drainage systems and evaporation basins should be reduced by the adoption of such improved on-farm practices. The on-farm approach offers the potential for increasing the efficiency of use of water resources and at the same time reduces problems related to irrigation and salinity and minimises capital work requirements.

In my view, the comments contained in the summary are perfectly true. However, the recommendations of the report in many instances cannot be implemented because of the fact that the Government has created a situation where that cannot be done. The first action that the Government took on coming to office in 1982 was to cancel the continuation of the Government irrigation rehabilitation work in the Riverland. The improved irrigation practices on farms that have been referred to by the Department of Agriculture in this document clearly require a modern irrigation distribution system to allow such recommendations to be implemented. There is no way that the individual grower can implement the recommendations of this report unless he has water available to him at all times.

The proposed modern irrigation techniques of microjet drip irrigation referred to in this document need a constant supply of water. Most of the privately owned irrigation areas in South Australia have effectively been rehabilitated. The Renmark Irrigation Trust, down the river in South Australia, and virtually all the private irrigation undertakings have gone through the process of rehabilitating their distribution systems to enable the growers in the areas concerned to effectively implement modern irrigation practices and in so doing save water and dramatically reduce the salinity problem in the Murray River in South Australia.

The only major offender in this area is the State Government, which has cancelled its rehabilitation works and by so doing has virtually made it impossible for growers in Government irrigation areas, in the unrehabilitated areas, to implement the recommendations of this report. The Department of Agriculture has presented a document indicating the excellent work undertaken by officers of the Department. In my experience here and overseas the recommendations they have come up with are perfectly in line with the most up to date techniques being used anywhere else in the world, but it is quite farcical that the recommendations, which would be accepted anywhere in the world, cannot be implemented in half the Government irrigation areas of South Australia because the Government does not provide an irrigation distribution system that will enable the recommendations of another Department to be implemented. When we see the unrehabilitated areas in South Australia, it is an absolute waste of money.

I refer particularly to Moorook, and the Cobdogla irrigation area, which includes Barmera and Loveday, where enormous quantities of water are being pumped from the Murray River and it is absolutely wasted. That water is going back into the ground water in the area and eventually finds its way back into the Murray River. The cost of pumping the water that does not see the growers' property is enormous. Until such time as the Government gets its act together to enable such an excellent report as that prepared by the Department of Agriculture to be implemented, it will continue to be out of touch with reality.

Motion carried.

At 10.13 p.m. the House adjourned until Wednesday 8 May at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 7 May 1985

QUESTIONS ON NOTICE

GOVERNMENT APPRENTICES

174. **The Hon. E.R. GOLDSWORTHY** (on notice) asked the Minister of Labour: What were the number of apprentices in training in South Australia in each year from 1979 to 1984, inclusive, and how many in each year were in Government departments?

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

1. No. of apprentices in training in South Australia as at 30 June in each year

1979—11 343
1980—11 401
1981—11 048
1982—10 622
1983— 9 647
1984— 9 536

It should be noted that the number in training gives a somewhat misleading impression of the current apprenticeship situation. The current level of apprentices is closely related to the level of economic activity when the apprentices were recruited some years earlier. The following figures on apprentice/trainee commencements for South Australia illustrate this:

1979-80—2 837
1980-81—3 164
1981-82—2 720
1982-83—1 843
1983-84—2 752

The cause of the low figures for apprentices in 1983 and 1984 can in part be traced back to the very poor 1982-83 commencement. Latest figures show the number of commencements for the period June 1984 to January 1985 to be 1 457, compared with 1 145 for the period June 1983 to January 1984. On the basis of this recent growth it is likely that the high level of apprenticeship reached in 1980-81 will be equalled in the financial year 1984-85.

In addition, considerable resources have been put into the provision of training places in courses of pre-vocational training. These courses are in effect the institutionalising of the initial stages of vocational education and training. A high proportion (about two thirds) of the places provided are in trade based courses. In these courses the students complete stage 1 of at least two basic trade courses.

Some idea of the growth in the number of places provided is given by the following figures:

Year	Range of Courses	Number of Trades Covered	Number of Student Places
1981	2	13	400
1982	7	27	660
1983	17	42	1 250
1984	21	51	1 183*

*The apparent decline in numbers is due to the duration of many courses being extended from 20 weeks to 38 weeks. Expressed as equivalent places in courses of 20 weeks duration, the number in 1984 is 1 956.

Also relevant has been the very considerable effort put into overcoming the apprentices out-of-trade problem. In July 1983 there were some 225 apprentices out-of-trade. As at July 1984, 64 were out-of-trade.

2. Statistics are not maintained on the number of apprentices in training in Government departments in each year. The Department of Labour has, however, provided the following estimates, which are believed to closely approximate actual apprentice numbers:

1979—691
1980—643
1981—524
1982—446
1983—478
1984—473

POVERTY TASK FORCE

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

1. Who are the members of the Government's 'rolling committee', to be chaired by Dr P. Travers, to pinpoint key needs of the poverty stricken in our community, when was each person appointed and for what reasons, and what remuneration is paid to each member in form of allowances and expenses?

2. How long will the committee continue to meet?

3. How much was allocated for the committee in the Budget and under what line and, if no allocation was made, why not?

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

1. The members of the Poverty Task Force are:

Dr Peter Travers—Chairman; formerly Chairman of the Australian Council of Social Services, presently a lecturer in the School of Social Administration at Flinders University.

Mr Murray Glastonbury—nominee of the United Trades and Labor Council.

Mr Lange Powell—nominee of South Australian Council of Social Service and Executive Officer of that organisation.

Mr Graham Forbes—nominee of the Joint Church Poverty Committee and Executive Director of Welfare Services for the Adelaide Central Mission.

Mr Rod Nettle—interim representative of the South Australian Chamber of Commerce, pending an official nomination by that organisation.

Ms Sue Vardon—Director-General of the Department for Community Welfare.

In addition to this membership, the Task Force will be assisted by Mr David Green, Director of Community Services with the Brotherhood of St Lawrence, Victoria. Mr Green will act as a consultant to the Task Force. The members were appointed to the Task Force during February 1985.

Each non-public servant member is to be paid remuneration in accordance with the standard rates as determined by the Public Service Board. Members are to be paid an allowance of $85 per half day meeting. The Chairman will receive an allowance of $100 per half day meeting. Travelling costs to country centres and other major expenses related to the work of the Task Force will be met.

2. The concluding date for the work of the Task Force has not yet been determined.

3. $35 000 has been allocated for 1984-85 from budget line Co-ordination and Licensing—State Wide Services.

AQUATIC CENTRE

416. **Mr BECKER** (on notice) asked the Minister of Recreation and Sport:

1. What now is the estimated cost of roofing and redevelopment of the swimming centre at North Adelaide and how does it compare with original costings?

2. When redevelopment is completed will the swimming centre meet international standards and, if not, why not?

3. Have the original plans been altered during construction and, if so, to what extent and why?

4. Does the main pool lose water and, if so, to what extent and why?

5. When will the project be completed?

The Hon. J.W. SLATER: The reply is as follows:

1. The current cost estimation varies between $7.275 m and $7.975 m with the most realistic one being $7.575 m. A detailed analysis of costs is currently being carried out. The original estimated cost was $5.1 million. These additional costs are attributed to:

(a) extra steel fabrication costs;
(b) additional work on toilets, lighting and the eastern stand;
(c) claims from contractors for delays;
(d) additional redesign and supervision costs;
(e) cost to rectify latent problems (e.g. repairs to diving tower; repairs to tiling and joints in the main pool; repairs/replacement of water treatment pipes; replacement of storm water pipes). The pool is 15 years old and has been exposed to all elements over that period.

2. When completed, the swimming centre will meet international standards but not the new FINA (Federation Internationale de Natation Amateur) regulations which cater for the conduct of the Olympic Games and World Championships. FINA regulations require an overall depth of 1.8 metres. Adelaide Aquatic Centre will have a variable gradient depth of 1.07 metres to 1.98 metres.

3. The original plans have been altered to include additional toilet provision and storage accommodation. The plant room has also been re-designed in order to achieve economics in capital cost.

4. Information received from the Public Buildings Department is that the main pool is not losing water. However, a number of joints will require sealants to be replaced due to cracking.

5. The Public Buildings Department has advised that the pool will probably be completed by August. However, progress is being monitored as to when the pool can actually be handed over.

APPRENTICESHIPS

435. **Mr BECKER** (on notice) asked the Minister of Labour: How many apprentices were unable to pay general service and other fees for trade courses at TAFE colleges for 1984 and how many certificates have been withheld because of non-payment, at which colleges and for which courses has this occurred and what action does the Minister propose to take on behalf of the apprentices involved?

The Hon. J.D. WRIGHT: There were 1 293 apprentices who did not pay the general service fee in 1984. This resulted in 353 final year students not receiving certificates. The colleges concerned were Marleston, Panorama, Regency Park, Kingston, Elizabeth, Croydon Park, Whyalla and South-East. Gilles Plains asked students to pay prior to their graduation in April 1985. The majority of these non-payments occurred in the automotive and building trades.

With regard to 1984, I propose to take no further action. However, the action that is taken for non-payment of the general service fee in 1985 and subsequent years is currently under review in conjunction with the Minister of Labour and the Industrial and Commercial Training Commission.

436. **Mr BECKER** (on notice) asked the Minister of Labour: What action is the Government taking to encourage apprenticeships?

The Hon. J.D. WRIGHT: Each year the State Government ensures that the maximum number of apprentice training places are made available in Government departments. In September 1983, Cabinet gave the following direction:

All departments having the capacity to train apprentices be directed to indenture the maximum possible number of new first-year apprentices in 1984.

This approach is adopted each year. The departmental intake for 1985 was 109, 13 more than the 96 apprentices recruited in 1984. As well as the annual intake of apprentices, the Government has determined from time to time that there should be special additional intakes over and above the numbers recruited by departments. For example, in 1983 a special intake of 50 extra apprentices was effected.

In 1984 the State Government established its own group apprenticeship scheme which is organised and run through the Department of Labour. This scheme enables the Government to make maximum use of any short-term training opportunities which arise in departments by means of a rotational apprentice training system. Currently there are 15 apprentices employed under this scheme.

A further significant way in which the Government has ensured that the maximum number of young people gain access to training in the skilled trades field has been the expansion in the range and number of pre-vocational trade-based courses which have been made available in 1984 and 1985 through the Department of Technical and Further Education.

Students who graduate from these 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 employing young persons who have already developed useful skills, employers who indenture pre-vocational graduates are eligible to attract a higher Commonwealth Craft rebate. The State Government is expending some $2.3 million and has negotiated a further $1.27 million from the Commonwealth for the provision of 900 course places in 1985, 600 of which are trade based.

The State Government also acts to increase training opportunities for young people in the skilled trades field through its participation in the Group One Year Apprenticeship Scheme (GOYA). Under this scheme apprentices indentured to private employers receive full-time training in State Government departments or instrumentalities for the whole of their first year of apprenticeship. During this time the apprentices' wages are met by the Commonwealth. At the end of the first year the apprentices commence work with their employer, having received a full year of basic training. The State Government has provided ongoing assistance for GOYA apprentices in training centres at the Engineering and Water Supply Department and the Electricity Trust of South Australia.

The Industrial and Commercial Training Commission provides a wide range of advisory services in conjunction with the Department of Labour, including the provision of field training supervisors to assist employers and potential employers of apprentices with any problems or inquiries associated with training arrangements. In addition, the Commission co-ordinates a wide range of promotional activities relating to apprenticeship and other training strategies.

During 1984 the Commission co-ordinated a promotional campaign on behalf of the Minister of Labour which contacted some 10 000 employers and potential employers of apprentices; this included a letter from the Minister and a pamphlet outlining the many schemes and rebates available to employers. Activities of this type help to ensure that employers are provided with the information and assistance which will encourage them to employ and train apprentices.

Other activities relating directly to apprenticeship training for which the commission has been responsible include 'Work Skill Australia', 'Vocational Training Week' and major training and career displays of the type planned to take

place during July of this year in the International Pavillion at the Wayville Showgrounds.

There are currently four separate industry-based 'Group Apprenticeship Schemes' operating in South Australia which cover the metal, retail motor, hospitality and building and construction industries. Each of these schemes is supported and subsidised on a joint basis by the State and Commonwealth Governments under the Commonwealth/State Policy on Financial Assistance to Group Apprenticeship Schemes.

Under the group scheme system, industry associations, in this case the Master Builders Association of South Australia Inc., Metal Industries Association of South Australia, the Australian Hotels Association and the South Australian Automobile Chamber of Commerce Inc., rather than individual firms, act as the employer and indenturing body. Such schemes do not replace the recruitment and employment of apprentices by large firms and industry but do enable small firms who cannot, for a variety of reasons, train apprentices under normal conditions. Currently the Master Builders' scheme is employing 95 apprentices, the Metal Industries scheme 34, the Australian Hotels Association 38 and the South Australian Automobile Chamber of Commerce 34. A fifth scheme in the Local Government sector is at an advanced stage of development and it is anticipated that it will commence during April this year.'

437. **Mr BECKER** (on notice) asked the Minister of Labour: How many persons are enrolled in apprenticeships in each trade and year of apprenticeship, respectively, and how do these statistics compare with the previous three years?

The Hon. J. D. WRIGHT: Aggregations of apprenticeship statistics are compiled under major trade headings which cover the most significant groupings of trades. Persons registered as apprentices in each of the major trade groups as at 30 June for 1984 and each of the three previous years are:

IN TRAINING AS AT 30 JUNE OF YEAR SHOWN BY TRADE GROUP

	1981	1982	1983	1984
Metals	5 045	4 885	4 359	4 070
Electrical	1 420	1 420	1 334	1 299
Building	1 314	1 127	1 006	1 083
Furniture	509	468	438	417
Printing	322	197	194	222
Vehicle	447	401	362	413
Ship and Boat Building	19	23	20	24
Food	798	768	685	681
Hairdressing	1 017	970	936	1 042
Other	157	363	313	285
Total	11 048	10 622	9 647	9 536

The current level of apprentices is closely related to the level of economic activity when the apprentices were recruited some years earlier. The following figures on Apprentice/Trainee Commencements for South Australia illustrate this:

1979-80—2 837
1980-81—3 164
1981-82—2 720
1982-83—1 843
1983-84—2 752

The cause of the low figures for apprentices in 1983 and 1984 can in part be traced back to the very poor 1982-83 commencement.

Figures for apprentices in each of the major trade groups which show the number in training in each of the four years of apprenticeship for the four years are not readily accessible and the considerable use of time of public servants that would be needed to extract this information cannot be justified.

MOSQUITOES

457. **Mr BECKER** (on notice) asked the Minister of Public Works: Are mosquitoes present and causing a nuisance to their Honours, staff, jurors and visitors to the Sir Samuel Way Building and, if so, to what extent, what action is being taken to eradicate the problem and what is the estimated cost of eradication?

The Hon. T.H. HEMMINGS: Mosquitoes have been present within the Sir Samuel Way Building during the past two summers. During that time, steps have been taken to determine the source and eradication of the insects. In consultation with inspectors from the Local Board of Health and pest extermination experts, all likely breeding grounds, including mainwater springs and wells, have been checked and spraying with recommended insecticides has been undertaken. To date, this action has not resulted in the successful eradication of the problem. Departmental officers are currently assessing further control methods, which are expected to ensure that the insect problem will be resolved prior to next summer. The type of control method that is applied will determine the cost of the eradication programme.

FID

460. **Mr BAKER** (on notice) asked the Premier: Did the Premier discuss the practicability of removing the FID imposts from pensioner cheques with the financial institutions affected prior to its announcement and, if so, what problems, if any, were identified?

The Hon. J.C. BANNON: The practicability of removing FID from pensioner credits was discussed with organisations representing the major South Australian financial institutions. In addition, the Commissioner for State Taxation attended interstate meetings with the National Operations Committee of the Australian Bankers' Association. A representative of the Department for Social Security was also involved in some of these discussions.

TRAFFIC COUNT FIGURES

467. **Mr BAKER** (on notice) asked the Minister of Transport: Further to the answer to Question on Notice No. 291, what were the bench mark traffic count figures for the two locations in 1981, what are the current counts for these locations and when will the projection be updated to reflect recent growth in the northern and southern suburbs?

The Hon. R.K. ABBOTT: The benchmark 1981 peak hour traffic count estimates for the two locations are:

South Road at O'Halloran Hill—5 454 vehicles/hour;
Grand Junction Road just east of Main North Road—3 078 vehicles/hour.

Current (i.e. 1984) traffic count estimates for the two locations are not yet available from the Highways Department. The Department of Transport is proposing to prepare revised projections of travel demand for metropolitan Adelaide once revised projections of population for each Local Government Area in the metropolitan area have been released by the Interdepartmental Forecasting Committee and suitable projections of employment have been produced.

POLICE COMMUNICATIONS TOWER

477. **Mr BAKER** (on notice) asked the Minister of Emergency Services: What was the original estimated cost of the police communication Tower at Mount Barker, by how much has this altered as a result of delays and new siting and what additional expenditure will be required to supplement facilities at the new site so as to provide the same standard of communication as was originally proposed?

The Hon. J.D. WRIGHT: The original cost of contract work was $101 700. It is now expected that the final cost will be $201 700, made up as follows:

	$
Original cost	101 700
Extra costs associated with relocating the radio tower to suit new site	75 000
Aboriginal study	10 000
Costs to relocate to centre of car park	15 000
	201 700

No additional expenditure will be required to supplement facilities at the new site so as to provide the same standard of communication as was originally proposed.

HOUSING TRUST RENT

480. **Mr BAKER** (on notice) asked the Minister of Housing and Construction: What is the estimated revenue per annum foregone from that 25 per cent of Housing Trust renters who could afford market rents but who currently have their rental assessed on historical housing cost?

The Hon. T.H. HEMMINGS: Unfortunately, due to the wording of the honourable member's question, it is difficult to ascertain exactly what information the member is seeking. However, it is assumed that the member may be referring to reduced rentals, which are offered to Trust tenants who have difficulty in meeting full Trust rental payments.

In February 1985, 65.4 per cent of Trust tenants were receiving a rent reduction. The circumstances of these tenants are regularly reviewed to ensure that only those entitled to a reduced rent are in receipt of that benefit. The Trust does not have current information on the income of the remaining 34.6 per cent of tenants who are paying full Trust rents as it only seeks income data at the time of application and allocation and if a rent reduction is requested or being reviewed.

For the member's information, Trust rents were calculated on a market basis until recently. However, under the current Commonwealth State Housing Agreement, rents for public housing are required to be established on a cost rent and not a market basis. Rents have not increased as a result of the change in establishment method.

SOUTHERN REGION OF COUNCILS

496. **Mr S.G. EVANS** (on notice) asked the Premier: What action will the Premier take to resolve the following issues of concern to the Southern Region of Councils due to their dissatisfaction with responses to representations to the relevant Ministers—

(a) construction times for the new arterial road;

(b) the future role of the Waste Management Commission; and

(c) improved public transport?

The Hon. J.C. BANNON: The Resources and Physical Development Committee of Cabinet met a delegation from the Southern Region of Councils on 1 April 1985, and the issues raised in this question were all the subject of discussion.

(a) The provision of the new southern arterial road is a project of some magnitude. In light of the complex issues involved, it is not possible to provide a completion date for this project until a detailed investigation can be completed, which includes a preliminary design; this will take approximately two to three years. An important part of this investigation will be an analysis of the most appropriate means of staging construction works. This will take into account construction factors as well as funding implications and analysis of traffic likely to utilise sections of the new road. The Government regards the provision of this new arterial road as a matter of priority.

(b) My colleague the Minister of Local Government detailed the changes approved by Cabinet concerning the appointment of Mr R.G. Lewis as the Chairman, South Australia Waste Management Commission, in a Ministerial statement to the House on 25 October 1984.

A letter was subsequently received from the Southern Region of Councils expressing concern about the role of the Commission. The Minister of Local Government replied in detail on 17 December 1984 to the items that were highlighted and has since met with representatives of the Southern Region of Councils. Mr Lewis has also met with representatives of all metropolitan regions and it is anticipated that these meetings will continue on a regular basis.

I would refer the honourable member to the Minister of Local Government's Ministerial statement of 25 October 1984 to enable him to be aware of the changes that will assist the industry.

(c) The Southern Region of Councils is represented on the Southern Area Transport and Planning Issues Working Group which provided a report to the Minister of Transport in June 1984. The working group recommended the following improvements to public transport to be implemented within five years:

a. Provision of improved public transport services in the Hallett Cove area following the completion of investigations presently being carried out by the State Transport Authority.

Bus services were introduced into the Hallett Cove area in December 1984.

b. Department of Transport, in consultation with the Southern Region of Councils, to investigate the need for provision of regular public transport services to the townships of Willunga, Old Noarlunga, McLaren Vale, Port Willunga, Aldinga, Aldinga Beach, Sellicks Beach, Clarendon and Kangarilla.

The Department of Transport has held discussions with the Southern Region of Councils concerning this matter and is awaiting advice from the Southern Region of Councils regarding a proposal.

c. Provision of improved bus services to the southern part of Happy Valley.

The State Transport Authority has been negotiating with the cities of Happy Valley and Noarlunga for some time with regard to the provision of improved public transport services into the southern part of Happy Valley. At the present time a new bus route acceptable to all parties has not been determined and the councils have employed a traffic consultant to advise them on traffic management problems in the area.

d. State Transport Authority to conduct an area service review of the Southern Region and, amongst other things, address:
The provision of bus/rail passenger interchanges at Oaklands and Tonsley railway stations.
The provision of improved access to Flinders Medical Centre, Flinders University and Marion shopping centre.
The provision of evening and weekend services.
The provision of bus services to serve development within Morphett Vale East and Seaford.

The provision of bus services to serve Old Noarlunga, Aldinga Beach and Sellicks Beach.
The provision of additional peak hour express train services.

The State Transport Authority has been co-operating with relevant planning authorities with regard to the provision of bus services into future developments in Morphett Vale East and Seaford. The Authority intends to carry out a detailed investigation of various public transport options for the southern area south of Sturt Road. The provision of bus services to serve Old Noarlunga, Aldinga, Aldinga Beach and Sellicks Beach is being negotiated between the Southern Region of Councils and the Department of Transport as indicated in b. above. The working group also made recommendations for implementation within five to 10 years. These are matters which will be taken up in the long-term.

ANOREXIA NERVOSA

498. **Mr BECKER** (on notice) asked the Minister of Tourism representing the Minister of Health:

1. Will the Government increase the number of beds at the Flinders Medical Centre for the specialised treatment of patients suffering with anorexia nervosa and, if not, why not?

2. Is the Minister through the South Australian Health Commission negotiating with private hospitals to treat anorexia patients?

3. How many anorexia patients are waiting to be admitted to Flinders Medical Centre and what is the current waiting time?

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

1. As a result of the high level of utilisation of all existing beds at Flinders Medical Centre, it has not been possible for the Medical Centre to allocate additional beds for psychiatric patients. The building of the purpose-designed Psychiatry Department and inpatient beds at Flinders Medical Centre will proceed when funds can be allocated.

Flinders Medical Centre is not the only hospital to which anorexia nervosa patients are admitted for episodes of acute care. There are specially trained staff at Royal Adelaide Hospital, the Queen Elizabeth Hospital and the Adelaide Children's Hospital at which inpatient care is provided.

In the past some anorexia nervosa patients have also received treatment at the Repatriation General Hospital. Although staffing changes caused this arrangement to lapse, I understand steps are now being taken to re-open discussions with the Hospital to see if the service can be resumed. Clinical support and supervision of those patients could be provided by the specially skilled staff from the Medical Centre.

Most anorexia nervosa and bulimia nervosa patients are managed as outpatients of the teaching hospitals, by private psychiatrists and increasing community support mechanisms. While there has been an increased incidence of both anorexia nervosa and bulimia nervosa, the mortality rate has been reduced from almost 20 per cent to around one per cent by improved treatment regimens over the past decade.

2. Previous negotiations with private hospitals have not resulted in admission of anorexia nervosa patients because of the very specialised medical and nursing skills required.

3. Patients are admitted according to the clinical assessment of the Anorexia Nervosa Clinic. According to information provided from the Flinders Department of Psychiatry there are no anorexia nervosa patients currently requiring acute admission to Flinders Medical Centre.

AUSTRALIAN HOME NURSERIES

499. **Mr BECKER** (on notice) asked the Minister of Community Welfare representing the Minister of Corporate Affairs:

1. Is the Corporate Affairs Commission aware of the franchise operations of Australian Home Nurseries, a division of Australian Growth Resources Corporation Pty Ltd, Formax Pty Ltd, Merchant Nurseries and its subsidiary Plant Mart Pty Ltd and, if so, have investigations been conducted into these operations and what were the findings and, if no investigation has been carried out, why not?

2. Has an examination been made to determine whether any of the franchise operations sales statements and agreements are contrary to the Companies Act or any other relevant Acts and, if so, which Acts and to what extent?

3. Who are the directors of these companies and are they well known to Corporate Affairs and, if so, in what capacity?

The Hon. G.J. CRAFTER: The replies are as follows:

1. The Corporate Affairs Commission is aware of the operations of:

(a) Australian Growth Resources;
(b) Formax Pty Ltd;
(c) Merchant Nurseries Pty Ltd;
(d) There is no business operated by Plant Mart Pty Ltd. There is a registered business name of 'Plant Mart' which is unrelated to Merchant Nurseries. No complaints have been received about Plant Mart. No investigations are current. The confusion has no doubt arisen about the name Plant Mart because Merchant Nurseries Pty Ltd has described itself as Merchant Nurseries Pty Ltd Plant Mart.

2. As to the activities of the operations of Australian Growth Resources, Formax Pty Ltd and Merchant Nurseries Pty Ltd, I report as follows:

(a) Australian Growth Resources—The activities of Australian Growth Resources Corporation Pty Ltd trading as Australian Home Nurseries have come to the attention of the Corporate Affairs Commission. The Commission is presently conducting inquiries into the activities of the company to determine whether those activities breach the Companies (South Australia) Code and the Securities Industry (South Australia) Code.

The inquiries to date indicate that the company is marketing to the public a scheme whereby an investor purchases equipment used for the propagation of plants and horticultural advice with the object of producing marketable 'nursery' type plants which the company undertakes to sell on behalf of the investor. The marketing is based on the proposition that the investor can turn a backyard hobby into an income producing pursuit. The Directors of the company are:

(1) Ernst Abraham Siewertsz Van Reesema;
(2) Martine Ludowici Siewertsz Van Reesema;
(3) Nicholas Anthony Siewertsz Van Reesema.

Of the three Directors, Ernst Abraham Siewertsz Van Reesema is known to the Commission. In 1980 Ernst Abraham Siewertsz Van Reesema was sentenced to three months imprisonment for breach of section 122 of the Companies Act (taking part in the management of a company when disqualified from doing so). Inquiries into this company are continuing.

(b) Formax Pty Ltd—Some preliminary inquiries have been conducted into the affairs of this company. The company is closely associated with another company called Paxden Pty Ltd. Both companies have common Directors: Maxwell George Elphick; Valma Kathleen Elphick. Paxden, which formerly traded as Australian Home Nurseries

but now trades as Hygro System, is marketing to the public a scheme virtually identical to that marketed by Australian Growth Resources Corporation Pty Ltd. Indeed for a time Ernst Abraham Siewertsz Van Reesema was a Director of Paxden Pty Ltd.

Because Paxden is involved with marketing to the public the Commission's inquiries have concentrated on this company. The purpose of the inquiries is to determine if the company has breached the Companies (South Australia) Code and the Securities Industry (South Australia) Code. Inquiries are continuing. If it is thought necessary further inquiries will be undertaken in respect of Formax Pty Ltd at a later time.

(c) Merchant Nurseries Pty Ltd This company is being prosecuted for an alleged breach of section 169 of the Companies (South Australia) Code. It is alleged that the company offered prescribed interests to the public without first complying with the requirements of the Code. The case will be defended and it is listed for trial in the Adelaide Magistrates Court on 23 August 1985 and 26 August 1985.

PUBLIC BUILDINGS DEPARTMENT

503. **The Hon. D.C. BROWN** (on notice) asked the Minister of Public Works: Will the Minister make available to the member for Davenport the full contents of the new strategy that the Government has adopted for the Public Buildings Department and, if not, why not?

The Hon. T.H. HEMMINGS: The State Government has created a new Department of Housing and Construction in place of the Public Buildings Department, which has been abolished. The creation of the new Department reflects the Government's desire to make the home building and construction industry key elements in a sound and stable State economy.

It is also the culmination of the Government's review of the operations of the PBD which revealed ways in which the public sector's role in the construction industry can be streamlined and improved. The Department of Housing and Construction will be a leaner, more cost conscious organisation and will undertake new roles. It will provide badly needed advice on the economic and social implications of housing and construction initiatives. In addition, it will provide the Government with a new capacity to develop strategies to consolidate and expand vital industries, and will seek to develop trade initiatives involving housing and construction with ASEAN countries and China.

The Department will listen to and generate ideas that will ensure a fair and equitable flow of work to the private sector but, at the same time, will also develop its own high-quality construction and maintenance functions, with a similar level of cost constraint to that existing in the private sector. The old Public Buildings Department suffered some difficulties in achieving this, mainly because of the abrupt wind-down of its workforce. The former Department was left with its management and workforce unsure of their role in the community, a declining budget in real terms, and diminishing resources but a continuing high level of demand for its services.

This Government has addressed these issues, providing a positive climate in which the new Department can begin work. We have resolved industrial problems, provided adequate works and an increase in funds, arrested the attrition of employee numbers, and implemented a Workforce Planning Review. This Review will soon finalise its report to me, but it has already highlighted deficiencies in the old Department. The new Department is based on restructured elements of the PBD and includes the Government's recently established research and advisory group, the Office of Housing. All officers and employees of the PBD and the Office of Housing are now officers and employees of the Department of Housing and Construction.

The new Department has five divisions: Maintenance and Construction, Professional Services, Industry Policy, Management, and Finance. The South Australian Housing Trust is unaffected by the change and will remain a separate authority responsible to the Minister of Housing and Construction. The Government believes the entire community will benefit from a Department of Housing and Construction that has an intimate knowledge of the industry, a capacity to lead new technologies, an ability to carry out complex works efficiently, and a role to develop off-shore opportunities for the industry.

ABRD FUNDS

504. **The Hon. D.C. BROWN** (on notice) asked the Minister of Transport:

1. What were the total ABRD funds spent in South Australia in each of the years 1982-83, 1983-84 and 1984-85 to date?

2. What individual projects have involved ABRD funding and what has been the ABRD expenditure on each of these projects?

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

1.

1982-83	$8 253 000
1983-84	$27 729 000
1984-85	$19 152 681

2.

	$
Stuart Highway; Mirikata-Bon Bon, Roadworks	5 737 000
Stuart Highway; Coober Pedy South-Mirikata, Roadworks and Bridges	9 247 000
Stuart Highway; Poutnoura Creek-Coober Pedy South, Bridges	1 931 000
Stuart Highway; Marla-Mount Willoughby, Roadworks and Bridges	5 225 000
Stuart Highway; Mount Willoughby-Poutnoura, Roadworks and Bridges	136 000
Dukes Highway; 4 km South Coonalpyn-Culburra, Roadworks	1 495 000
Dukes Highway; Bordertown-Victorian Border, Roadworks	305 000
Dukes Highway; Coombe-Kelvin Powrie Reserve, Roadworks	820 000
Dukes Highway; Kelvin Powrie Reserve-5 km South of Keith, Roadworks	771 000
Dukes Highway; 3 km South of Brimbago-Bordertown, Roadworks	1 322 000
Port Augusta-Port Wakefield Road; Railway Crossing at Stirling North	525 000
South Road; Cross Road Intersection, Emerson Overpass	5 680 000
Tapleys Hill Road, Burbridge Road-River Sturt	1 378 000
Grand Junction Road Extension; Bower Road-Port Road	1 865 000
Golden Grove Road; Grenfell Road-North East Road	1 471 000
Salisbury Highway; Ryans Road - Port Wakefield Road	725 000
Burbridge Road; South Road-West Terrace	1 993 000
Western Gawler Bypass; Main North Road-Two Wells Road (Urban)	181 000
Western Gawler Bypass; Two Wells Road-Main North Road (Rural)	1 180 000
Lincoln Highway; Poonindie-Boston House	3 481 000

	$
Wallaroo-Moonta Road; Whole length	1 198 000
Keith-Mount Gambier Road; 5.5 km North of Struan - Struan	1 238 000
Barrier Highway; Burra - Hanson	1 327 000
Princes Highway; Tailem Bend - Salt Creek	358 000
Mount Bold Reservoir Access Road	37 000
Reservoir Drive; Black Road-Taylors Road	240 000
Seal Bay Access Road; Kangaroo Island Airport-Seal Bay	490 000
Arkaroola Village Access Road; Northern Section	309 000
Leigh Creek Airport Access Road	151 000
Sleaford Bay Road; Tulka-Sleaford Bay	974 000
Kuhlmann Street, Ceduna	402 000
Local Road Grants to Councils	2 870 000
Salisbury Bus/Rail Passenger Interchange	83 681

WIRRABARA GRAZING LEASES

509. **Mr GUNN** (on notice) asked the Minister of Education, representing the Minister of Forests: Why have grazing leases in the Wirrabara forest area been substantially increased and is the Government aware of the concern which has been expressed in relation to such increases?

The Hon. LYNN ARNOLD: The question presumably refers to increased charges for grazing leases in the Wirrabara Forest. Charges for leases in this area have not been increased for some years although rentals have been under review for some time in all forest areas.

In June 1982 the Woods and Forests Department proceeded to develop a review system in conjunction with the Valuer-General to assess rentals in line with non-forest land values to define a new base rate and a form of indexing rental change. As most forest land leases are complicated by the effect of standing trees on grazing potential and, in some cases, other restrictions imposed to protect non-grazing use, the reassessment has been complex and prolonged. The Northern District, including Wirrabara, is the last to be affected in the overall review.

The Department has discussed the suggested revised rental with the Valuer-General where special circumstances were seen to warrant a further variation and, in all cases, discussed the change proposed with the lessee before it has become operative. In most cases, the increase has been agreed upon by all parties; however, in some the current lessee has elected to cancel which has allowed those leases to be offered on a tender basis where grazing is still considered appropriate. In such cases, the new rental becomes the base for future annual review and is considered a reasonable reflection of current market value.

The Wirrabara area leases will follow the same pattern and no increase is being initiated prior to consultation with the lessee. Although increases in most cases are anticipated, there is no apparent reason for concern, providing the revision does no more than reflect current values.

BRIDGEWATER TRAIN SERVICE

510. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Transport: Have any specific promotions been carried out in the past five years to explore the tourist potential of the Bridewater train service and, if so, in which years and during which months and what form did these promotions take?

The Hon. R.K. ABBOTT: Display advertisements were run in the *Mount Barker Courier* and *Hills Gazette* to promote the improved train services when express trains were introduced. In addition, the booklet 'How to find your way around Adelaide' featured the Hills train service, and the leaflet 'How to use your Day Tripper Ticket' was promoted in TV commercials featuring the Bridgewater train.

The STA is prepared to enter any specific promotions, such as that sponsored by Hungry Jack's, which encouraged travel on the Hills line. However, these promotions did not result in any appreciable increase in ridership. Indeed, the increased revenue would not cover the cost of advertising.

TREASURY FORECASTS

515. **Mr OLSEN** (on notice) asked the Treasurer: What are the current Treasury forecasts of petroleum and mining royalties for each of the years 1984-85 to 1987-88?

The Hon. J.C. BANNON: The reply is as follows:

Actual Petroleum Royalties	1984-85	$24 318 822.90
Forward Estimates of Petroleum Royalties	1985-86	$43 380 000
	1986-87	$38 405 000
	1987-88	$29 556 000
Estimated Mineral Royalties (including coal) from existing production levels	1984-85	$2 450 000
	1985-86	$2 450 000
	1986-87	$2 450 000
	1987-88	$2 450 000

DUCK SHOOTING

517. **Mr OSWALD** (on notice) asked the Minister for Environment and Planning: Has the Minister received complaints from conservation groups concerning the legal shooting of ducks on the day after a Saturday shoot in that, on the day after an all day shoot, the ducks have been scared off and the shooters then fire at anything that moves thus placing other species of wild life at risk?

The Hon. D.J. HOPGOOD: No. The Department of Environment and Planning's National Parks and Wildlife Service has been very pleased with the co-operation of hunters during the opening of the 1985 duck season and rangers report that very few protected species of duck have been shot.

PRISON OFFICERS

519. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Tourism, representing the Minister of Correctional Services: How many prison officers are currently on workers compensation resulting from stress at Yatala Labour Prison and Adelaide Gaol, respectively, and how do the figures for this month compare with those in each of the past 12 months?

The Hon. G.F. KENEALLY: There are currently eight officers off duty due to stress related problems (one from Adelaide Gaol and seven from Yatala Labour Prison). This number is comparable to the number of officers absent due to stress over the previous 12 months.

SPRINGBANK AND GOODWOOD ROADS INTERSECTION

520. **The Hon. D. C. BROWN** (on notice) asked the Minister of Transport:

1. How many accidents have occured at the intersection of Springbank and Goodwood Roads during the past two years and how many people have been injured as a result?

2. Why is there such a high accident rate at this intersection and what changes are proposed to lower the rate?

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

1.

Year	Reported Accidents	Persons Injured
1983	30	9
1984	43	14

2. This matter is presently under investigation and I will advise the honourable member of the results when they become available.

MINISTER'S OVERSEAS TRAVEL

525. **The Hon. TED CHAPMAN** (on notice) asked the Minister of Tourism, representing the Minister of Health: Did the Minister of Health travel overseas during 1984 and, if so—

(a) which country or countries did he visit;
(b) what was the official purpose of such visits;
(c) what were the respective dates of departure and return for each trip;
(d) what were the names and officer status of others travelling with the Minister, if any; and
(e) what was the total cost of each trip?

The Hon. G. F. KENEALLY: Yes, the Minister of Health did travel overseas during 1984—

(a) a visit to North America including the United States of America and Canada;
(b) to study developments in the areas of
(1) drug rehabilitation,
(2) occupational health,
(3) incentive budgeting, and
(4) health service utilisation review;
(c) departed 11 May 1984, returned 8 June 1984;
(d) Mrs Cornwall
Mr E. J. Cooper, Deputy Chairman, South Australian Health Commission
Mr A. Bansemer, Director, Policy and Projects, South Australian Health Commission
Ms C. Giles, Executive Assistant; and
(e) Total cost was $52 219.26.

LEGISLATIVE CHANGES

526. **The Hon. TED CHAPMAN** (on notice) asked the Minister of Education, representing the Minister of Agriculture: Does the Minister of Agriculture intend to maintain, modify or abolish any of the following Acts or the structure or function of the respective Boards serving under those Acts—

(a) Potato Marketing Act, 1948;
(b) Apiaries Act, 1931;
(c) Egg Industry Stabilization Act, 1973; and
(d) Citrus Industry Organisation Act, 1965,

and, if so, what action is to be taken and when will the Minister confirm the Government's position in each case?

The Hon. LYNN ARNOLD: The Government is continually reviewing all legislation and amendments to the acts outlined by the honourable member will be undertaken if and when necessary.

COURT PENALTIES

527. **The Hon. TED CHAPMAN** (on notice) asked the Minister of Education, representing the Minister of Agriculture:

1. Did the Minister of Agriculture remit or quash the aggregated penalties of $11 964, imposed on Victorian vegetable merchant, James Hugh McCarthy, by Johansson SM in the Mount Gambier Court and upheld by Mr Justice Bollen in the Supreme Court and, if remitted in accordance with the Ministerial press release dated 14 March, were the penalties actually paid by McCarthy as ordered by the courts and, if so, to which court, State or statutory fund were they initially paid?

2. Who represented the appellant and defendant parties before the courts in the McCarthy case?

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

1. No. The remittance of penalties imposed on James Hugh McCarthy was as a result of a decision by Cabinet.

2. It would be more appropriate for this information to be obtained from Mr McCarthy.

WORKING PARTY'S REPORT

528. **The Hon. TED CHAPMAN** (on notice) asked the Minister of Education, representing the Minister of Agriculture:

1. Will the Minister publicly acknowledge receipt and acceptance of the findings of the Working Party he appointed on 27 June 1984 to investigate the statutory marketing of potatoes and other matters as referred to in the Ombudsman's Report of January 1984 and, if not, which recommendations does he decline to accept and why?

2. Were the recommendations unanimously supported by all members of the Working Party and, if not, were the Departmental officers on the Working Party supportive of the majority findings and, if not, which particular findings did they decline to support?

3. Were those Departmental officers subject to any Government or Ministerial instruction on any of the issues discussed by the Working Party during their investigation or at the time of preparing their draft or final report and, if so, what were those instructions?

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

1. The Report of the Working Party for Review of the Potato Marketing Act has been released for public comment. A copy of the report can be made available to the honourable member.

2. Refer to Part I.

3. No Ministerial instructions were issued to the working party other than the setting of the terms of reference which are included in the report of the working party.

POLICE UNIFORMS

530. **Mr MEIER** (on notice) asked the Minister of Emergency Services: Is it the intention of the Government to allow the wearing of khaki uniforms by police officers in most South Australia rural areas, or in certain selected regions, in addition to those regions where this provision currently exists and, if so, when will this occur and, if not, why not?

The Hon. J.D. WRIGHT: The Commissioner of Police has advised that a total uniform review is currently being undertaken and, until that is completed, the existing uniform requirements are to remain unchanged.

JAMES HUGH McCARTHY

532. **The Hon. TED CHAPMAN** (on notice) asked the Minister of Education, representing the Minister of Agriculture: Did the Minister of Agriculture discuss the penalties imposed on James Hugh McCarthy with any grower or Potato Board or industry staff member before intervening

in the case and, if not, who solicited the Minister's intervention and what specifically were the terms of that request?

The Hon. LYNN ARNOLD: No. The remittance of the penalties imposed on James Hugh McCarthy was as a result of a decision by Cabinet.

MONARTO

535. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. Has the Minister yet replied in detail to the letter of 10 April 1984 forwarded to him by M. Baillie of Leabrook and, if so, when and, if not, why not?

2. What action is being taken by the Minister regarding the matter of grazing in reafforested areas at Monarto as referred to in M. Baillie's letter?

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

1. Yes—26 March 1985.

2. Reports of grazing were received by the Department for Environment and Planning in early 1982. Inspections of three Monarto heritage agreement areas were made in June of that year. In one of these areas, damage to the trees had resulted from grazing. The landowners concerned were contacted by the Department so that the practice was stopped. Other inspections are made in response to complaints, or requests to place further areas under heritage agreements, or for management advice. Discussions are being undertaken with a view to transferring the responsibilities of long-term monitoring of Monarto plantings to the Woods and Forests Department.

YALKURI BOUNDARY FENCE

536. **The Hon D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: What is the purpose for construction of the fence running east of the Yalkuri boundary in the Coorong National Park?

The Hon. D.J. HOPGOOD: The owner of Yalkuri Station constructed the fence to prevent cattle straying into the park.

MOUNT BARKER LIBRARY

538. **The Hon D.C. WOTTON** (on notice) asked the Minister of Education: Is the joint library project between the Mount Barker District Council and TAFE to proceed and, if so:

(a) how much money has been allocated and when was it allocated;

(b) what are the reasons for the delay; and

(c) when is it now anticipated that the project will commence and be completed:

The Hon. LYNN ARNOLD: I am pleased to advise that the project is proceeding. It is hoped that the joint college and public library service based at the Mount Barker campus of the Hills College of TAFE will be operational in July or August of this year. The terms of a contractual agreement between the council and me as Minister have been prepared by the Crown Solicitor's Office, and subject to some minor amendments the agreement should be ready for signature within a few weeks.

The total capital cost of the joint library project is estimated at $54 800, of which the district council, with subsidy from the Libraries Boards of South Australia, will contribute $45 000. Departmental and council funds have been allocated for expenditure in the 1984-85 financial year. Commencement of the project has been delayed by the need to relocate Department of Agriculture staff housed in an adjacent building before TAFE staff could vacate their present accommodation to enable conversion of the main building for library purposes to proceed. The proposed alterations to the main building have also been subject to review by the Historic Buildings committee, as a result of which some changes to the initial design have proven necessary. Work on the conversion is now in progress and the scheduled date of completion advised by the Operational Services Branch, Housing and Construction Department is 1 June 1985.

INTELLECTUALLY HANDICAPPED PEOPLE

539. **The Hon D.C. WOTTON** (on notice) asked the Minister of Tourism, representing the Minister of Health: In relation to the need for a residential facility catering for intellectually handicapped people in the Hills area of the eastern region, is it the intention of the Government to:

(a) retain the current Crafers Community Unit at Fairview Road, Crafers and, if so:

(i) is the Minister aware that the building is currently unsafe, overcrowded, substandard and inefficient;

(ii) what immediate plans are there and what is the estimated cost for urgently upgrading the facility to an acceptable standard;

(iii) what funds are provided and what is the estimated cost of the maintenance of the facility on a continuing basis;

(iv) what is the current market value of the property; and

(v) what is the attitude of the Board of Management of the Intellectually Disabled Services Council regarding the current condition and the future use of the facility, or

(b) relocate the Unit to a more suitable building in the Hills area and, if so, what specific and immediate plans does the Government have in relation to such relocation?

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

(a) No.

(b) It is considered that the Crafers Community Unit, which was purchased by the previous Government, is generally an inappropriate facility for persons with intellectual disability. It is planned to relocate the unit into more suitable locations, although not all of them would necessarily be located in the Adelaide Hills. Some planning has already been commenced to enable this to occur.

The Crafers Community Unit currently provides, as well as residential accommodation to a number of adults with intellectual disability, respite care to children, adolescents and adults. The Intellectually Disabled Services Council is working with the Anglican Child Care to replace this respite service with a more appropriate model. Subject to Commonwealth funding, this service could commence in 1985-86. This will enable the IDSC to plan alternatives for permanent residents of the Crafers Community Unit. The IDSC has developed such a proposal and, subject to the availability of funds in 1985-86, this could be implemented in that financial year. In the meantime, some repairs have been undertaken to ensure that some of the less desirable aspects of the Unit are dealt with.

KNOLL CONSERVATION PARK

540. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. What purpose does the recently constructed tower in the Knoll Conservation Park serve?

2. Is this Conservation Park classified 'designated special use'?

3. Which interest groups were consulted prior to the construction of this tower?

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

1. The Knoll installation is an example of a Government department and a statutory authority pooling resources to obtain a common goal. The installation is part of a rational upgrading of the Department for Environment and Planning's radio communication network. For the Country Fire Services the site provides priority command communications between district control centres and field controls.

2. No.

3. Officers from the Stirling council, Country Fire Services and the Department of Environment and Planning's National Parks and Wildlife Service and Development Management Division were consulted prior to the construction of the tower.

DAIRY INDUSTRY

541. **The Hon. H. ALLISON** (on notice) asked the Minister of Education, representing the Minister of Agriculture: Is the Government committed to a State milk and dairy products price equalisation scheme following his consultation with, and announcements by, ALP candidate P. Humphries in Mount Gambier on 28 and 29 March 1985 and, if not, what is the Government's future milk marketing policy?

The Hon. LYNN ARNOLD: In South Australia there are five regional equalisation schemes rather than one State scheme. The Government has no plans to change these schemes at the moment. However, the situation will be kept under review, given the changes proposed for the national marketing of dairy products by the Commonwealth Government.

PLANNING APPEAL TRIBUNAL

543. **Mr M.J. EVANS** (on notice) asked the Minister for Environment and Planning: How many matters were brought before the Planning Appeal Tribunal in the year 1983-84 and:

(a) how many were third party appeals and how many were upheld;

(b) of the appeals by applicants, how many were upheld; and

(c) how many of the decisions of the Tribunal for 1983-84 were appealed to the Supreme Court, and with what result?

The Hon. D.J. HOPGOOD: Total number of matters lodged with the Planning Appeal Tribunal in year 1983-84: 1436.

(a) Objector Appeals: 269 objector appeals were finalised in year 1983-84. The following is a break up of the results of those appeals:

13 upheld (five of which were as a result of planning decision being reversed because the applicant for planning consent no longer wished to avail himself of that consent)
86 varied (as a result of full hearing or a compromise reached at conference)
39 not upheld
38 jurisdiction declined (beyond authority of Tribunal)
Total heard 176 (the remaining 93 appeals were withdrawn).

(b) Applicant Appeals: 244 applicant appeals were finalised in year 1983-84. The following is a break-up of the results of those appeals:

61 upheld
20 varied (as a result of full hearing or a compromise reached at conference)
37 not upheld
19 jurisdiction declined (beyond authority of Tribunal)
Total heard 137 (the remaining 107 appeals were withdrawn)

(c) 14 appeals (whether applicant or objector appeals) went to Supreme Court. Results:

2 Remitted to Tribunal
8 Dismissed
4 Allowed